

ORDINANCE NO. 2485
INTRODUCED BY: Padilla

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO,
AMENDING ARTICLE 15 OF THE BRIGHTON MUNICIPAL CODE RELATED TO BUILDINGS AND
CONSTRUCTION

WHEREAS, City of Brighton (the "City") staff reviewed Article 15 of the Brighton Municipal Code related to buildings and construction and recommend the amendments set forth herein for clarity and ease of administration; and

WHEREAS, the City Council has reviewed the proposed amendments to the Brighton Municipal Code and finds that such amendments are necessary to protect life, health, and property within the City; to prevent nuisances within the City; to preserve and enforce the general welfare; and to protect the safety, order, and security of the City and the inhabitants thereof desires to adopt such amendments.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO AS FOLLOWS:

Section 1. Section 15-2-10 is hereby amended in its entirety as follows:

Sec. 15-2-10. – Title and purpose.

- (a) Title. These regulations shall be known as the "Brighton Administrative Code," may be cited as such, and referred to herein as this "Code."
- (b) Purpose. The adoption of the codes enumerated in this article is necessary to protect life, health, and property within the City; to prevent nuisances within the City; to preserve and enforce the general welfare; and to protect the safety, order, and security of the City and the inhabitants thereof.

Section 2. Section 15-2-20 is hereby deleted in its entirety.

Section 3. Section 15-2-30 is hereby recodified as Section 15-2-20 amended in its entirety as follows:

Section 15-2.20. – Definitions.

For this Code, certain terms, phrases, words, and their derivatives shall be construed as specified in this Section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context in which they are used. Webster's Third International Dictionary of the English Language, Unabridged, Copyright 2022, shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

Construction materials are tangible personal property, which, combined with other tangible personal property, loses its identity to become an integral and inseparable part of a completed structure or project, including public and private improvements. "Construction materials" include, but are not limited to, such things as: asphalt, bricks, builder's hardware, caulking material, concrete, conduit, electric wiring and

connections, glass, gravel, insulation, lath, lumber, millwork, mortar, paint, piping, pipe valves and pipe fittings, plaster, plumbing fixtures, putty, reinforcing mesh, road base, roofing, sand, sanitary sewer pipe, sheet metal, site lighting, steel, stone, stucco, tile, trees, shrubs and other landscaping materials, wall board, wallpaper, weather stripping, wire netting and screen, water mains and meters, and wood preserver. The above materials, when used for forms or other items which do not remain as an integral or inseparable part of a completed structure or project, are not "construction materials."

Section 4. Section 15-2-40 is hereby recodified as Section 15-2-30 amended in its entirety as follows:

Sec. 15-2-30. – Conflicting provisions.

Whenever conflicting provisions or requirements occur between any other codes or laws of the City, the most specific, then most restrictive shall govern.

Section 5. Sections 15-2-50 through 15-2-100 are hereby repealed in their entirety.

Section 6. Section 15-2-110 is hereby re-codified as Section 15-2-40 and amended as follows:

Sec. 15-2-40. – Appeals Hearing Officer.

- (a) *Appeals Hearing Officer.* In order to hear and decide appeals of orders, decisions, or determinations made by the Building Official, a hearing officer shall preside over matters pertaining to contractor license revocation and building code interpretation. The Appeals Hearing Officer may consult relevant experts at the cost of the applicant. The hearing officer shall be appointed by the City Council and shall serve until the next International Code cycle is adopted. The appeals hearing officer may be removed for cause by an affirmative vote of the City Council.
- (b) *Hearing.* After the filing of an appeal, the hearing date shall not be more than sixty (60) days from the date the appeal was filed with the Building Official, which hearing date may be extended for good cause shown.
- (c) *Appeals.* This Section hereby supersedes and replaces any "Board of Appeals" or appellate code section of the *International Code Council* codes which the City has adopted by reference.
 - (1) *Basis of appeal.* Whenever it is claimed that the provisions of this code do not apply, or that an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of this code or any of the regulations thereunder have been misconstrued or wrongly interpreted, then the owner of such building or structure or his or her duly authorized agent may appeal the decision of the Building Official. Such appeal shall be in writing and shall be submitted to the Building Official within ten (10) days of the action causing the appeal.
 - (2) *Decision of the Appeals Hearing Officer.* The Appeals Hearing Officer, when acting upon an appeal and after a hearing, shall determine the suitability of alternate materials and methods of construction and make interpretations of the provisions of this Code consistent with its purpose and

intent. Further, the hearing officer shall make a determination on the continuation of licensure, if at issue. Every decision of the Hearing Officer shall be in writing. Every decision shall be filed in the office of the Building Official within thirty (30) days of such decision and shall be open to public inspection. A copy of the decision shall be sent by mail or otherwise delivered to the appellant. The Hearing Officer shall, in every case, reach a decision without unreasonable or unnecessary delay, and the Building Official shall immediately act in accordance with such decision. A decision of the Hearing Officer, which in effect shall modify the provisions of this Code, shall not be considered a precedent for future decisions of the Building Official or Hearing Officer.

(3) Final decision. All decisions made by the Hearing Officer are final.

Section 7. Sections 15-2-120 through 15-2-150 are hereby repealed in their entirety.

Section 8. Section 15-2-160 is hereby recodified as Section 15-2-50 and amended as follows:

Sec. 15-2-50. – Fees.

(a) Permit Fees. The fee for each permit shall be as set forth in this Section, and as further set forth in the Adopted Fee Resolution of the City. If any conflict exists between this Code and the fee resolution, the fee resolution will prevail. None of this Code shall be construed as preempting or overriding sales and use tax provisions.

The determination of value or valuation shall be approved by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

Exception: New R-3 Occupancies or those buildings governed by the IRC shall be valued based upon the fee resolution.

To simplify the permit/fee process for applicants only one (1) permit shall be required for work to be done either on the initial construction or subsequent alterations to R-3 or IRC governed occupancies.

The valuation specified above shall be based on either:

- (1) The value of the permitted work provided by the applicant; or
- (2) The cost figures per square foot are shown in the Building Valuation Data Chart published in the Building Safety Journal of the International Code Council. The cost figures from the Building Valuation Data shall be revised each year as the cost figures are adjusted in the Building Safety Journal, August edition. The new cost data will become effective January 1 of each year in accordance with the Fee Schedule adopted by the City. This is the method used for new single-family unit occupancies.

- (b) Use tax valuation. See Article 3-32 of this Code, as amended.
- (c) Expiration of plan review. Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official while following the adopted records retention policy. The Building Official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.
- (d) Work without a permit. Whenever any work for which a permit is required by this Code has been commenced without first obtaining said permit, the permit fee for such work shall be doubled.
- (e) Fee refunds.
 - (1) The Building Official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected.
 - (2) The Building Official may authorize the refunding of no more than eighty percent (80%) of the building permit fee when no work has been initiated under a permit issued in accordance with this Code. The remaining twenty percent (20%) is to cover administrative costs.

Section 9. Section 15-2-170 is hereby recodified as Section 15-2-60 and amended as follows:

Sec. 15-2-60. – Inspections.

- (a) A survey of the lot or a stamped Improvement Location Certificate may be required by the Building Official to verify that the structure is located in accordance with the approved plans.
- (b) At the discretion of the Building Official, and at the cost of the building owner, qualified third-party agencies may be required to perform certain inspections and provide documentation as to the results of those inspections.

Section 10. Section 15-2-180 is hereby recodified as Section 15-2-70 and amended as follows:

Sec. 15-2-70. – Re-inspections.

Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of the work for which inspection is called for is not made. Inspections may be postponed at the discretion of the Building Official.

A re-inspection fee may also be assessed when the permit card is not properly posted on the work site, the approved plans are not readily available for the inspector, for failure to provide access on the date for which the inspection is required, for deviating from plans approved by the Building Official, or other failings which result in undue staff time to resolve.

Section 11. Section 15-2-190 is hereby recodified as Section 15-2-80 and amended as follows:

Sec. 15-2-80. – Special Inspections.

- (a) The owner, the engineer, or architect of record acting as the owner's agent shall employ one or more special inspectors who shall provide inspections during construction on work as dictated by the applicable building code or in the following instances:
 - (1) Firestop of annular spaces in rated assemblies.
 - (2) Work which, in the opinion of the Building Official, involved special hazards or construction techniques.

- (b) The Building Official may waive the requirement for the employment of a special inspector if the construction is of a minor nature, as determined by the Building Official.

Section 12. Sections 15-2-200 through 15-2-230 are hereby repealed in their entirety.

Section 13. Sections 15-4-10 through 15-4-20 are hereby amended and recodified as follows:

Sec. 15-6-10. – Code adopted; purpose.

- (a) The latest version of the "International Building Code, 2021 Edition," and any subsequent edition of the International Building Code which may be adopted by reference by the City Council of the City of Brighton, with the exception of any appendices, published by the International Code Council, Inc., is hereby adopted as the International Building Code of and for the City.
- (b) All sections, subsections, terms, and provisions of this Article not otherwise specifically repealed or amended shall apply to the code adopted by reference, as the same may be amended from time to time.

Sec. 15-6-15. – Non-liability.

The adoption of any and all International Codes by this Article shall not create any duty to any person with regard to the enforcement or non-enforcement of any of said International Codes. No person shall have any civil remedy against the City or its officers, employees, or agents for any damage arising out of or in any way connected with the adoption, enforcement, or non-enforcement of said International Codes. Nothing in this Code shall be construed to create any liability, or waive any of the immunities, limitations of liability, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, et seq., or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees, or agents.

Sec. 15-6-20. – Copy of code on file.

The office of the City Clerk shall maintain at least one copy of the International Building Code on file.

Section 14. Section 15-4-30 is hereby repealed in its entirety.

Section 15. Section 15-4-40 is hereby recodified as Section 15-6-30 and amended as follows:

Sec. 15-6-30. – Amendments to the International Building Code.

(a) *International Building Code* Section 101.1 is hereby amended as follows:

101.1 Title. These regulations shall be known as the Building Code of the City of Brighton, hereinafter referred to as "this code."

(b) Section 105.2(Building) of the *International Building Code* is hereby amended by the deletion of No. 2 (Fences not over 7 feet (2134 mm) high).

(c) Section 102.7 of the *International Building Code* is hereby enacted as follows:

102.7 Requirements not covered by this code. Requirements necessary for the strength, stability, or proper operation of an existing or proposed structure or site, or for the public safety, health, and general welfare, not specifically covered by this code, shall be determined by the Building Official.

(d) Section 103.1 of the *International Building Code* is hereby amended as follows:

103.1 Creation of enforcement agency. The City of Brighton Building Division is hereby created, and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

(e) Section 1608.1 of the *International Building Code* is hereby amended as follows:

1608.1. General. Design snow loads shall be determined in accordance with Chapter 7 of ASCE 7, but the design roof load shall not be less than that determined by Section 1607. The uniform snow load shall not be less than 35 pounds per square foot. Previously reviewed and approved plans based on a 30 pounds per square foot uniform snow load are acceptable.

(f) Section 1609.1 of the *International Building Code* is hereby amended as follows:

1609.1 Applications. Buildings, structures, and parts thereof shall be designed to withstand the minimum wind loads prescribed below or determined by Chapters 26 to 30 of ASCE 7. Decreases in wind loads shall not be made for the effect of shielding by other structures.

Risk Category I: 101 MPH 100-year MRI

Risk Category II: 107 MPH 100-year MRI

Risk Category III: 114 MPH 100-year MRI

Risk Category IV: 118 MPH 100-year MRI

(g) Section 1612.3 of the *International Building Code* is hereby amended as follows:

Section 1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data.

The flood hazard map shall include, at minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the City of Brighton," dated December 2, 2021, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

(h) Section 1613.1 of the *International Building Code* is hereby amended as follows:

1613.1. The seismic design category for all structures is B coefficient.

Section 16. Sections 15-4-50 through 15-4-110 are hereby repealed in their entirety.

Section 17. Article 15-16 is hereby recodified as Article 15-4 and amended as follows:

ARTICLE 15-4 – Contractor Licenses

Sec. 15-4-10. – Purpose and intent.

This Article is adopted to protect the health, safety, and welfare of the general public and to preserve life, limb, and the value of property within the City by requiring that building and construction contractors working within the City are appropriately qualified and duly licensed.

Sec. 15-4-20. – License required.

(a) A contractor license is required for any person, firm, company, partnership, corporation, association, or any combination thereof, which undertakes to perform any of the work for which a license is mandated in this Article within the City.

(b) The following are exempted from the requirements of this Article:

- (1) Any person performing work under the direction of a licensed contractor, not including plumbing, mechanical, and/or electrical work.
- (2) An owner performing work on his or her own personal residence and buildings accessory thereto. Under this exception, an owner may construct only one (1) personal residence within a period of three (3) consecutive years without obtaining a contractor license.
- (3) Owners of commercial buildings may, at the discretion of the Building Official, obtain permits for minor remodel projects not involving structural changes, provided that the owner is able to prove to the sole discretion of the Building Official that he or she is capable of doing the work. Notwithstanding the foregoing, all electrical and/or plumbing work must be done by a licensed electrician or licensed plumber, respectively.
- (4) Public utility companies and water and sanitation districts, when engaged in the installation, operation, and maintenance of equipment used in production or service from their source through the facilities owned or operated by such utility company to the point of the respective meter.

- (5) Contractors installing fabricated or manufactured units, such as, but not limited to, cabinets, countertops, storm windows, carpet, gutters, downspouts, and landscaping materials.
- (6) Electrical contractors registered pursuant to 15-4-30.

Sec. 15-4-30. – Responsibility of licensee and Electrical Code registrants.

Contractors licensed pursuant to this Article and persons registered pursuant to this Article shall be responsible for the proper conduct of their business in the City, which includes:

- (a) Obtaining permits before commencing work;
- (b) Completing construction in accordance with applicable codes, drawings, and specifications which have been approved and for which a permit has been issued, except for good cause and/or in accordance with City-approved changes;
- (c) Scheduling all required inspections;
- (d) Maintaining building plans, permits, and inspection records on the job site and accessible to City inspectors;
- (e) Providing adequate job site sanitary facilities and safety measures to protect workers and the general public;
- (f) Paying for all licenses and fees;
- (g) Properly supervising all employees and subcontractors; and
- (h) Complying with all local, state, and federal laws.

Sec. 15-4-40. – Application for license.

- (a) Applicants for a contractor license and Electrical Code registration pursuant to this Article shall submit an application and the required application fees.
- (b) Any applicant for a contractor license shall establish the applicant's competence to perform the activities authorized by the license to the satisfaction of the Building Official.

Section 15-4-50. – License classifications.

The following classes of contractor licenses are established, and the holder of each license shall be authorized to perform work permitted by such license. All licenses shall be valid for twelve (12) months from the date of issue.

- (a) *Class A – Unlimited General Contractor.* The holder of this license shall be authorized to construct, alter, repair, or demolish any building or structure.
- (b) *Class B – Limited General Contractor.* The holder of this license shall be authorized to construct Type II, IV, or V buildings that do not exceed three (3) stories in height and which would not be used for Group E or I Occupancy. This class license

authorizes interior nonstructural work on all building types and all occupancy groups. The holder also may perform work authorized by Class C and D licenses.

- (c) *Class C – Residential General Contractor.* The holder of this license shall be authorized to construct, alter, repair, or demolish residential buildings not exceeding three (3) stories in height above grade and regulated by the International Residential Code. The holder may also perform work authorized by a Class D and E license.
- (d) *Class D – Specialty Trades.* The holder of this license shall be authorized to perform one (1) specified building trade, such as house mover, mobile home setup, masonry, concrete flatwork, framing, drywall, roofing, glazing, irrigation systems, fire protection systems, elevator systems, security systems, solar energy collection/conversion systems, drain laying, water and sewer mains and paving, but shall not authorize electrical or mechanical work or connections to a potable water system.
- (e) *Class P – Plumbing Contractor.* The holder of this license shall be authorized to perform all work described in the adopted plumbing code. This class license shall be issued to an individual or a business entity employing, in a supervisory capacity, an individual holding a current and valid State Master's Plumbing License.
- (f) *Class M – Mechanical Contractor.* The holder of this license shall be authorized to construct, install, repair, or alter all mechanical systems described in the adopted mechanical code, but shall not authorize electrical work or connections to a potable water system.
- (g) *Electrical Contractor.* This Registration shall be issued to an individual, or a business entity employing, in a supervisory capacity, an individual holding a current and valid State Master's Electrical License and State Electrical Contractor's License. No fee is required for this registration.

Sec. 15-4-60. – Insurance required.

Before any contractor license shall be issued to an applicant, the applicant shall furnish to the Building Official a certificate of general liability insurance in favor of the City and valid for the period of the license. Coverage shall be of at least the minimum amounts established by the Building Official.

Sec. 15-4-70. – License nontransferable.

Licenses are not transferable. A change in name or ownership of a licensed business entity shall have the legal effect of terminating the license. All such changes shall be reported to the Building Official, and a new license must be obtained. A license to a firm is not valid without the continued employment of the qualified individual with that business.

Sec. 15-4-80. – Suspension or revocation of license.

The Building Official shall have the right to suspend or revoke a contractor license for violation of the provisions of this Article, or any other ordinance, code, or statute in effect within the City.

Sec. 15-4-90. – Denial of license.

The Building Official may deny an application or a license or license renewal upon a determination that:

- (a) The applicant provided false information on the application form;
- (b) The applicant is not qualified by education, training, or experience to perform the work authorized by the license; or
- (c) The applicant previously failed to comply with the ordinances and regulations of the City relating to contractor licenses or construction.

Sec. 15-4-100. – Appellate review for revocation or denial.

- (a) The Appeals Hearing Officer appointed pursuant to Article 15-2 shall hear any appeal submitted by an applicant whose contractor license has been revoked or application renewal has been denied by the Building Official.
- (b) The applicant shall submit his or her appeal in writing to the Appeals Hearing Officer within ten (10) calendar days after his or her license has been revoked and/or application has been denied.
- (c) The Appeals Hearing Officer, after a hearing, shall determine whether the Building Official abused his or her discretion in revoking a contractor license, or whether the City abused its discretion in denying the application for a license authorized by this Article.
- (d) The Appeals Hearing Officer shall issue a written decision within thirty (30) days of the hearing. The written decision shall be delivered to the applicant and the City by certified mail or personal service. The City shall act in accordance with the decision.

Section 18. Article 15-12 is hereby recodified as Article 15-8 and amended as follows:

Sec. 15-8-10. – Code adopted; purpose.

- (a) The latest version of the 2023 edition of the "National Electrical Code," published by the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02160-7471, as adopted by the State of Colorado State Electrical Board, and any subsequent edition of the National Electrical Code which may be adopted by reference by the City Council of the City of Brighton, is hereby adopted as the National Electrical Code of and for the City.
- (c) All sections, subsections, terms, and provisions of this Article not otherwise specifically repealed or amended shall apply to the code adopted by reference, as the same may be amended from time to time.

15-8-15. – Non-Liability.

The adoption of this code by this Article shall not create any duty to any person with regard to the enforcement or non-enforcement of any of said code. No person shall have any civil remedy against the City or its officers, employees, or agents for any

damage arising out of or in any way connected with the adoption, enforcement, or non-enforcement of said code. Nothing in this Code shall be construed to create any liability, or waive any of the immunities, limitations of liability, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees, or agents.

Sec. 15-8-20. – Copy of code on file.

The office of the City Clerk shall maintain at least one copy of the National Electrical Code on file.

Section 19. Article 15-20 is hereby recodified as Article 15-10 and amended as follows:

Sec. 15-10-10. – Code adopted; purpose.

- (a) The latest version of the “International Fire Code, 2021 Edition,” and any subsequent edition of the International Fire Code which may be adopted by reference by the City Council of the City of Brighton, including appendices B – Fire Flow Requirements for Buildings, C – Fire Hydrant Locations and Distribution, D – Fire Apparatus Access Road, E – Hazard Categories, F – Hazard Ranking, G – Cryogenic Fluids Weight and Volume Equivalents, and L – Requirements for Firefighter Air Replenishment Systems, published by the International Code Council, Inc., is hereby adopted as the International Fire Code of and for the City.
- (d) All sections, subsections, terms and provisions of this Article not otherwise specifically repealed or amended shall apply to the code adopted by reference, as the same may be amended from time to time.

Sec. 15-10-15. – Non-liability.

The adoption of any and all International Codes by this Article shall not create any duty to any person with regard to the enforcement or non-enforcement of any of said International Codes. No person shall have any civil remedy against the City or its officers, employees or agents for any damage arising out of or in any way connected with the adoption, enforcement, or non-enforcement of said International Codes. Nothing in this Code shall be construed to create any liability, or waive any of the immunities, limitations of liability, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees, or agents.

Sec. 15-10-20. – Copy of code on file.

The office of the City Clerk shall maintain at least one copy of the International Fire Code on file.

Sec. 15-10-30. – Amendments to the International Fire Code.

- (a) Whenever the term “fire code official” or similar title is used in the International Fire Code, including the appendices thereto as hereby adopted, the term “Fire Chief of the Brighton Fire Rescue District” or “Fire Chief of the South Adams Fire Protection District,” shall be inserted in lieu thereof, as appropriate.
- (b) Section 101.1 of the *International Fire Code* is hereby amended as follows:

101.1 Title. These regulations shall be known as the *Fire Code of the City of Brighton, Colorado*, and hereinafter referred to as "this code."

(c) Subsection 105.5.32 of the *International Fire Code* is hereby amended as follows:

A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors. A mobile food preparation vehicle means a motorized or towed wheeled vehicle that is designed, equipped, and used to prepare or serve and sell food.

(d) Subsection 105.6.25 of the *International Fire Code* is hereby enacted as follows:

105.6.25. Flammable and combustible liquids. A permit is required to install, alter, remove, abandon, or otherwise dispose of a flammable or combustible liquid tank.

(e) Section 109.3 of the *International Fire Code* is hereby amended as follows:

109.3 Recordkeeping.

- (a) A record of periodic inspections, tests, servicing, and other operations and maintenance shall be maintained on the premises or other approved location for not less than 3 years, or a different period of time where specified in this code or referenced standards. Records shall be made available for inspection by the fire code official, and a copy of the records shall be provided to the fire code official on request. The fire code official is authorized to prescribe the form and format of such recordkeeping. The fire code official is authorized to require that certain required records be filed with the fire code official.
- (b) All licensed contract companies shall submit inspections, tests, and service reports through The Compliance Engine, a cloud-based, electronic program for recordkeeping of the fire protection system reports for Brighton Fire Rescue District. Fire protection contractors shall submit service reports and shall register with The Compliance Engine. Contractors shall submit all complaints and deficient inspection, testing, and maintenance reports as soon as possible, but no later than 12 days after the service date. System impairment reports shall be submitted immediately.

(f) Section 111.2 of the *International Fire Code* is hereby amended as follows:

111.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent or better form of construction is proposed. The appeals hearing officer shall not have authority to waive requirements of this code or interpret the administration of this code.

(g) Section 113.4 of the *International Fire Code* is hereby amended as follows:

113.4 Violation penalties. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or

structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

(h) Section 307.6 of the *International Fire Code* is hereby enacted as follows:

307.6 Prohibitions. Open burning is prohibited on windy days in which surface wind speeds exceed 10 miles per hour or, if a particular wind direction results in a hazardous fire or smoke condition, as determined by the fire code official.

(i) Section 307.7 of the *International Fire Code* is hereby enacted as follows:

307.7 Open burn hours. Unless an alternative time has been approved by the fire code official, opening burning shall commence only after sunrise and conclude upon sunset.

(j) Section 308.1.4 of the *International Fire Code* is hereby amended as follows:

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

(k) Section 403.11.1 of the *International Fire Code* is hereby amended as follows:

403.11.1. Fire watch personnel. Where, in the opinion of the fire code official, it is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall provide one or more fire watch personnel, as required and approved. Fire watch personnel shall comply with Sections 403.11.1.1 and 403.11.1.2. Public notice of a building under fire watch may be required at the discretion and as required by the fire official.

(l) Section 503.2.7 of the *International Fire Code* is hereby amended as follows:

503.2.7 Grade. The grade of a fire apparatus access road shall not exceed 7%. The grade of an aerial fire apparatus access road shall not exceed 5%.

(m) Section 503.6.1 of the *International Fire Code* is hereby enacted as follows:

503.6.1 Electric security gates. Electrically operated security gates installed in areas of residential occupancy shall have the following means of emergency operation: (1) an approved key switch; (2) automatic opening upon power loss; (3) the capability to be manually opened.

(n) Section 505.1 of the *International Fire Code* is hereby amended as follows:

505.1 Address identification. New and existing commercial and industrial buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (152.4 mm) high with a minimum stroke width of

$\frac{3}{4}$ inch (19.05 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address identification shall be maintained.

(o) Section 506.1 of the *International Fire Code* is hereby amended as follows:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require all buildings and facilities with a monitored fire protection system to maintain a Knoxbox key box to be installed in an approved location. The Knoxbox key box shall be of an approved type listed in accordance with UL 1037 and shall contain keys to gain necessary access as required by the fire code official.

(p) Section 507.5 of the *International Fire Code* is hereby amended as follows:

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6. All newly placed fire hydrants shall have one 5-inch hose connection with threadless couplings that are compatible with fire department hoses.

(q) Section 5704.2.9.6.1 of the *International Fire Code* is hereby amended as follows:

5704.2.9.6.1. Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the corporate limits of the City of Brighton.

(r) Section 1103.5.3 of the *International Fire Code* is hereby amended as follows:

1103.5.3 Group I-2, Condition 2. In addition to the requirements of Section 1103.5.2, existing buildings of Group I-2, Condition 2 occupancy shall be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1. The automatic sprinkler system shall be installed.

(s) Section 5706.2.4.4 of the *International Fire Code* is hereby amended as follows:

5706.2.4.4. Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the corporate limits of the City of Brighton.

(t) Section 5806.2 of the *International Fire Code* is hereby amended as follows:

5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the corporate limits of the City of Brighton.

(u) Section 6104.2 of the *International Fire Code* is hereby amended as follows:

6104.2 Maximum capacity within established limits. The aggregate capacity of any one installation within the corporate limits of the City of Brighton shall not exceed a water capacity of 2,000 gallons (7570 L).

Sec. 15-10-40. – Penalties and civil remedies.

- (a) It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to and in violation of any of the provisions of this Article, the *International Fire Code*, and appendices and standards hereby adopted or any order issued by the Fire Chief hereunder. If any person, including, but not limited to, owners, occupants, tenants, the officers, agents, employees and representatives of a corporation responsible for its actions or inaction, and the partners or members of a partnership, firm or joint venture, shall violate or cause the violation of this Article, they and each of them shall be guilty of a separate offense for each and every day or portion thereof during which a violation is committed, permitted or continues. Upon conviction thereof, any person, including, but not limited to, such owners, occupants, tenants, partners, members, officers, agents, or representatives, shall be subject only to the penalties provided for in Article 1-24 of the *Brighton Municipal Code*.
- (b) In any case of a failure to comply with any requirements of this Article or of the *International Fire Code*, including all appendices thereto hereby adopted, the City or any person affected by such failure may, in addition to the penalties provided by law, initiate a civil action for injunction, mandamus, abatement or any other appropriate relief to prevent, enjoin, abate, remove or eliminate such violations.
- (c) The regulations, standards, and provisions of the *International Fire Code*, including all appendices and standards thereto hereby adopted, may be enforced by withholding related building permits, suspending or revoking building permits previously granted, or issuing stop work orders effective until violations have been corrected.
- (d) The remedies above are not exclusive of any other remedies available under any applicable federal, state, or local law, and it is within the discretion of the City to seek alternative and/or cumulative sanctions or remedies.

Sec. 15-10-50. – Conflict with other codes.

If a dispute or conflict arises between the *International Fire Code* and appendices as adopted herein, and any plumbing, mechanical, building, electrical, fire, or other uniform code adopted by the City or the State, then the more stringent provisions of each respective code shall prevail.

Section 20. Article 15-24 – Moving of Structures is hereby recodified as Article 15-30.

Section 21. Article 15-28 is hereby recodified as Article 15-12 and amended as follows:

Sec. 15-12-10. – Code adopted; purpose.

- (a) The latest version of the "International Residential Code, 2021 Edition," and any subsequent edition of the International Residential Code which may be adopted by reference by the City Council of the City of Brighton, published by the International Code Council, Inc., is hereby adopted as the International Residential Code of and for the City.
- (b) All sections, subsections, terms, and provisions of this Article not otherwise specifically repealed or amended shall apply to the code adopted by reference, as the same may be amended from time to time.

15-12-15. – Non-liability.

The adoption of any and all International Codes by this Article shall not create any duty to any person with regard to the enforcement or non-enforcement of any of said International Codes. No person shall have any civil remedy against the City or its officers, employees, or agents for any damage arising out of or in any way connected with the adoption, enforcement, or non-enforcement of said International Codes. Nothing in this Code shall be construed to create any liability, or waive any of the immunities, limitations of liability, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, et seq., or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees, or agents.

Sec. 15-12-20. – Copy of code on file.

The office of the City Clerk shall maintain at least one copy of the International Residential Code on file.

Sec. 15-12-30. – Amendments to the *International Residential Code*

- (a) Section R101.1 of the *International Residential Code* is hereby amended as follows:

R101.1 Title. These provisions shall be known as the Residential Code for One- and Two-family Dwellings of the City of Brighton and shall be cited as such and will be referred to herein as "this code."

- (b) Section R102.8 of the *International Residential Code* is hereby amended as follows:

R102.8 Requirements not covered by this code. Requirements necessary for the strength, stability, or proper operation of an existing or proposed structure or site, or for the public safety, health, and general welfare, not specifically covered by this code, shall be determined by the code official.

- (c) Building subsection (2) of R105.2 of the *International Residential Code* is hereby amended as follows:

2. Fences not over 3 feet high.

- (d) Building subsection (11) of Section R105.2 of the *International Residential Code* is hereby enacted as follows:

11. Removal and replacement of electrical and plumbing fixtures, such as outlets, switches, breakers, toilets, and sinks, in the same location are to be treated as repairs and

do not require permitting when the electrical or plumbing infrastructure is not otherwise extended or altered. This exception is not to be construed as exempting electrical panels, mechanical appliances, or similar devices governed by code.

(e) Subsection R105.3.2.1 of the *International Residential Code* is hereby enacted as follows:

R105.3.2.1. Allowable submittal. Permit applications must be accompanied by a complete set of construction documents, except for approved deferred submittals. Unless otherwise agreed upon for model homes, no permit applications shall be accepted prior to completion of all entitlements and/or after initial acceptance of all public infrastructure.

(f) Subsection R106.1.1.1 of the *International Residential Code* is hereby enacted as follows:

R106.1.1.1 Engineering required. Where a proposed structure is 400 sq ft or larger or an existing structure is proposed to become habitable space, construction documents must be prepared by a registered design professional.

(g) Section R108.7 of the *International Residential Code* is hereby enacted as follows:

R108.7 Permit valuations. The applicant for a permit shall provide an estimated permit value at the time of application unless otherwise specified in the fee resolution. Permit valuations shall reflect the total value of work, including materials and labor, for which the permit is being issued. If, in the opinion of the building official, the valuation is incorrect, the permit shall be denied unless the applicant can produce detailed estimates to the building official substantiating the valuation. Final building permit valuation shall be set by the building official.

(h) Section R111.1 of the *International Residential Code* is hereby amended as follows:

R111.1 Connection of service utilities. A person shall not make connections from a utility, a source of energy, fuel, or power to any building or system that is regulated by this code for which a permit is required, until approved by the building official. Each lot and/or single-family unit is to have one tap, one shut-off, and one meter specifically for that unit and independent utilities supplied and connected, without passing through other single-family unit structures unless technically infeasible to do otherwise and approved by the building official. This applies to gas, electric, water, sewer, and similar utilities.

(i) Section R301.2 of the *International Residential Code* is hereby amended as follows:

R301.2 Climatic and geographic design criteria. Buildings shall be constructed in accordance with the provisions of this code as limited by the provisions of this section. Additional criteria shall be established by the building official for the duration of the code cycle and published in a manner readily accessible to the public.

(j) Section R313.2 of the *International Residential Code* is hereby amended as follows:

R313.2 One- and two- family dwelling automatic fire sprinkler systems. An automatic residential fire sprinkler system may be installed in one and two-family dwellings.

(k) Chapter 11 of the *International Residential Code* is hereby deleted in its entirety.

(l) Section G2417.4.1 of the *International Residential Code* is hereby amended as follows:

G2417.4.1 (406.4.1) Test pressure. Test pressure shall be not less than 20 psig for a test duration of not less than 20 minutes.

(m) Section G2417.4.2 of the *International Residential Code* is hereby amended as follows:

G2417.4.2 (406.4.2) Test duration. Test pressure shall be not less than 20 psig for a test duration of not less than 20 minutes.

(n) Section G2427.9.1 of the *International Residential Code* is hereby enacted as follows:

G2427.9.1 Limestone filter required. All high-efficiency gas-fired appliances that produce condensate in a direct vent will pass that drainage through an approved limestone filter prior to discharge into the sanitary sewer.

(o) Section P2603.1 of the *International Residential Code* is hereby amended as follows:

P2603.5.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be not less than 30 inches (mm) below finished grade at the point of septic tank connection. Building sewers shall not be less than 30 inches (mm) below grade.

(p) Section P2911.1 of the *International Residential Code* is hereby amended as follows:

P2911.1 Prohibited. On-site non-potable water reuse systems are prohibited without special specific approval from the Utilities Director and the building official.

(q) Section P3009 of the *International Residential Code* is hereby amended as follows:

P3009 Greywater soil absorption systems. Greywater soil absorption systems are prohibited.

Section 22. Article 15-32 is hereby recodified as Article 15-14 and amended as follows:

Sec. 15-14-10. – Code adopted; purpose.

(a) The latest version of the "International Mechanical Code, 2021 Edition," and any subsequent edition of the International Mechanical Code which may be adopted by reference by the City Council of the City of Brighton, with the exception of any

appendices thereto, published by the International Code Council, Inc., is hereby adopted as the International Mechanical Code of and for the City.

(b) All sections, subsections, terms, and provisions of this Article not otherwise specifically repealed or amended shall apply to the code adopted by reference, as the same may be amended from time to time.

Sec. 15-14-15. – Non-liability.

The adoption of any and all International Codes by this Article shall not create any duty to any person with regard to the enforcement or non-enforcement of any of said International Codes. No person shall have any civil remedy against the City or its officers, employees, or agents for any damage arising out of or in any way connected with the adoption, enforcement, or non-enforcement of said International Codes. Nothing in this Code shall be construed to create any liability, or waive any of the immunities, limitations of liability, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, et seq., or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees, or agents.

Sec. 15-14-20. – Copy of code on file.

The office of the City Clerk shall maintain at least one copy of the International Mechanical Code on file.

Sec. 15-14-30. – Amendments to the International Mechanical Code.

(a) Section 101.1 of the *International Mechanical Code* is hereby amended as follows:

101.1 Title. These regulations shall be known as the *Mechanical Code* of the City of Brighton, hereinafter referred to as "this code."

(b) Section 103.1 of the *International Mechanical Code* is hereby amended as follows:

103.1 Creation of agency. The City of Brighton Building Division is hereby created, and the official in charge thereof shall be known as the building code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

(c) Section 114.4 of the *International Mechanical Code* is hereby amended as follows:

114.4 Violation penalties. If the notice of violation is not complied with promptly, the *building official* is authorized to request the legal counsel of the *jurisdiction* to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

Section 23. Article 15-36 is hereby recodified as Article 15-16 and amended as follows:

Sec. 15-16-10. – Code adopted; purpose.

(a) The latest version of the "International Plumbing Code, 2021 Edition," and any subsequent edition of the International Plumbing Code which may be adopted

by reference by the City Council of the City of Brighton, with the exception of any appendices thereto, published by the International Code Council, Inc., is hereby adopted as the International Plumbing Code of and for the City.

(b) All sections, subsections, terms, and provisions of this Article not otherwise specifically repealed or amended shall apply to the code adopted by reference, as the same may be amended from time to time.

Sec. 15-16-15. – Non-liability.

The adoption of any and all International Codes by this Article shall not create any duty to any person with regard to the enforcement or non-enforcement of any of said International Codes. No person shall have any civil remedy against the City or its officers, employees, or agents for any damage arising out of or in any way connected with the adoption, enforcement, or non-enforcement of said International Codes. Nothing in this Code shall be construed to create any liability, or waive any of the immunities, limitations of liability, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, et seq., or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees, or agents.

Sec. 15-16-20. – Copy of code on file.

The office of the City Clerk shall maintain at least one copy of the International Plumbing Code on file.

Sec. 15-16-30. – Amendments to the International Plumbing Code.

(a) Section 101.1 of the *International Plumbing Code* is hereby amended as follows:

101.1 Title. These regulations shall be known as the *Plumbing Code of the City of Brighton*, hereinafter referred to as "this code."

(b) Section 103.1 of the *International Plumbing Code* is hereby amended as follows:

103.1 Creation of agency. The City of Brighton Building Division is hereby created, and the official in charge thereof shall be known as the building code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

(c) Section 115.4 of the *International Plumbing Code* is hereby amended as follows:

115.4 Violation penalties. If the notice of violation is not complied with promptly, the *building official* is authorized to request the legal counsel of the *jurisdiction* to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

(d) Section 305.4.1 of the *International Plumbing Code* is hereby amended as follows:

(e)

305.4.1 Sewer depth. *Building* sewers that connect to private sewage disposal systems shall be not less than 30 inches (mm) below finished grade at the point of septic tank connection. *Building* sewers shall not be less than 30 inches (mm) below grade.

(f) Section 903.1.1 of the *International Plumbing Code* is hereby amended as follows:

903.1.1 Roof extension unprotected. Open vent pipes that extend through a roof shall be terminated not less than 12 inches (mm) above the roof.

Section 24. Article 15-40 is hereby recodified as Article 15-18 and amended as follows:

Sec. 15-18-10. – Code adopted; purpose.

(a) The latest version of the “International Energy Conservation Code, 2021 Edition,” and any subsequent edition of the International Energy Conservation Code which may be adopted by reference by the City Council of the City of Brighton, with the exception any appendices thereto, published by the International Code Council, Inc., is hereby adopted as the International Energy Conservation Code of and for the City.

(b) All sections, subsections, terms, and provisions of this Article not otherwise specifically repealed or amended shall apply to the code adopted by reference, as the same may be amended from time to time.

Sec. 15-18-15. – Non-liability.

The adoption of any and all International Codes by this Article shall not create any duty to any person with regard to the enforcement or non-enforcement of any of said International Codes. No person shall have any civil remedy against the City or its officers, employees, or agents for any damage arising out of or in any way connected with the adoption, enforcement, or non-enforcement of said International Codes. Nothing in this Code shall be construed to create any liability, or waive any of the immunities, limitations of liability, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, et seq., or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees, or agents.

Sec. 15-18-20. – Copy of code on file.

The office of the City Clerk shall maintain at least one copy of the International Energy Conservation Code on file.

Sec. 15-18-30. – Amendments to the International Energy Conservation Code.

(a) Section 101.1 of the *International Energy Conservation Code* is hereby amended as follows:

C101.1 – Title. This code shall be known as the Energy Conservation Code of the City of Brighton and shall be cited as such. It is referred to herein as “this code.”

(b) Section C402.5 of the *International Energy Conservation Code* is hereby amended as follows:

C402.5: Air leakage—thermal envelope. The building thermal envelope shall comply with Sections C402.5.1 through C402.5.11.1 and, except where found technically infeasible by the building official, the building thermal envelope shall be tested in accordance with Section C402.5.2 or C402.5.3. The new buildings shall also comply with Section C402.5.7, C402.5.8, and C402.5.9.

Section 25. Article 15-42 is hereby recodified as Article 15-20 and amended as follows:

Sec. 15-20-10. – Code adopted; purpose.

- (a) The latest version of the “International Property Maintenance Code, 2021 Edition,” and any subsequent edition of the International Property Maintenance Code which may be adopted by reference by the City Council of the City of Brighton, with the exception any appendices thereto, published by the International Code Council, Inc., is hereby adopted as the International Property Maintenance Code of and for the City.
- (b) All sections, subsections, terms, and provisions of this Article not otherwise specifically repealed or amended shall apply to the code adopted by reference, as the same may be amended from time to time.

Sec. 15-20-15. – Non-liability.

The adoption of any and all International Codes by this Article shall not create any duty to any person with regard to the enforcement or non-enforcement of any of said International Codes. No person shall have any civil remedy against the City or its officers, employees, or agents for any damage arising out of or in any way connected with the adoption, enforcement, or non-enforcement of said International Codes. Nothing in this Code shall be construed to create any liability, or waive any of the immunities, limitations of liability, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, et seq., or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees, or agents.

Sec. 15-20-20. – Copy of code on file.

The office of the City Clerk shall maintain at least one copy of the International Property Maintenance Code on file.

Sec. 15-20-30. – Amendments to International Property Maintenance Code.

- (a) Section 101.1 of the *International Property Maintenance Code* is hereby amended as follows:

101.1 Title. The City of Brighton Building Division is hereby created, and the official in charge thereof shall be known as the building code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

- (b) Section 103.1 of the *International Property Maintenance Code* is hereby amended as follows:

(c)

103.1 Creation of Agency. The City of Brighton Building Division is hereby created, and the official in charge thereof shall be known as the building code official. The function of

the agency shall be the implementation, administration, and enforcement of the provisions of this code.

(d) Section 110.1 of the *International Property Maintenance Code* is hereby amended as follows:

110.1 Authority. Where the building code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order. No construction activities or related activities, inclusive of areas adjacent to the work site, shall produce an undue risk to public safety in the judgment of the building official. Failure to maintain a safe work site will result in a stop work order and/or other remedies established by the City of Brighton.

(e) Section 303.14 of the *International Property Maintenance Code* is hereby amended as follows:

303.14 Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition except for properties that may have historical designation.

(f) Section 404.5 of the *International Property Maintenance Code* is hereby deleted in its entirety.

(g) Section 602.3 of the *International Property Maintenance Code* is hereby amended as follows:

(h)

602.3 Heat Supply. Every owner and operator of any building who rents, leases, or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupant thereof shall supply heat to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

(i) Section 602.4 of the *International Property Maintenance Code* is hereby amended as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Section 26. Article 15-44 is hereby recodified as Article 15-22 and amended as follows:

Sec. 15-22-10. – Code adopted; purpose.

(a) The latest version of the “International Swimming Pool and Spa Code, 2021 Edition,” and any subsequent edition of the International Swimming Pool and Spa Code which may be adopted by reference by the City Council of the City of

Brighton, with the exception of any appendices thereto, published by the International Code Council, Inc., along with the American National Standard for Suction Entrapment Avoidance in Swimming Pools (ICC-7), is hereby adopted as the International Swimming Pool and Spa Code of and for the City.

(b) All sections, subsections, terms, and provisions of this Article not otherwise specifically repealed or amended shall apply to the code adopted by reference, as the same may be amended from time to time.

Sec. 15-22-15. – Non-liability.

The adoption of any and all International Codes by this Article shall not create any duty to any person with regard to the enforcement or non-enforcement of any of said International Codes. No person shall have any civil remedy against the City or its officers, employees, or agents for any damage arising out of or in any way connected with the adoption, enforcement, or non-enforcement of said International Codes. Nothing in this Code shall be construed to create any liability, or waive any of the immunities, limitations of liability, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, et seq., or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees, or agents.

Sec. 15-22-20. – Copy of code on file.

The office of the City Clerk shall maintain at least one copy of the International Swimming Pool and Spa Code on file.

Sec. 15-22-30. – Amendments to the International Swimming Pool and Spa Code.

(a) Section 101.1 of the International Swimming Pool and Spa Code is hereby amended as follows:

(b)

101.1 Title. These regulations shall be known as the *Swimming Pool and Spa Code* of the City of Brighton, hereinafter referred to as “this code.”

(c) Section 103.1 of the International Swimming Pool and Spa Code is hereby amended as follows:

(d)

103.1 Creation of agency. The City of Brighton Building Division is hereby created, and the official in charge thereof shall be known as the building code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

(c) Section 113.4 of the International Swimming Pool and Spa Code is hereby amended as follows:

113.4 Violation penalties. If the notice of violation is not complied with promptly, the building code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

Section 27. Article 15-46 is hereby recodified as Article 15-24 and amended as follows:

Sec. 15-24-10. – Code adopted; purpose.

(a) The latest version of the “International Existing Building Code, 2021 Edition,” and any subsequent edition of the International Existing Building Code which may be adopted by reference by the City Council of the City of Brighton, with the exception of any appendices thereto, published by the International Code Council, Inc., is hereby adopted as the International Existing Building Code of and for the City.

(b) All sections, subsections, terms, and provisions of this Article not otherwise specifically repealed or amended shall apply to the code adopted by reference, as the same may be amended from time to time.

Sec. 15-24-15. – Non-liability.

The adoption of any and all International Codes by this Article shall not create any duty to any person with regard to the enforcement or non-enforcement of any of said International Codes. No person shall have any civil remedy against the City or its officers, employees, or agents for any damage arising out of or in any way connected with the adoption, enforcement, or non-enforcement of said International Codes. Nothing in this Code shall be construed to create any liability, or waive any of the immunities, limitations of liability, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, et seq., or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees, or agents.

Sec. 15-24-20. – Copy of code on file.

The office of the City Clerk shall maintain at least one copy of the International Existing Building Code on file.

Sec. 15-24-30. – Amendments to the International Existing Building Code.

(a) Section 101.1 of the *International Existing Building Code* is hereby amended as follows:

101.1 Title. These regulations shall be known as the *Existing Building Code* of the City of Brighton, hereinafter referred to as “this code.”

(b) Section 103.1 of the *International Existing Building Code* is hereby amended as follows:

103.1 Creation of agency. The City of Brighton Building Division is hereby created, and the official in charge thereof shall be known as the *building code official*. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

Section 28. Article 15-50 is hereby recodified as Article 15-26 and amended as follows:

Sec. 15-26-10. – Code adopted; purpose.

- (a) The latest version of the "International Fuel Gas Code, 2021 Edition," and any subsequent edition of the International Fuel Gas Code which may be adopted by reference by the City Council of the City of Brighton, with the exception of any appendices thereto, published by the International Code Council, Inc., is hereby adopted as the International Fuel Gas Code of and for the City.
- (b) All sections, subsections, terms, and provisions of this Article not otherwise specifically repealed or amended shall apply to the code adopted by reference, as the same may be amended from time to time.

Sec. 15-26-15. – Non-liability.

The adoption of any and all International Codes by this Article shall not create any duty to any person with regard to the enforcement or non-enforcement of any of said International Codes. No person shall have any civil remedy against the City or its officers, employees, or agents for any damage arising out of or in any way connected with the adoption, enforcement, or non-enforcement of said International Codes. Nothing in this Code shall be construed to create any liability, or waive any of the immunities, limitations of liability, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, et seq., or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees, or agents.

Sec. 15-26-20. – Copy of code on file.

The office of the City Clerk shall maintain at least one copy of the International Fuel Gas Code on file.

Sec. 15-26-30. – Amendments to International Fuel Gas Code.

- (a) Section 101.1 of the *International Fuel Gas Code* is hereby amended as follows:
- (b)

101.1 Title. These regulations shall be known as the *Fuel Gas Code of the City of Brighton*, hereinafter referred to as "this code."

- (c) Section 115.4 of the *International Fuel Gas Code* is hereby amended as follows:
- (d)

115.4 Violation Penalties. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

- (e) Section 406.4.1 of the *International Fuel Gas Code* is hereby amended as follows:

406.4.1 Test Pressure. Test pressure shall be not less than 20 psig for a test duration of not less than 20 minutes.

- (f) Section 406.4.2 of the *International Fuel Gas Code* is hereby amended as follows:

406.4.2 Test Duration. Test pressure shall be not less than 20 psig for a test duration of not less than 20 minutes.

(g) Section G2427.9.1 of the *International Fuel Gas Code* is hereby amended as follows:

G2427.9.1 Limestone filter required. All high-efficiency gas-fired appliances that produce condensate in a direct vent will pass that drainage through an approved limestone filter prior to discharge into the sanitary sewer.

Section 29. Article 15-54 is hereby recodified as Article 15-28 and amended as follows:

Sec. 15-28-10. – Code adopted; purpose.

(a) Article 5.5 of Title 9 of the Colorado Revised Statutes and Colorado Department of Labor and Employment, Division of Oil and Public Safety Regulations, Conveyance Regulations, 7 C.C.R. 1101-8 are hereby adopted as the Brighton Conveyance Code of and for the City. The Elevator and Conveyance Code shall apply to all elevators and conveyances in the City for proper and safe operation and maintenance.

(b) The purpose of this section and the codes adopted above is to provide a system of regulations and inspections of elevators and conveyances consistent with state law and generally conforming to similar regulations throughout the State. The building official shall adopt policies for inspection and plan review, implemented by an approved contracted third party, for all elevators and conveyances in the City of Brighton.

Sec. 15-28-15. – Non-liability.

The adoption of any and all International Codes by this Article shall not create any duty to any person with regard to the enforcement or non-enforcement of any of said International Codes. No person shall have any civil remedy against the City or its officers, employees, or agents for any damage arising out of or in any way connected with the adoption, enforcement, or non-enforcement of said International Codes. Nothing in this Code shall be construed to create any liability, or waive any of the immunities, limitations of liability, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, et seq., or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees, or agents.

Sec. 15-28-20. – Registration of elevators required. Elevators, Escalators, etc. In order to determine that property maintenance has been performed and to assure a continued safe condition, all elevators will be registered with the building department, the state, and require inspections per the state of Colorado Division of Oil and Public Safety. The fee for inspections and reviews shall be in accordance with the fee schedule adopted by the City. A certificate of operation will be issued after a satisfactory review.

Section 30. Article 15-58 – Public Works Standards and Specification Manual – is hereby recodified as Article 15-32.

Section 31. All sections, subsections, and definitions of Chapter 15 not expressly amended or modified herein remain in full force and effect.

Section 32. As provided in City Charter Section 5.9(A), this Ordinance, either as presented or as amended, shall be published in full as it was adopted after the initial reading. This Ordinance shall be in full force and effect five days after its final publication, as provided in City Charter Section 5.8, except as set forth herein.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED THIS 19th DAY OF AUGUST 2025.

INTRODUCED, PASSED ON FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 2nd DAY OF SEPTEMBER 2025.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

ALICIA CALDERÓN, City Attorney