

ORDINANCE O-2015-60

A BILL FOR AN ORDINANCE REPEALING AND REENACTING CHAPTER 16.40 OF
THE LONGMONT MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2015 EDITION
OF THE INTERNATIONAL EXISTING BUILDING CODE

THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

Section 8. The International Existing Building Code Adopted.

Chapter 16.40 of the Longmont Municipal Code is hereby repealed and reenacted to read as follows:

16.40.010. - International Existing Building Code adopted.

Pursuant to Part 2 of Article 16 of Title 31 CRS, as amended, and Article IV, Municipal Charter of the City of Longmont, Colorado, there is adopted as the conservation code of the City, by reference thereto, the International Existing Building Code 2015 Edition, including Resource Chapter A., published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478, that code to have the same force and effect as if set forth herein in every particular save and except such portions as are deleted, modified, substituted or amended in this chapter. The subject matter of the adopted code includes minimum standards applicable to existing structures in order to preserve and upgrade the inventory of such existing structures in the community in order to serve the public health, safety and general welfare. All references in this code to the International Existing Building Code are to the edition referenced above.

16.40.020. - Copies—Filed for public inspection.

At the time of adoption, one certified true copy of the International Existing Building Code, published by the International Code Council, is on file in the office of the city clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. The city shall keep a copy of the adopted code in the office of the chief enforcement officer for public inspection. The building code, as finally adopted, is available for sale at the office of the city clerk, at a price reflecting cost to the city as established by the city manager, pursuant to this municipal code.

16.40.030. - Section 101.1 amended—Title.

Section 101.1 of the International Existing Building Code is amended by the insertion of “the City of Longmont” in the brackets.

16.40.040. - Section 101.2 amended—Scope.

Section 101.2 of the International Existing Building Code is amended by the addition of the following:

All residential dwelling units must be equipped with smoke detection per the International Building Code the International Residential Code and carbon monoxide detection per the International Building Code or the International Residential Code as applicable.

16.40.050. - Section 104.10.1 replaced—Flood hazard areas.

Section R104.10.1 of the International Existing Building Code is deleted in its entirety and replaced with:

See Chapter 20 of the Longmont Municipal Code for provisions regarding flood hazard areas.

16.40.060. - Section 106.3 amended—Approval of construction documents.

Section 106.3 of the International Existing Building Code is amended by the replacement of the first sentence as follows:

When the building official issues a permit, the construction documents shall be approved, in writing or by a stamp which states, “APPROVED AS NOTED.” One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of the work and shall be open to inspection by the building official or his or her authorized representative.

16.40.070. - Section 112 replaced—Board of appeals.

Section 112 of the International Existing Building Code is deleted in its entirety and replaced with the following:

For provisions relating to the board of appeals, see Chapter 16.30 of the Longmont Municipal Code.

16.40.080. - Section 113 amended—Violations.

Section 113 of the International Existing Building Code is amended by the addition of the following:

113.1 Unlawful acts. It is unlawful for any person to erect, install, alter, repair, relocate, add to, replace, demolish, use, occupy or maintain any building or structure, or cause or permit the same to be done, in violation of this code.

113.2 Violation. Any person committing or permitting a violation of this code commits a separate offense for each day or part of a day during which the violation exists. Offenses are punishable according to Chapter 1.12 of the Longmont Municipal Code.

113.3 Violation penalties. Imposition of one penalty for any violation shall not excuse the violation nor permit it to continue, and all such persons shall correct or remedy such violations or defect within a reasonable time.

113.4 Prosecution of violation. In addition to any other penalties, any violation of this code is a public nuisance and shall be enjoined by a court of competent jurisdiction. Nothing in this code shall prevent the city attorney from seeking appropriate legal or equitable relief from any court of competent jurisdiction.

16.40.090. - Section 202 amended—Definitions.

Section 202 of the International Existing Building Code is amended by the addition of the following:

BEDROOM/SLEEPING ROOM: An enclosed space within a dwelling unit, used or intended to be used for sleeping purposes, meeting the minimum area requirements of the building code or containing a closet or similar area which is easily converted into a closet (such space needs only doors to become a closet).

CHILD/CHILDREN: A person twelve years of age or younger.

HISTORIC BUILDINGS: Buildings that are listed in or eligible for listing in the National Register of Historic Places, or designated as historic under an appropriate state or local law.

16.40.100. - Section 301.1.1 deleted—Prescriptive compliance method.

Section 301.1.1 of the International Existing Building Code is deleted in its entirety.

16.40.110 - Section 301.1.3 deleted—Performance compliance method.

Section 301.1.3 of the International Existing Building Code is deleted in its entirety.

16.40.120. - Chapter 4 deleted—Prescriptive compliance method.

Chapter 4 of the International Existing Building Code is deleted in its entirety.

16.40.130. - Section 501.2 amended—Work area.

Section 501.2 of the International Existing Building Code is amended by the addition of the following sentence:

When within any 24 month period, renovation, remodeling, modification or additions to any existing occupancy exceeds 50% of the floor area, the entire occupancy shall comply with the requirements of Chapter 9 of the International Fire and the International Existing Building Codes.

16.40.140. - Section 703.1 amended—Fire protection.

Section 703.1 of the International Existing Building Code is amended by replacing the word “provided” with the word “required.”

16.40.150. - Section 706 replaced—Reroofing.

Section 706 of the International Existing Building Code is deleted in its entirety and replaced with the following:

706.1 General. Materials used for recovering or replacing an existing roof covering shall comply with Chapter 15 of the International Building Code as amended, or Chapter 9 of the International Residential Code as amended.

16.40.160. - Section 801.3 amended—Compliance.

Section 801.3 #4 of the International Existing Building Code is amended by the addition of the following:

Existing basement construction with ceiling heights below 6’8” in height shall not be considered habitable space and are not subject to variances from the Master Board of Appeals. The Building Official may allow existing basements with ceiling height between 6’8” and 7’0” to be finished and or occupied as habitable space provided there is no technically feasible solution to comply with the required ceiling height.

16.04.170. - Section 804.2 amended—Automatic sprinkler systems.

Section 804.2 of the International Existing Building Code is amended by addition of the following:

Exception:

1. Group E, day care facilities. Nine or fewer children in a dwelling unit. A facility such as the one described in Section 305.1 in the International Building Code within a dwelling unit and

having nine or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

2. Institutional Group I-4, day care facilities. Nine or fewer children receiving care in a dwelling unit. A facility such as the one described in Section 308.6.4 in the International Building Code within a dwelling unit and having nine or fewer children receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

3. Residential Group R-3, care facilities. Care facilities that provide accommodations for nine or fewer children receiving care located within a single family dwelling shall comply with the International Residential Code.

16.40.180. - Section 804.2.2 amended—Groups A, B, E, F-1, H, I, M, R-1, R-2, R-4, S-1, and S-2.

Section 804.2.2 of the International Existing Building Code is amended by the deletion of the following wording in sentence one:

“shared by more than one tenant or that have exits or corridors.”

16.40.190. - Section 810.1 amended—Compliance with the building code.

Section 810.1 of the International Existing Building Code is amended with the addition at the end of the sentence with the following:

For increased demand for food handling or chemical waste see Section 1010 of this code.

16.40.200. - Section 904.2.2 amended—Automatic fire detection.

Section 904.2.2 of the International Existing Building Code is amended with the addition of the following:

Where mixed use buildings include one and two family dwellings, an automatic fire detection system shall be installed in the residential units and any adjacent tenant space within the building.

16.40.210. - Section 1012.1.1 amended—Compliance with Chapter 9.

Section 1012.1.1 of the International Existing Building Code is clarified by the addition of the following:

1012.1.1 Compliance with Chapter 9. The requirements of Chapter 9 refer to Chapter 9 of the International Existing Building Code and shall be applicable for the new occupancy classification only.

16.40.220. - Section 1012.2 amended—Fire protection system.

Section 1012.2 of the International Existing Building Code is amended by addition of the following exceptions:

Exceptions:

1. Group E, day care facilities. Nine or fewer children in a dwelling unit. A facility such as the one described in Section 305.1 in the International Building Code within a dwelling unit and having nine or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

2. Institutional Group I-4, day care facilities. Nine or fewer children receiving care in a dwelling unit. A facility such as the one described in Section 308.6.4 in the International Building Code within a dwelling unit and having nine or fewer children receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

3. Residential Group R-3 care facilities. Care facilities that provide accommodations for nine or fewer children receiving care located within a single family dwelling shall comply with the International Residential Code.

16.40.230. - Section 1012.2.1 amended—Fire sprinkler system.

Section 1012.2.1 of the International existing Building Code is amended with the following exception:

Exception:

Where the change of occupancy to a grade level Group A occupancy meets all of the following:

1. Total area of occupancy change is not more than 2,500 square feet,
2. Occupant load of the public use area is less than 100,
3. The total area where the occupancy change occurs must be detected throughout with an automatic fire alarm and detection system.

16.40.240. - Section 1301.2 amended—Conformance.

Section 1301.2 of the International existing Building Code is amended by replacing sentence one with the following:

The building shall be made safe for human occupancy as determined by the International Fire Code, International Property Maintenance Code, and the International Energy Conservation Code.

Section 1301.2 of the International existing Building Code is further amended by the addition of the following sentence:

A pre-move inspection by the City of Longmont Building Inspection Division and a performance bond by the contractor are required prior to the building being moved.

16.40.250. - Chapter 14 deleted—Performance compliance method.

Chapter 14 of the International Existing Building Code is deleted in its entirety.

16.40.260. - Chapter 15 deleted—Construction safeguards.

Chapter 15 of the International Existing Building Code is deleted in its entirety (refer to IBC Chapter 33).