

TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. TC 2023-10

AN ORDINANCE OF THE NEW CASTLE TOWN COUNCIL ADOPTING BY REFERENCE THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL EXISTING BUILDING CODE, COLORADO MODEL ELECTRIC READY & SOLAR READY CODE, THE INTERNATIONAL FIRE CODE, THE NATIONAL ELECTRICAL CODE MOST RECENTLY ADOPTED BY THE STATE OF COLORADO, CERTAIN AMENDMENTS TO THE FOREGOING, ADDING SECTION 15.06 REGARDING CONSTRUCTION MANAGEMENT PLANS, AND AMENDING TITLE 15 OF THE TOWN MUNICIPAL CODE ACCORDINGLY.

WHEREAS, pursuant to Article IV of the Charter of the Town of New Castle (“Town”) and C.R.S. § 31-16-202, the Town is authorized to adopt codes by reference; and

WHEREAS, the Town has previously adopted by reference the 2015 editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Fuel Gas Code, the International Plumbing Code, the International Existing Building Code, the International Fire Code, and the 2009 edition of the International Energy Conservation Code (collectively, the “ICodes”); and

WHEREAS, the International Codes serve as the building codes for the Town as set forth in Title 15 of the New Castle Municipal Code; and

WHEREAS, the Town has also adopted by reference that edition of the National Electrical Code that is adopted and enforced by the State of Colorado Electrical Board as stated in Chapter 15.28 of the Municipal Code; and

WHEREAS, pursuant to C.R.S. §§ 12-23-104 and 12-58-104, the Town is required to adopt and adhere to the minimum standards for electrical and plumbing work adopted by the state electric and plumbing boards; and

WHEREAS, other municipalities near the Town have adopted the 2021 edition of the International Codes; and

WHEREAS, to be consistent with surrounding municipalities, comply with state law, and promote the health, safety, and welfare of Town residents, the Town building official has recommended that the Town adopt the 2021 version of the ICodes and the version of the National Electrical Code adopted by the State of Colorado; and

WHEREAS, Town staff has reviewed the ICodes in light of the Town’s unique physical

setting and development needs and determined that the amendments set forth herein will ensure efficient administration and enforcement of the International Codes; and

WHEREAS, on December 5th, 2023 (FIRST READING), the Town Council conducted a duly noticed public hearing regarding the adoption of the updated editions of the ICodes pursuant to C.R.S. § 31-16-203; and

WHEREAS, on December 19th, 2023 (SECOND READING), the Town Council conducted a duly notice public hearing regarding the adoption of the updated editions of the ICodes pursuant to C.R.S. § 31-16-203; and

WHEREAS, the Town Council finds and determines that the interests of the citizens of New Castle will be best served by adopting by reference the 2021 editions of the ICodes, the version of the National Electrical Code enforced by the State of Colorado subject to the amendments set forth herein, the Colorado Model Electric and Solar Ready Code, and new Section 15.06 regarding Construction Management Plans.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are incorporated as findings of the Town Council.

Section 2. Adoption. The Town Council hereby adopts by reference the following codes, subject to the amendments set forth in Section 4 of this Ordinance: International Building Code, 2021 Edition; the International Residential Code, 2021 Edition; the International Mechanical Code, 2021 Edition; the International Fuel Gas Code, 2021 Edition; the International Plumbing Code, 2021 Edition; the International Existing Building Code, 2021 Edition; the International Fire Code, 2021 Edition; the International Energy Conservation Code, 2021 Edition, the Colorado Model Electric Ready and Solar Ready Code, and the edition of the National Electric Code that is adopted and enforced from time to time by the State of Colorado Electric Board.

Section 3. Addition. Town Council hereby adds Section 15.06 “Construction Management Plan” regarding provisions for the oversight of new construction projects within Town limits. The text of Chapter 15.06 is set forth in Section 4 of this Ordinance.

Section 4. Code Amendment. Chapters 15.04, 15.08, 15.10, 15.12, 15.14, 15.16, 15.18, 15.24, and 15.28 of the Town Code are repealed in their entirety and reenacted as set forth below. Chapter 15.06 set forth below is hereby added to the Town Code. Those chapters of Title 15 not expressly addressed in this Ordinance shall remain unchanged and in full force and effect. All title pages and tables of contents shall be updated accordingly.

Chapter 15.04
GENERAL PROVISIONS

15.04.010 Scope.

The provisions of this title shall apply to the construction or alteration of all dwellings,

buildings, and structures in the entire incorporated area of the town, together with plumbing, mechanical, and electrical installations therein, or in connection therewith, and to storage, handling and use of hazardous substances, materials, and devices and conditions hazardous to life or property in the area of the town. This title shall govern the adoption of the International Building Code, 2021 Edition, the International Residential Code, 2021 Edition, the International Mechanical Code, 2021 Edition, the International Fuel Gas Code, 2021 Edition, the International Plumbing Code, 2021 Edition, the International Existing Building Code, 2021 Edition, the International Fire Code, 2021 Edition, the International Energy Conservation Code, 2021 Edition, the Colorado Model Electric Ready and Solar Ready Code, Section 15.06 Construction Management, and, for special reference resource material purposes only, the edition of the National Electric Code adopted and enforced by the State of Colorado Electric Board from time to time, all to be used collectively as a set of building code regulations.

15.04.020 Code copies.

At least one copy of each of the ICodes adopted herein, certified to be true copies by the mayor and the town clerk, shall be on file in the office of the town building official, and may be inspected by any interested person during normal business hours of the town. Each of the codes as finally adopted shall be available for sale to the public through the office of the town clerk at a moderate price.

15.04.030 Liability of Town.

- A. Nothing in this title including, but not limited to, the adoption of the various construction building codes and the authorization of inspections by the town and its agents and authorized representatives, shall be construed as imposing on the town or any town official, employee, agent or authorized representative, any liability or responsibility for injury or damage to a person caused by anything required or not required by such construction building codes or caused by reason of inspections or the lack thereof authorized by this title or caused by the issuance or lack thereof of a building permit, certificate of occupancy, or other similar document.
- B. The town building official, members of the board of appeals, and any other town employee or authorized agent charged with the enforcement of any code adopted in this Title 15, while acting in good faith and without malice in the discharge of duties required by any such code or other law or ordinance, shall not thereby be rendered personally liable for costs or fees in any action, suit, or proceeding, and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.
- C. The adoption of any code in this Title 15 or any previous codes shall not be construed to relieve or lessen the responsibility of any person owning, operating, or controlling any building, structure, or property for any damages to persons or property caused by defects on or in such premises, nor shall the Town of New Castle, the town building official, town code enforcement officer, or any other town employee, agent, or authorized representative be held as assuming any such responsibility or liability by reason of the adoption of any code or by the exercise of inspections authorized and carried out thereunder, or by the

issuance of any permits or certificates issued pursuant to this code.

15.04.040 - Severability.

If any section, subsection or provision of this title or any code adopted by reference in this title or the application thereof to any person or circumstance is declared unconstitutional or otherwise invalid by any competent court, such invalidity shall not affect the other sections, subsections, provisions or applications of this title or such code adopted by reference if they can be given effect without the invalid section, subsection, provision or application.

15.04.050 - Penalties.

- A. It is unlawful for any person or other legal entity to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure in the town, or cause or permit the same to be done contrary to or in violation of any of the provisions of the codes adopted by reference under this title.
- B. Any person or other legal entity who is found to have erected, constructed, altered or repaired a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of any code adopted by reference under this title, shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this code is committed, continued, or permitted.
- C. Any violation of this title and the codes adopted hereunder shall be deemed a misdemeanor crime punishable by a fine not to exceed one thousand five hundred dollars (\$1,500.00) or imprisonment for a term not exceeding ninety (90) days or by both such fine and imprisonment.

15.04.060 Contractor requirements.

- A. All contractors must obtain a business license pursuant to chapter 5.12 of the Town Municipal Code. Prior to the issuance of any building permit under this title, applicants shall provide to the building official evidence of a current and validly issued town of New Castle business license. The building official shall deny the issuance of a building permit if the submission requirements set forth in this section have not been satisfied.
- B. Prior to the issuance of any certificate of occupancy under this title, the applicant must submit evidence of a current and validly issued business license. No certificate of occupancy will be issued unless and until such documentation is provided.

15.04.070 State License Required.

All persons performing plumbing or electrical work of any type regulated or licensed by the State of Colorado must hold a valid State license before engaging in any

trade, job or contractual service within the Town of New Castle.

15.04.080 Compliance with Laws.

All work performed pursuant to this Title shall be in conformity with all applicable provisions of the Municipal Code, ordinances of the Town, and state and federal statutes, codes, rules and regulations, unless such state and federal statutes, codes, rules and regulations have been superseded by the provisions of this Title.

15.04.090 Conflicts.

If the provisions of the building codes, as adopted in this Title, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**Chapter 15.06
CONSTRUCTION MANAGEMENT PLAN**

15.06.010 Applicability.

This Section shall govern the construction and development of all public and private construction projects in the Town of New Castle. These regulations shall apply to all new commercial, industrial, residential, and mixed-use developments or demolition, improvement, or renovation (interior and/or exterior) of existing structures of 1,500 sf or greater. Such projects shall comply with Chapter 33 (“Safeguards During Construction”) of the 2021 International Building Code as amended in this Section. If conflicts exist between any requirements of this Chapter and Chapter 33, the more restrictive requirement shall apply.

15.06.020 Definitions.

Best Management Practices (BMP’s) – Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMP’s also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, waste disposal, or drainage from material storage.

Construction Management Plan – A Construction Management Plan (“CMP”) is a collection of diagrams, drawings, and/or written specifications that clearly demonstrate how the impacts associated with any construction project will minimally affect the community.

Exterior Work – Exterior work in context of this chapter shall mean any work

related to an existing building permit performed outside of a fully enclosed structure. Exterior work includes, but is not limited to, deliveries, idling equipment or work vehicles, or permitted work outside of an enclosed structure that emits no sound.

15.06.030 CMP Documentation.

- A. The CMP shall be provided on a sheet or sheets bound together with the approved construction drawings submitted at permit review. The project shall be managed according to the approved CMP until a certificate of occupancy is issued.
- B. **CMP Content** - The CMP shall show the project boundaries and include the locations of the following items:
 - i. Each proposed structure on the property;
 - ii. Structures on all adjacent lots;
 - iii. Nearest fire hydrants
 - iv. BMPs;
 - v. Construction fencing and any necessary barriers;
 - vi. Sanitary facilities;
 - vii. Project sign;
 - viii. Proposed utility service locations and curb stops;
 - ix. Temporary electrical pedestal;
 - x. Material storage and staging;
 - xi. Trash facilities;
 - xii. Work trailers;
 - xiii. Construction parking;
- C. **Emergency Contacts.** The CMP shall provide an emergency contact list located on the 1st page of the CMP documentation. The list will include:
 - i. the owner's name & phone number;
 - ii. the project manager's name & phone number;
 - iii. the fire department phone number;
 - iv. the police department phone number;
 - v. all applicable utility company phone numbers;
 - vi. the Town building department phone number;
 - vii. locate 511 phone number;
 - viii. emergency 911 phone number;
- D. **Project Sign** – A project sign shall be constructed and posted within ten (10) feet of the public right-of-way. The project sign shall be 36" x 48" (12 square feet) and shall include the following items:
 - i. The official permit card attached;
 - ii. Street name and address with no smaller than 4" digits and letters;
 - iii. Approved project plans attached in a weather-proof sleeve;

- E. **Construction Hours & Noise Limits** – The CMP shall provide the following limits on construction hours and noise levels as a general note:

“Construction hours for permitted *interior* work are unlimited. However, any noise emitted from a project as a result of *interior* work beyond the timeframes listed in (i.) and (ii.) below or on the days listed in (iii.) below that exceed the levels established in Section 8.04.020(D) shall be prohibited.

Construction hours for permitted *exterior* work shall be limited to the following times and days, subject to the maximum permissible noise levels in Section 8.04.020(D):

- i. 7:00am – 6:00pm Monday through Friday;
- ii. 9am – 5pm on Saturdays & Sundays.
- iii. All exterior work is prohibited on the 4th of July, Memorial Day, Labor Day, Thanksgiving Day, Christmas Day, or New Year’s Day.

All other noise unaffiliated with permitted construction work shall comply with Section 8.04.020.

- F. **Right-of-Way Permit** – The CMP shall describe any proposed work anticipated within the Town right-of-way. Examples of such work may include utility trenching, material staging that exceeds more than two consecutive days, crane or pump operations that exceed more than two consecutive days, etc. Prior to such work, a right-of-way permit shall be obtained through the Public Works Department pursuant to Section 12.04.

- G. **Neighboring Properties** – The CMP shall provide as a general note the following provision:

“No person shall excavate on land close enough to a property line to endanger any adjacent public street, sidewalk, and alley, other public or private property, or easement, without supporting and protecting the property from any damage that might result from construction operations. Temporary staging of excavation materials, storage of construction materials on vacant lots not included in the scope of the permitted project, or the trespassing of neighboring properties to facilitate access to the permitted project is prohibited without written approval from the vacant lot owner, the Building Official, and HOA as applicable.”

- H. **Site Maintenance** – All construction sites including, but not limited to commercial and residential construction, remodeling, or additions, shall be required to be kept clean and free of debris in compliance with the following provisions:

- i. All dirt or other materials tracked or deposited onto any public rights-of-way shall be removed at the end of each workday.

- ii. Dust or any project related airborne particulate shall be mitigated through watering of disturbed soils as necessary.
- iii. All construction materials shall be secured to the ground to prevent from becoming windborne.
- iv. An adequately sized trash receptacle shall be kept on site at all times to dispose of all construction trash. The receptacle is to be removed to a landfill site in an appropriate and timely manner and is to be covered in transit. The trash receptacle may be temporarily stored on the public right-of-way if, at the discretion of the Building Official, there is found to be just cause.
- v. Adequate sanitary facilities shall be maintained and available for all workers.
- vi. Adequate signage and pedestrian protection shall be provided and maintained as required by this Section.
- vii. The site shall be posted and secured to discourage trespassers.

I. **Safety Fencing** – The CMP shall list as a general note the need for construction fencing. The project area shall be surrounded by standard four (4) foot construction safety fencing. Safety fencing shall include a fencing “gate” that may be opened or closed before and after each workday. Any necessary construction barriers shall comply with Section 3306 of the IBC.

J. **Construction Parking** - The CMP shall provide as a general note a parking strategy for construction operations. Parking is only allowed on public rights-of-way with approved parking lanes or within the property boundary. Parking is not allowed on prohibited areas of public rights-of-way or neighboring lots unassociated with the project.

Exceptions: In cases where limited parking significantly interferes with construction progress, the owner or owner’s representative may request a temporary parking permit from the Police Department approving parking in otherwise prohibited areas within the right-of-way. All approved temporary parking areas must be signed with the following language: “Temporary Construction Parking Only” and is allowed only for the duration of the permit. Parking on adjacent lots may be permitted only with written consent from the vacant lot owner, the Building Official, and HOA (as applicable). Other exceptions may be considered at the discretion of the Building Official.

K. **Moisture Control During Construction** - As a preventive measure against mold and water damage during construction, under floor spaces and building construction materials shall be protected from moisture during the duration of a permit as follows:

- i. All construction materials stored onsite and exposed to weather shall be covered with a water-proof membrane at all times unless otherwise recommended by the manufacturer.
- ii. Prior to being enclosed, under floor spaces shall exhibit no standing water, snow, or ice.

- iii. Once enclosed, under floor spaces shall be covered with a disposable water-proof membrane to limit infiltration of water into surrounding soils.
- iv. Once the structure is dried-in from weather, underfloor spaces shall be provided with ongoing ventilation until a certificate of occupancy is issued.

15.06.040 Enforcement.

Each violation of the requirements of this section shall be considered a separate and distinct offense. Furthermore, each day of continued violation shall be considered as a separate and distinct offense. The Town will enforce construction management violations as follows, as may be amended by Town Council:

- i. First offence: written warning;
- ii. Second offence: written warning and monetary fine set in the Town’s fee schedule;
- iii. Third offence: written warning and monetary fine set in the Town’s fee schedule;
- iv. Fourth offence: project will be issued a stop work order and shall be subject to the penalties imposed in Section 15.04.050.

**Chapter 15.08
INTERNATIONAL BUILDING CODE**

15.08.010 Adoption.

Pursuant to the power and authority conferred by the Town Charter C.R.S. §§ 31-16-201, *et seq.*, there is adopted by reference thereto the International Building Code, 2021 Edition, and Appendices B, G, I, and J thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose of this code is to establish the minimum regulations governing the conditions and maintenance of all property, buildings, and structures within the Town by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures.

15.08.020 Amendments

The International Building Code, 2021 Edition, is amended as follows:

Section 101.1 insert the “Town of New Castle”

Section 101.4.4 Property Management. All references to the International Property Maintenance code within this code shall be deleted without substitution.

Section 104.1 is amended to read as follows:

Section 104.1 General. The building official or any authorized representative, is hereby authorized and directed to enforce all provisions of this code; however, a guarantee that all buildings and structures have been constructed in accordance with all provisions of this code is neither intended nor implied. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall not have the effect of waiving requirements specifically required in this code.

Section 104.8 is hereby deleted. See Section 15.04.030 of the Municipal Code.

Section 105.2 #2 is hereby deleted. Section 15.48 of the Municipal Code shall control.

Section 105.3 is amended to include the following language:

A survey of the building lot may be required by the building official to verify that the structure is located in accordance with the approved site plans. A site development plan shall be submitted with any building permit application which involves the construction of a new building or the expansion of an existing building. The site development plan shall be submitted in triplicate, shall be drawn to scale, and shall show the actual dimensions of the lot to be built upon, the size of the building to be erected, the location of the building on the lot with reference to legally established property lines, and such other information as may be necessary to provide for the enforcement of the Municipal Code. Prior to issuance of a building permit, the building official may require monumentation of property boundaries and corners in accordance with the standards set forth in C.R.S. '38-51-101 *et seq.*, as amended, in order to fulfill the purposes of this section. A record of all site development plans and other survey information shall be kept in the office of the building official.

Section 105.5 is amended to read as follows:

105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more

than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void eighteen (18) months from the date of issuance of such permit. The building official may extend the time for completion by the applicant for a period not exceeding 18 months upon written request by the applicant showing the circumstances beyond the control of the applicant that prevented completion of the permitted work. No permit shall be extended more than once nor beyond three (3) years from the date of issuance of such permit.

Section 107.3.3 is amended to read as follows:

Section 107.3.3 Phased approval for excavations. The building official is authorized to issue a permit for the excavation of a building site only after the documents for the entire building or structure have been submitted and approved by the building official and any necessary grading permit subject to the provisions of Chapter 15.36 has been approved by the Town engineer. Phased approval for excavations on properties not subject to Section 15.36 will not be granted.

Section 107.6 is hereby added:

Section 107.6 Building lot survey and improvement location certificate. A survey of the building lot may be required by the building official to verify that the structure is located in accordance with the approved site plans. Prior to issuance of a building permit, the building official may require monumentation of property boundaries and corners in accordance with the standards set forth in C.R.S. 38-51-101 (Article 51), as amended, in order to fulfill the purposes of this section. The owner and/or contractor shall sign a waiver absolving the Town of all responsibility regarding building location prior to commencing work.

A foundation location or improvement location certificate prepared by licensed surveyor shall be provided within 7 days of the approval of the foundation inspection. Work may be stopped if a foundation location or improvement location certificate is not provided within 7 days of the approval of the foundation inspection. The Improvement Location Certificate shall show building setbacks and building envelope. A record of all site plans and other survey information shall be kept in the office of the building official. The owner and/or contractor shall sign a waiver absolving the Town of all responsibility regarding building location prior to commencing work.

Exception: For additions to existing buildings the building official may authorize the use of an existing improvement location certificate prepared

by licensed surveyor to verify that the addition is properly located on the site.

Section 109.2 is amended to read as follows:

109.2 Schedule of permit fees. A fee for each building permit shall be paid to the building department as set forth in the Building Permit Fee Schedule adopted by the Town, as may be amended. The determination of value or valuation under any of the provisions of this Code shall be made by the building official based on the Valuation Schedule published in the most current edition of the “Building Safety Journal” magazine by the International Code Council, multiplied by a price-per-square-foot valuation multiplier to be set by the Town not more frequently than annually and published in the Town Fee Schedule. 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. The building official may waive the building permit fee for any public entity when such entity is applying for a building permit for a governmental use or a proprietary purpose.

Section 109.4 is amended to read as follows:

109.4 Work commencing before permit issuance. Whenever any work for which a permit is required by this Code has commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in the Building Permit Fee Schedule adopted by the Town, as may be amended. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 109.6 is amended to read as follows:

109.6 Refunds. The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

Section 109.6.1 is added to read as follows:

109.6.1 Processing fee. There shall be a minimum \$60.00 fee for processing refunds.

Section 109.6.2 is added to read as follows:

109.6.2 Permit fee refund. The building official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

Section 109.6.3 is added as follows:

109.6.3 Plan review fee refunds. The building official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

Section 109.6.4 is hereby added as follows:

109.6.4 Fee refund application. The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 90 days after the date of the fee payment.

Section 109.7 is hereby added as follows:

109.7 Plan review fee. When submittal documents are required by Section 107, a plan review fee shall be paid at the time of building permit issuance. Said plan review fee shall be 65 percent of the building permit fee. The plan review fees specified in this Section are separate fees from the permit fees specified in Section 109.2 and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee shall be charged at the rate shown on the Building Permit Fee Schedule.

Section 109.8 is hereby added as follows:

109.8 Expiration of plan review. Applications for which no permit is issued within ninety (90) days following the date of application shall expire by limitation and plans submitted for checking may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding ninety (90) days upon written 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 plan review fee. Said plan review fee shall be sixty-five percent (65%) of the building permit fee as shown on the Building Permit Fee Schedule.

Section 110.7 is hereby added as follows:

110.7 Re-inspections. A re-inspection fee may be assessed when such portion of work for which inspection is called is not complete or when corrections called for are not made. This Section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the permit card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official. A re-inspection fee may be assessed for failure to post a readily visible address as required in Section 501.2

In instances when re-inspection fees have been assessed, the applicant shall pay the re-inspection fee in accordance with the Building Permit Fee Schedule. No additional inspection of the work will be performed until the required fees have been paid.

Section 111.1 is hereby amended to read as follows:

111.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

A certificate of occupancy shall not be issued until all monies owed to the Town related to the construction of the project, including utility bills, have been paid in full. In addition, any damage to Town property resulting from work done on the site shall be repaired by the owner of the site in compliance with Town standards prior to the issuance of a certificate of occupancy.

A certificate of occupancy shall not be issued until the owner establishes or re-establishes, as necessary, any lot boundary monumentation or provides an improvement survey or improvement location certificate prepared by a surveyor licensed in the State of Colorado required pursuant to Section 107.6, as amended, or C.R.S. '38-51-101 (Article 51), as amended. In addition, no certificate of occupancy will be issued unless

complete compliance with the approved development application is obtained.

Exceptions:

1. Certificates of Occupancy are not required for work exempt from permits under Section 105.2.
2. For remodels or repairs that do not involve a change of use or occupancy, and that do not cause the discontinuance of the occupancy by the owners and /or general public, the building official may issue a certificate of completion in lieu of a certificate of occupancy which is a written notification to the owner that the work covered under the permit is complete and the permit is closed. Issuance of a certificate of completion shall not be construed as an approval of a violation of this code or of other ordinances of the jurisdiction.
3. For minor additions and remodels the Building Official may at his discretion waive the requirement for an improvement survey or improvement location certificate prepared by a surveyor licensed in the State of Colorado.

Section 111.3 is hereby amended to read as follows:

111.3 Temporary certificate of occupancy. If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary certificate of occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure upon receipt of a certificate of occupancy deposit as set in the town's fee schedule as amended. Upon satisfactory completion of all originally permitted work, a certificate of occupancy shall be issued and the deposit refunded less a processing fee as set in the town's fee schedule. If the temporary certificate of occupancy expires with the original permit requirements left unsatisfied, the Building Official may elect to issue an extension, subject to the provisions below, or issue a stop work order with temporary occupancy revoked subject to Section 111.4. In either case, the certificate of occupancy deposit shall not be refunded.

A temporary certificate of occupancy shall expire at a date deemed appropriate by the building official; however, such expiration date shall not exceed 180 days from the date of issuance. Any applicant holding a non-expired temporary certificate of occupancy may apply for a one-time extension of the time to complete required work and such extension may be granted by the building official in his or her sole discretion provided a

written request is submitted by the applicant showing that circumstances beyond the control of the applicant have prevented actions from being taken. An additional processing fee, as set in the town's fee schedule, shall be paid for the one-time extension.

Section 114.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code.

Section 708.3 is hereby amended to delete the second exception referenced in Section 708.3.

Section 1502.4 is hereby deleted. Section 504.4 of the 2021 Wildland Urban Interface Code shall govern.

Section 1503.6 is hereby added as follows:

1503.6 Snow shed barriers. Roofs shall be designed to prevent accumulations of snow from shedding above or in front of gas utility or electric utility meters and egress doors.

Section 1503.6.1 is hereby added as follows:

1503.6.1 Mechanical barriers are required for metal roof shingles, metal roof panels or for other roofing materials with 12:12 pitch or greater to protect walkways from snow slides. Mechanical barriers for metal roof shingles and metal roof panels. Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members in accordance with the manufacturer's installation instructions. Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line. Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center. Continuous barriers shall be installed parallel with the exterior wall line and no more than 24 inches from the edge of the roof or eave.

Section 1608.2 is hereby amended to read as follows:

1608.2 Ground snow loads. The minimum ground snow load for buildings or structures within the Town of New Castle shall be fifty-seven (57) pounds per square foot. Potential accumulation of snow at valleys, parapets, roof structures, and offsets of roofs in of uneven configuration shall be considered. The following criteria for climatic and geographic design shall apply, as may be amended by resolution of the Town.

Section 1801.2 is hereby added as follows:

1801.2 Grading permits required. Any construction subject to the provisions of Chapter 15.36 shall require a grading permit before any excavation or grading may commence. It shall be the obligation of the owner or person in charge of the property and the person(s) who will actually perform the grading to jointly obtain a grading permit. Engineered grading plans shall be submitted unless waived by the Building Official.

Section 1807.2.1 is hereby amended to read as follows:

1807.2.1 General. Retaining walls shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Retaining walls over 5 feet in height measure from bottom of footing to the top of wall shall be engineered by a Colorado licensed professional engineer or architect.

Section 1810.1 is hereby amended to read as follows:

1810.1 General. Deep foundations shall be analyzed, designed, detailed and installed in accordance with Sections 1810.1 through 1810.4 and designed by a Colorado licensed architect or engineer. The Town of New Castle will not inspect the drilling, reinforcement and placement of piers, piles or shafts. The engineer of record shall perform all inspections of the installation and provide the Town with a sealed letter approving the work prior to the final inspection of the building or structure.

Section 3001.6 is added as follows:

Section 3001.6 Permits required. Elevator permits and inspections are required through the Northwest Colorado Council of Governments (NWCCOG). As required by the division of Oil and Public Safety (OPS), the following codes and standards shall apply to all conveyance equipment and conveyance equipment installations.

ASME A17.1 – 2013 Safety Code for Elevators and Escalators

ASME A18.1 – 2011 Safety Standard for Platform Lifts and Stairway Chair Lifts

15.08.030 Copy on file and available for sale.

At least one copy of the International Building Code, 2021 Edition, and the appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or town building official. Copies of the code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. Section 31-16-206.

15.08.040 International Building Code Commentary.

The Commentary to the International Building Code, 2021 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Road, Illinois 60478-5795 is hereby adopted as an enforcement and interpretive guide. The building official, or any authorized representative, shall have the discretion to apply the contents of the commentary and handbook referenced in this section in a given circumstance, but the building official is not required to strictly apply such contents in every conceivably relevant circumstance.

**Chapter 15.10
INTERNATIONAL RESIDENTIAL CODE**

15.10.010 Adoption by Reference.

Pursuant to the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201, *et seq.*, there is adopted by reference thereto the International Residential Code, 2021 Edition, and Appendices AH, AJ, & thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose and subject matter of this code is to regulate and govern the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition of detached one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress in the Town.

Section 15.10.020 Amendments.

The International Residential Code, 2021 Edition, is hereby amended as follows:

Section R101.1 Title. insert the “Town of New Castle”

Section R104.8 is hereby deleted. See Section 15.04.030 of the Municipal Code.

Section 105.1 is amended to include the following provision as a new paragraph:

Grading, landscaping, or storage of any construction materials associated with an application for a building permit shall be prohibited until permit issuance.

Section R105.2 #1 is amended to read as follows:

R105.2 #1. One-story detached accessory structures, provided the floor area does not exceed 120 square feet (11.15 m²) and the height does not exceed 10 feet. Unless otherwise regulated by the Town of New Castle Municipal Code, there shall be a limit of one non-permitted detached accessory structure per dwelling unit.

Section R105.2 #2 is hereby deleted. Section 15.48 of the Municipal Code shall control.

Section R105.3 is amended to include the following language:

A survey of the building lot may be required by the Building Official to verify that the structure is located in accordance with the approved site plans. A site development plan shall be submitted with any building permit application which involves the construction of a new building or the expansion of an existing building. The site development plan shall be submitted in duplicate, shall be drawn to scale, and shall show the actual dimensions of the lot to be built upon, the size of the building to be erected, the location of the building on the lot with reference to legally established property lines, and such other information as may be necessary to provide of the enforcement of the Municipal Code. Prior to issuance of a building permit, the Building Official may require monumentation of property boundaries and corners in accordance with the standards set forth in C.R.S. '38-51-101 et seq., as amended, in order to fulfill the purposes of this section. A record of all site development plans and other survey information shall be kept in the office of the building official.

Section R105.5 is amended to read as follows:

R105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void eighteen (18) months from the date of issuance of such permit. The building official may extend the time for completion by the applicant for a period not exceeding 18 months upon written request by the applicant showing the circumstances beyond the control of the applicant that prevented completion of the permitted work. No permit shall be extended more than once nor beyond three (3) years from the date of issuance of such permit.

Section R106.1 is amended to read as follows, with the existing subsections of Section R106.1 to remain in full force and effect:

R106.1 Submittal documents. Submittal materials consisting of construction drawings and other supporting documents shall be submitted in two or more sets, and digital format, with each building permit

application. All such documents for the proposed erection, construction, reconstruction, structural alteration, or remodeling shall bear the seal of an architect or engineer licensed by the State of Colorado, unless the preparation of such documents is exempted by C.R.S. § 12-25-303. Construction drawings prepared by architectural or engineering sub-disciplines shall be so designated and shall bear the seal and signature of the architect or engineer for that sub-discipline.

A geotechnical report prepared by an approved agency shall be submitted for all new construction. Geotechnical reports shall include foundation bearing conditions and design recommendations as well as recommendations for lot drainage, foundation damp-proofing, and landscape retaining walls as necessary. Foundation plans for all new construction shall be prepared and stamped an architect or engineer licensed and registered in the State of Colorado.

Exception: The building official may waive the requirements for geotechnical reports and foundation plans prepared and sealed by an architect or engineer licensed in the State of Colorado for additions to existing buildings if the soils report and stamped plans for the original construction are available for use as a reference. The building official may waive the requirements for geotechnical reports and foundation plans prepared and sealed by an architect or engineer licensed in the State of Colorado for minor interior remodels totally within the limits of an existing building or structure.

Section R106.6 is hereby added as follows:

Section 106.6 Building lot survey and improvement location certificate. Building Lot Survey. A survey of the building lot may be required by the building official to verify that the structure is located in accordance with the approved site plans. Prior to issuance of a building permit, the building official may require monumentation of property boundaries and corners in accordance with the standards set forth in C.R.S. '38-51-101 (Article 51), as amended, in order to fulfill the purposes of this section. The owner and/or contractor shall sign a waiver absolving the Town of all responsibility regarding building location prior to commencing work.

A foundation location or improvement location certificate prepared by licensed surveyor shall be provided within 7 days of the approval of the foundation inspection. Work may be stopped if a foundation location or improvement location certificate is not provided within 7 days of the approval of the foundation inspection. The Improvement Location Certificate shall show building setbacks and building envelope. A record

of all site plans and other survey information shall be kept in the office of the building official. The owner and/or contractor shall sign a waiver absolving the Town of all responsibility regarding building location prior to commencing work.

Exception: For additions to existing buildings the building official may authorize the use of an existing improvement location certificate prepared by licensed surveyor to verify that the addition is properly located on the site.

Section R108.2 is hereby amended to read as follows:

R108.2 Schedule of permit fees. A fee for each building permit shall be paid to the building department as set forth in the Building Permit Fee Schedule adopted by the Town, as may be amended. The determination of value or valuation under any of the provisions of this Code shall be made by the building official based on the Valuation Schedule published in the most current edition of the "Building Safety Journal" magazine by the International Code Council, multiplied by a price-per-square-foot valuation multiplier to be set by the Town not more frequently than annually and published in the Town Fee Schedule. 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. The building official may waive the building permit fee for any public entity when such entity is applying for a building permit for a governmental use or a proprietary purpose.

Section R108.3 is amended to read as follows:

R108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit valuation at the time of application. 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. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such work including but not limited to, excavation, utility service line installation, foundations, framing, interior and exterior finish, decks and porches, gas, mechanical, plumbing, and other permanent systems. The building official shall also make a determination of permit value or valuation based on the Valuation Schedule published in the most current edition of the "Building Safety Journal" magazine published by the International Code Council, multiplied by a price-per-square-foot valuation multiplier to be set by the Town not more frequently than annually and published in the Town Fee Schedule. The building official shall at his discretion use the value most applicable to the work proposed. If, in the opinion of the building official, the valuation stated on the application is underestimated, the building

official shall use the calculated valuation to determine the permit fees, unless the applicant can show detailed estimates supporting the valuation stated on the application to meet the approval of the building official.

Section R108.5 is amended to read as follows:

R108.5 Refunds. The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

Section R108.5.1 is hereby added as follows:

R108.5.1 Processing fee. There shall be a minimum \$60.00 fee for processing refunds.

Section R108.5.2 is added as follows:

R108.5.2 Refund of Permit fee. The building official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

Section R108.5.3 is added as follows:

R108.5.3 Plan review fee refunds. The building official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

Section R108.5.4 is hereby added as follows:

R108.5.4 Fee refund application. The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 90 days after the date of the fee payment.

Section R108.7 is hereby added as follows:

R108.7 When submittal documents are required by Section 106, a plan review fee shall be paid at the time of building permit issuance . Said plan review fee shall be 65 percent of the building permit fee. The plan review fees specified in this Section are separate fees from the permit fees specified in Section 108.2 and are in addition to the permit fees. When submittal documents are changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown on the Building Permit Fee Schedule.

Section R108.8 is hereby added as follows:

R108.8 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 submitted for checking may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon written 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 plan review fee. Said plan review fee shall be sixty-five percent (65%) of the building permit fee as shown on the Building Permit Fee Schedule.

Section R108.9 is hereby added as follows:

R108.9 Re-inspections. A re-inspection fee may be assessed per the rate shown in the Building Permit Fee Schedule when such portion of work for which inspection is called is not complete or when corrections called for are not made. This Section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the permit card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

In instances when re-inspection fees have been assessed, the applicant shall pay the re-inspection fee in accordance with the Building Permit Fee Schedule. No additional inspection of the work will be performed until the required fees have been paid.

Section R108.10 is hereby added as follows:

R108.10 Investigation fees. Whenever any work for which a permit is required by this Code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this Code. The minimum investigation fee shall be the same as the minimum fee set forth in the Building Permit Fee Schedule. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 110.4 is hereby amended to read as follows:

110.4 Temporary certificate of occupancy. If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary certificate of occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure upon receipt of a certificate of occupancy deposit as set in the town's fee schedule. Upon satisfactory completion of all originally permitted work, a certificate of occupancy shall be issued and the deposit refunded less a processing fee as set in the town's fee schedule. If the temporary certificate of occupancy expires with the original permit requirements left unsatisfied, the Building Official may elect to issue an extension, subject to the provisions below, or issue a stop work order with temporary occupancy revoked subject to Section 111.4. In either case, the certificate of occupancy deposit shall not be refunded.

A temporary certificate of occupancy shall expire at a date deemed appropriate by the building official; however, such expiration date shall not exceed 180 days from the date of issuance. Any applicant holding a non-expired temporary certificate of occupancy may apply for a one-time extension of the time to complete required work and such extension may be granted by the building official in his or her sole discretion provided a written request is submitted by the applicant showing that circumstances beyond the control of the applicant have prevented actions from being taken. An additional processing fee, as set in the town's fee schedule, shall be paid for the one-time extension.

Section R113.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code.

Section R115 is hereby added as follows:

R115 Unsafe Structures and Equipment. Section 116 of the 2021 edition of the International Building Code shall also apply to this part of the 2021 edition of the International Residential Code.

TABLE 301.2 shall provide as follows:

GROUND SNOW LOAD	WIND SPEED (mph)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMPT
			WEATHERING	FROST LINE DEPTH	TERMITE	DECAY					
57 PSF	90 mph	C	Severe	36"	Slight to moderate	Slight	-2 F	Yes	Yes/10-15-85	2500	48 F

Manual J Design Criteria

Elevation	Altitude correction factor	Coincident wet bulb	Indoor winter design relative humidity	Indoor winter design dry-bulb temperature	Outdoor winter design dry-bulb temperature	Heating temperature difference
5600ft	0.82	58°	30%	70°	2°	68°
Latitude	Daily ranger	Summer design gains	Indoor summer design relative humidity	Indoor summer design dry-bulb temperature	Outdoor summer design dry-bulb temperature	Cooling temperature difference
39°N	H	-30 to -58	50%	75°	92°	17°

Those provisions of TABLE R301.5 set forth below are amended as follows, with the remainder of the table remaining unchanged and in full force and effect:

Habitable attics and attics served with fixed stairs	40 psf.
Sleeping rooms	40 psf.

Table R302.6 is amended to provide that all the materials identified therein shall be changed to 5/8” Type X gypsum board. All other provisions in Table R302.6 shall remain in full force and effect.

Section 302.7 is hereby amended to read as follows:

R302.7 Under stair protection. Enclosed accessible space under stairs shall have walls, under-stair surface and soffits protected on the enclosed side with fire taped 5/8” gypsum board.

Sections R309.6 and R309.6.1 and subsections are hereby deleted in their entirety. EV charging requirements shall comply with new Chapter 15.30.

Section R313 and subsections are hereby delated and amended to read as follows:

Section R313 Automatic Fire Sprinkler Systems for R-2 and R-3 Occupancy Classifications. Requirements for automatic fire sprinkler systems shall comply with the 2021 International Fire Code Section 903.2 as amended. Installed systems must be designed and installed in accordance with Section P2904 or NFPA 13D.

Section R401.4 is hereby amended to read as follows:

R401.4 Soils tests. Soil tests prepared by an approved agency shall be submitted for all new construction.

Exceptions:

1. The building official may waive the requirements for soil tests for additions to existing buildings if the soils report and sealed plans for the original construction are available for use as a reference. The building official may waive the requirements for geotechnical reports and foundation plans prepared and sealed by an architect or engineer licensed and registered in the State of Colorado for minor interior remodels totally within the limits of an existing building or structure.
2. Soils reports are not required for freestanding accessory structures and decks constructed in accordance with Section R403.

Section R405.1 is hereby amended to read as follows:

R405.1 Concrete or masonry foundation drains. Except where specified otherwise by an approved soils engineer, perforated PVC drainpipe on top of a waterproof membrane shall be provided around concrete or masonry foundations that retain earth and enclose habitable or usable spaces, including conditioned crawlspaces, located below grade.

Section R406.1 is hereby amended to read as follows:

R406.1 Concrete and masonry foundation dampproofing. Except where required by Section R406.2 to be waterproofed, foundation walls that retain earth and enclose interior spaces, and floors below grade including conditioned crawlspaces, shall be dampproofed from the finished grade to the higher of the top of the footing or 6 inches (152mm) below the top of the basement floor.

Section R903.4.2 Shall be added to read as follows:

R903.4.2 Gutters and Downspouts. Any Group R or U occupancy with roof edges less than four (4) feet from the structure's foundation shall be provided with gutters and downspouts to direct water away from the foundation. Downspouts shall daylight no less than four (4) feet from the foundation wall. Downspouts shall be sleeved below obstructions that prevent surface water from draining away from the foundation. Water from roof drainage shall be prevented from draining on to adjacent lots by means of landscape swales, PVC yard drain assemblies, sumps, or any combination thereof. For zero-lot-line developments where roof projects are allowed by deed convent or ingress/egress easements, gutters and downspouts shall be provided to direct water away from adjacent lot. Roof projections shall not exceed eighteen (18) inches.

Section R903.5 is hereby added as follows:

R903.5 Snow shed barriers. Roofs shall be designed to prevent accumulations of snow from shedding above or in front of gas utility or electric utility meters and egress doors.

Section R903.5.1 is hereby added as follows:

R903.5.1 Mechanical barriers are required for metal roof shingles, metal roof panels or for other roofing materials with 12:12 pitch or greater to protect walkways from snow slides. Mechanical barriers for metal roof shingles and metal roof panels. Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members in accordance with the manufacturer's installation instructions. Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line. Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center. Continuous barriers shall be installed parallel with the exterior wall line and no more than 24 inches from the edge of the roof or eave.

Section R1004.4 is hereby amended to read as follows:

R1004.4 Unvented gas log heaters. Installation of un-vented gas log heaters is prohibited.

Chapter 11 is hereby deleted in its entirety and replaced with the 2021 International Energy Conservation Code as amended in this Title.

Section M1308.3 is hereby added as follows:

M1308.3 LPG (liquid petroleum gas) appliances. LPG appliances shall not be installed in a pit, basement or similar location where heavier than air gases collect unless such location is provided with an approved means for removal of unburned gas.

Section M1401 is amended to add the following subsection:

M1401.6 LPG (liquid petroleum gas) appliances. LPG appliances shall not be installed in a pit, basement or similar location where heavier than air gases collect unless such location is provided with an approved means for removal of unburned gas.

Section M1801.5 is amended to read as follows:

M1801.5 Atmospheric venting prohibited. Atmospherically vented appliances are prohibited in the following occupancies:

1. All R occupancies;
2. Any mixed occupancy structure which includes an R occupancy;
3. Any garage attached to an R occupancy.

Exception: Any replacement of an atmospherically vented appliance originally installed prior to the adoption of this code section.

To the extent these provisions conflict with another code, this section shall control.

Section M1801.5.1 is added to read as follows:

M1801.5.1 Mechanical draft systems. A mechanical draft system shall be used only with appliances listed and labeled for such use. Provisions shall be made to prevent the flow of fuel to the equipment when the draft system is not operating. Forced draft systems and portions of induced draft systems under positive pressure during operation shall be designed and installed to prevent leakage of flue gases into a building.

Section G2425.6 (501.6) is amended to read as follows:

G2425.6. (501.6) Atmospheric venting prohibited. Atmospherically vented appliances are prohibited in the following occupancies:

1. All R occupancies;
2. Any mixed occupancy structure which includes an R occupancy;
3. Any garage attached to an R occupancy.

Exception: Any replacement of an atmospherically vented appliances originally installed prior to the adoption of this code section.

To the extent these provisions conflict with another code, this section shall control.

Section G2425.6.1 (506.1) is added to read as follows:

G2425.6.1 (501.6.1) Positive pressure. Where an appliance equipped with a mechanical forced draft system creates a positive pressure in the venting

system, the venting system shall be designed for positive pressure applications.

Section G2445, Unvented Room Heaters, is hereby amended prohibiting unvented room heaters.

Section P2904.1.1 shall be amended to read as follows:

Section P2904.1. Requirements for automatic fire sprinkler systems shall comply with the 2021 International Fire Code Section 903.2 as amended. If a residential automatic fire sprinkler system is proposed, such a system shall be designed in accordance with Section P2904 (IRC) or NFPA 13D.

Chapters 34 – 43 Part VIII, Electrical, are hereby deleted in their entirety. Electrical requirements for residential structures shall be governed by applicable statutes and regulations of the State of Colorado.

15.10.030 - Copy on file and available for sale.

At least one copy of the International Residential Code, 2021 Edition, and the appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or town building official. Copies of the code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. Section 31-16-206.

15.10.040 International Residential Code Commentary.

The Commentary to the International Residential Code, 2021 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Road, Illinois 60478-5795 is hereby adopted as an enforcement and interpretive guide. The building official, or any authorized representative, shall have the discretion to apply the contents of the handbook referenced in this section in a given circumstance, but the building official is not required to strictly apply such contents in every conceivably relevant circumstance.

Chapter 15.12 INTERNATIONAL MECHANICAL CODE

Section 15.12.10 Adoption by Reference.

Pursuant to the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201 *et seq.*, there is adopted by reference thereto the International Mechanical Code, 2021 Edition, and appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose of this code is to regulate and control the design, construction, quality of materials, erection, replacement, addition to, use, or maintenance of mechanical systems in the town.

15.12.020 Amendments

The International Mechanical Code, 2021 Edition, is hereby amended as follows:

Section 101.1 Title: insert “Town of New Castle” for (Name of Jurisdiction).

Section 104.8. is hereby deleted. See Section 15.04.030 of the Municipal Code.

Section 109.6 is hereby amended as follows:

109.6 Refunds. Refunds may be authorized by the building official per Section 109.6 of the 2021 International Building Code as amended..

Section 109.7 is hereby added as follows:

109.7 Re-inspection fee. A re-inspection fee may be assessed per Section 110.7 of the 2021 International Building Code as amended.

Section 115.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code.

Section 116.4 is hereby amended so that the last sentence reads as follows:

Section 116.4 Failure to Comply. Any person who shall continue to work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as prescribed in Section 15.04.050 of the Town of New Castle Municipal Code.

Section 303 is amended by adding the following subsection:

303.10 LPG Appliances. Appliances burning LPG (Liquid Petroleum Gas) shall not be installed in a pit basement or similar location where heavier-than-air gases may collect unless such location is provided with an approved means for removal of unburned gas.

Section 801.9 is amended to read as follows:

801.9 Atmospheric venting prohibited. Atmospherically vented appliances are prohibited in the following occupancies:

1. All R occupancies;
2. Any mixed occupancy structure which includes an R occupancy;
3. Any garage attached to an R occupancy.

Exception: Any replacement of an atmospherically vented appliances originally installed prior to the adoption of this code section.

To the extent these provisions conflict with another another code, this section shall control.

Section 801.9.1 is added to read as follows:

801.9.1 Positive pressure. Where an appliance equipped with a mechanical forced draft system creates a positive pressure in the venting system, the venting system shall be designed for positive pressure applications.

Section 805 is amended by adding a new section to read as follows:

805.3.1 Factory-built chimneys shall be effectively fire blocked within any chase at each floor-ceiling level and at the roof. The vertical distance between adjacent fire blocking shall not exceed 10 feet. See IBC for additional requirements.

Section 903.3 is hereby amended to read as follows:

903.3 Unvented gas log heaters. Unvented gas log heaters are prohibited.

Section 15.12.030 Copies on file and available for sale.

At least one copy of the International Mechanical Code, 2021 Edition, and the appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or building official. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. § 31-16-206.

Section 15.12.040 International Mechanical Code Commentary.

The Commentary to the International Mechanical Code, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Road, Illinois 60478-5795 is hereby adopted as an enforcement and interpretive guide. The building official, or any authorized representative, shall have the discretion to apply the contents of the handbook referenced in this Section in a given circumstance, but the building official is not required to strictly apply such contents in every conceivably relevant circumstance.

Chapter 15.14
INTERNATIONAL FUEL GAS CODE

Section 15.14.10 Adoption by Reference

Pursuant to the power and authority conferred by C.R.S. § 31-16-201 *et seq.*, there is adopted by reference thereto the International Fuel Gas Code, 2021 Edition, and appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose of this code is to establish minimum regulations governing the conditions and maintenance of all property, buildings, and structures by providing the standards for supplied utilities and the design and installation of gas systems and gas-fired appliances.

Section 15.14.020 Amendments

The International Fuel Gas Code, 2021 Edition, is hereby amended as follows:

Section 101.1 Insert: Town of New Castle

Section 104.8 is hereby deleted. Section 15.04.030 of the Municipal Code shall control.

Section 115.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code.

Section 116.4 is hereby amended so that the last sentence reads as follows:

Section 116.4 Failure to Comply. Any person who shall continue to work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as prescribed in Section 15.04.050 of the Town of New Castle Municipal Code.

Section 406.4.1 is hereby amended to read as follows:

406.4.1 Test pressure. The test pressure to be used shall be no less than 1 ½ times the proposed maximum working pressure, but not less than ten (10) psig, irrespective of design pressure. Where the test pressure exceeds one hundred twenty-five (125) psig, the test pressure shall not exceed a value that produces a hoop stress in the piping greater than fifty percent (50%) of the specified minimum yield strength of the pipe.

Section 501.6 is amended to read as follows:

501.6 Atmospheric venting prohibited. Atmospherically vented appliances are prohibited in the following occupancies:

1. All R occupancies;
2. Any mixed occupancy structure which includes an R occupancy;
3. Any garage attached to an R occupancy.

Exception: Any replacement of an atmospherically vented appliances originally installed prior to the adoption of this code section.

To the extent these provisions conflict with another code, this section shall control.

Section 501.6.1 is added to read as follows:

501.6.1 Positive pressure. Where an appliance equipped with a mechanical forced draft system creates a positive pressure in the venting system, the venting system shall be designed for positive pressure applications.

Subsection 501.8 #8 is hereby deleted.

Section 621 is hereby amended to provide that unvented room heaters are prohibited and to delete all remaining sections of Section 621

Section 15.14.030 Copies on file and available for sale.

At least one copy of the International Fuel Gas Code, 2021 Edition, and all appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or building official. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. Section 31-16-206.

**Chapter 15.16
INTERNATIONAL PLUMBING CODE**

Section 15.16.10 Adoption by Reference

Pursuant to the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201 *et seq.*, there is adopted by reference thereto the International Plumbing Code, 2021 Edition, and appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose of this code is to regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the town.

Section 15.16.020 Amendments

The International Plumbing Code, 2021 edition, is hereby amended as follows:

Section 101.1 Insert: Town of New Castle

Section 104.8 is hereby deleted. See Section 15.04.030 of the Municipal Code.

Section 109.5 is hereby amended to read as follows:

109.5 Refunds. Refunds may be authorized by the building official per Section 109.6 of the 2021 International Building Code as amended.

Section 115.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code.

Section 116.4 shall be amended so that the last part of the last sentence shall read:

Section 116.4 Failure to Comply. Any person who shall continue to work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe

condition, shall be liable for a fine as prescribed in Section 15.04.050 of the Town of New Castle Municipal Code.

Section 301.3.1 is hereby added to read as follows:

301.3.1 Building drain under footings. When installed under footings, building drains shall be placed, pressure tested, and inspected by the Town of New Castle Public Works Department prior to footing placement, unless such installation is determined to be infeasible by the Building Official.

Section 301.4.1 is hereby added to read as follows:

301.4.1 Water supply under footings. When installed under footings, water supply lines shall be placed, pressure tested, and inspected by the Town of New Castle Public Works Department prior to footing placement, unless such installation is determined to be infeasible by the Building Official.

Subsection 305.4.1 is hereby amended as follows:

305.41 Sewer depth. Building sewers shall be a minimum of fifty-four inches (54") below grade.

Section 312.10 is hereby amended to read as follows:

312.10 Inspection and testing of backflow prevention assemblies. Inspection and testing shall comply with sections 312.10.1 and 312.10.2 and any requirements of the Colorado Department of Public Health and Environment. If any conflicts exist between the two, the more restrictive requirement shall control.

Section 903.1.1 is hereby amended to read as follows:

903.1.1 Insert: twelve (12) inches

Section 15.16.030 Copies on file and available for sale.

At least one copy of the International Plumbing Code, 2021 Edition, and all appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or building official. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. Section 31-16-206.

Section 15.16.040 International Plumbing Code Commentary.

The International Plumbing Code Commentary, 2021 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 is hereby adopted as an enforcement guide. The building official, or any authorized representative,

shall have the discretion to apply the contents of the commentary referenced in this Title in a given circumstance, but the building official is not required to strictly apply such contents in every conceivably relevant circumstance.

Chapter 15.18
INTERNATIONAL EXISTING BUILDING CODE

15.18.010 Adoption by reference.

Pursuant to the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201, *et seq.*, there is adopted by reference thereto the International Existing Building Code, 2021 Edition, and all appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose and subject matter of this code is to regulate and govern the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings in the town.

15.18.020 Amendments.

The International Existing Building Code, 2021 Edition, is hereby amended as follows:

Section 101.1 Insert: “Town of New Castle” for the (Name of Jurisdiction)

Section 104.8 is hereby deleted. See Section 15.04.030 of the Municipal Code.

Section 113.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code.

15.18.030 Copies on file and available for sale.

At least one copy of the International Existing Building Code, 2021 Edition, and all appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or building official. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. Section 31-16-206.

Chapter 15.22

INTERNATIONAL ENERGY CONSERVATION CODE**15.22.010 Adoption by reference.**

Pursuant to the power and authority conferred by C.R.S. §31-15-602, there is adopted by reference thereto the International Energy Conservation Code, 2021 Edition, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose of this code is to establish the minimum regulations governing energy use and conservation for all property, buildings, and structures within the Town.

15.22.020 Amendments

The International Energy Conservation Code, 2021 Edition, is hereby amended as follows:

Section C101.1 insert: Town of New Castle

Section C103.1 is hereby amended to read as follows:

C103.1 General. Construction documents and other supporting data shall be submitted in at least one paper set and in digital format with each permit application. The construction documents shall be prepared and reviewed for code compliance by an *approved* third party energy consultant prior to submission to the *code official*.

Section R101.1 insert: Town of New Castle

Section R103.1 is hereby amended to read as follows:

R103.1 General. Construction documents and other supporting data shall be submitted in at least one paper set and in digital format with each permit application. The construction documents shall be prepared and reviewed for code compliance by an *approved* third party energy consultant prior to submission to the *code official*.

Section R403.7 is hereby amended to read as follows:

R403.7 Equipment sizing and efficiency rating. Heating and cooling equipment shall be sized in accordance with ACC Manual S based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling calculation methodologies. All new or replacement heating and cooling equipment shall have an Energy Star efficiency rating pursuant to Section 15.22.030.

Exception. Replacement appliances shall only be required to have an efficiency rating equal to or greater than the minimum required by federal law for the geographic location where the equipment is installed when, at the discretion of the Building Official, such installation is deemed to be infeasible.

Section R403.9.1 is hereby added as follows:

R403.9.1 Freeze protection system controls. Freeze protection systems, such as heat tracing or outdoor piping and heat exchangers, including self-regulating heat tracing, shall include automatic controls configured to shut off the systems when outdoor air temperature are above 40°F (4°C) or when the conditions of the protected fluid will prevent freezing.

15.22.030 Additional provisions:

The following additional standards are hereby adopted as a part of the requirements of this Chapter. To the extent these provisions conflict in any manner with the 2021 IECC, the more restrictive provisions shall control.

- A. The following equipment and appliances installed in connection with a non-exempt permit must be ENERGY STAR rated at the time of purchase or installation of the equipment and appliances:
 - a. boilers
 - b. furnaces
 - c. air conditioners (both room and central air systems)
 - d. refrigerators
 - e. stand alone freezers
 - f. clothes washers and dryers
 - g. water heaters
 - h. dishwashers
 - i. cooking appliances

**Chapter 15.24
INTERNATIONAL FIRE CODE**

15.24.010 Adoption by Reference.

Pursuant to the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201 *et seq.*, there is adopted by reference thereto the International Fire Code, 2021 Edition, and all appendices, except A, E, G, and J thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose and subject matter of this code is to regulate and govern the safeguarding of life and property from conditions hazardous to life or property in the occupancy of buildings and premises in the town and provide for the issuance of permits and collection of fees therefor.

15.24.020 Amendments.

The International Fire Code, 2021 edition, is hereby amended as follows:

Section 101.1 Insert: Town of New Castle

Section 102.5 is hereby deleted

Subsection 106.1 is hereby amended to read as follows:

106.1 Submittals. Construction documents shall be submitted in one or

more sets and in such form and detail as required by the fire code official. The construction documents shall be prepared by a registered design professional. All plans for fire alarms systems submitted for approval shall have affixed the signature of a NICET Level III or higher in fire alarm design.

Exception: Where the fire alarm system designer has the equivalent of NICET Level III training, all certificates and documentation shall be presented for compliance.

Section 111.1.1 is hereby added to read as follows:

111.1.1 Timing of appeal. The applicants requesting to appeal a decision shall make their request to the board of appeals within (10) days of the decision they are appealing.

Subsection 112.2.2 is hereby added to read as follows:

112.2.2 Compliance with orders and notices. A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant, or other person responsible for the condition or violation to which the notice of violation pertains.

1. If the building or other premises is owned by one person and occupied by another, under lease or otherwise, and the notice of violation requires additions to or changes in the building or premises such as would be considered real estate and become the property of the owner, said notice and order shall be directed to such owner of the building or premises.
2. Except for cases where immediate compliance is required, violations pursuant to this chapter may be appealed as set forth in Section 111.1.
3. In cases where immediate compliance is required, the notice of violation so stating shall be final and conclusive.

Section 112.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code.

Subsection 308.3 is hereby amended to read as follows with the stated exceptions remaining in full force and effect.

308.3 Group A occupancies. Open-flame devices shall not be used in a Group A occupancy. The use of indoor pyrotechnic displays in a Group A occupancy is prohibited.

Subsection 308.3.2 is hereby amended to read as follows:

308.3.2 Theatrical performances. The use of indoor pyrotechnic displays is prohibited.

Subsection 507.5.4 is hereby amended to add a new last sentence to read as set forth below:

507.5.4. Snow removal operations shall not prevent fire hydrants from being immediately discernible or hinder gaining immediate access.

Section 903.2 is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in all buildings and structures shall be provided in the locations described in this section and in the following locations:

1. In every story of all non-IRC regulated buildings that are three stories or more in height.
2. In every story, basement, and mezzanine of any building where the total floor area (including basement and mezzanine) exceeds the limits shown in Table A below:

Table A

Type of Construction	Maximum Floor Area (sf)
III-B, V-B	7,500
V-A, II-B	9,000
II-A, III-A, IV-HT, I-A	12,000

3. Whenever any addition to an existing building causes the total floor area of the building to exceed the limits set forth in the preceding item number 2, the entire building shall be provided with an approved automatic sprinkler system or a firewall conforming to Section 706 of the International Building Code (IBC) must be installed. Openings in these walls shall conform to the IBC and be controlled by actuation of a smoke detector. When the automatic-closing fire assembly is installed in a building with an approved fire detection system, the fire assembly actuating smoke detectors shall be a part of the fire detection.

4. Existing structures and facilities. When in any twenty-four (24) month period the floor area of an alteration, remodel or modification to any existing building exceeds forty percent (40%) of the floor area of the building being improved, the entire building shall be made to comply with the requirements of Chapter 9 in the International Building Code, 2021 Edition, as amended and adopted by the Town. When the regulations set forth in the International Existing Building Code, 2021 Edition, apply to the renovation, remodel or modification of an existing building, the more restrictive shall apply to the building.
5. All occupancies to be built in a location that is difficult to access or has limited fire flow water supply as determined by the fire code official, will be reviewed by the fire code official for the need to be equipped with an approved automatic fire suppression system.

Section 903.2.8, Group R, is amended to add the following Exceptions:

Exceptions:

1. Group R-3 and boarding house occupancies, unless maximum floor area exceeds the provisions of Table A as amended in Section 903.2 #2.
2. Group R-2 with occupancy of 5 or less (1000 sq. ft. floor area Table 1004.1.2 IBC), unless floor maximum area exceeds the provisions of Table A as amended in Section 903.2 #2.

Section 907.1 is amended to add 907.1.4 as follows:

907.1.4 Installation. All fire alarm systems installations shall be supervised by a NICET level II or higher in fire alarm installations.

Section 907.1.2 is amended to add the following two comments:

Shop drawings for fire alarms must bear the seal and signature of a graduate Fire Protection Engineer or a qualified State of Colorado licensed engineer practicing in their respective field of expertise or a NICET Level III or higher in fire alarm design.

A sealed set of these shop drawings, complete with review comments, shall be made available at all times at the work site for fire department inspection. An identical set of shop drawings shall be given to the owner.

Chapter 11 is hereby deleted in its entirety.

A new Exception 5 is hereby added to Subsection 5601.1.3:

5601.1.3 Fireworks.

5. The storage, sale, use and handling of toy caps, sparklers and smoke snakes shall be permitted.

Subsection 5604.10.8 is hereby added as follows:

5604.10.8 Certification. The handling and firing of explosives shall only be performed by the person possessing a valid explosives certificate issued by the State of Colorado.

Section 5608.1 is hereby amended by adding a new last sentence to read as set forth below, with all other provisions of said section remaining in full force and effect:

5608.1 General. The use of indoor pyrotechnic displays shall be prohibited.

Subsection 5706.2.4 is hereby amended to read as follows:

5706.2.4 Permanent and temporary tanks. The capacity of permanent above ground tanks containing Class I or II liquids shall not exceed 1,100 gallons (4164 L). The capacity of temporary above-ground tanks containing Class I or II liquids shall not exceed 500 gallons (1892 L). Tanks shall be of the single-compartment design.

15.24.030 Copy on file and available for sale.

At least one copy of the International Fire Code, 2021 Edition, and all appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or building official. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. Section 31-16-206.

**Chapter 15.28
NATIONAL ELECTRIC CODE**

15.28.010 Adoption by Reference.

Pursuant to the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201 *et seq.*, there is adopted by reference thereto that edition of the National Electric Code ("NEC"), and all appendices thereto, that is adopted and enforced by the State of Colorado Electrical Board from time to time pursuant to Article 23 of Title 12 C.R.S. The NEC is promulgated by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101. The NEC is adopted by reference with the sole intent to be utilized by the town as a special reference resource material for specific items and used with and for

clarification of items in the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Plumbing Code, International Existing Building Code, Uniform Code for the Abatement of Dangerous Buildings, and International Fire Code, as well as for all electrical wiring, fixtures, and appliances installed, altered, or repaired within the town, or in connection with any building therein. It is not the intention of the town to enforce the provisions or requirements of the NEC, but to recognize the authority of any Colorado state official who reviews matters covered in the NEC within the town to do so. The NEC is adopted as if set out in full for the purposes as stated herein. The purpose of this code is to provide guidance in being consistent with nationally recognized good practices for protecting the safety of life and property in electrical installations.

15.28.20 Work permit.

- A. Required. No alterations or additions shall be made in the wiring of any building, nor shall any building be wired for electric lights, motors or heating or cooling devices, nor shall any electrical apparatus be installed, without first securing a permit therefore from the State Electrical Inspector.
- B. Application. Applications for permits required by this section shall be in writing, filed before the work is started, upon forms describing the work contemplated and providing such information as may be required by the State Electrical Inspector.
- C. Permit Fees—Administrative and Appeal Procedures. The permit fees and the administrative and appeal procedures for electrical work performed pursuant to this article shall be as set forth in C.R.S. Section 12-23-101 et seq., as amended.

15.28.030 Inspectors.

The State Electrical Inspector shall serve as electrical inspector for the town.

15.28.40 Inspections.

- A. Inspection Generally. Electric current shall not be turned on until the electrical installation shall have been inspected, approved and marked in a conspicuous place by the electrical inspector. The electrical inspector shall carefully inspect all electrical installations prior to and after completion, and he is hereby authorized and empowered to remove any and all obstructions such as lath, plastering, boarding, partitions or any other obstruction which interferes with a thorough and complete inspection. Inspections may be made at any time during the installation that the inspector deems is expedient or necessary.
- B. Issuance of Certificate of Inspection. Upon final inspection of an electrical installation, the electrical inspector shall issue his certificate of compliance or prescribe changes necessary for such compliance. Upon such changes being made to the satisfaction of the inspector, he shall issue the certificate of inspection, which shall authorize the commencement of the electrical service. After issuance of any such certificate, no change shall be made either by way of addition, alteration or taking from the same without the

written consent of the inspector.

C. Notice and Discontinuance of Service When Defect Discovered Through Inspection.

1. Whenever the electrical inspector, during an electrical installation, shall find any wire or wires or equipment in a dangerous condition or so placed as to interfere with the work of the fire department, he shall notify the owner or the person using or operating such wires or equipment to remedy the defect. Every person who fails or refuses to remedy such defects within ten (10) days, or a longer period when the same is granted by the inspector, after receipt of notice shall be subject to penalties set forth in Section 1.20.010 of this code.
2. The electrical inspector is hereby authorized and empowered to enforce a discontinuance of electrical service in every case where wiring or equipment is found to be defective or in noncompliance with this chapter; and, when service has been ordered discontinued, electrical service shall not be restored or reconnected until the defect has been remedied.

Chapter 15.30

COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE

15.30.010 Adoption by Reference.

Pursuant to Colorado HB22-1362 regarding Building Greenhouse Gas Emissions and the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201 *et seq.*, there is adopted by reference thereto the Colorado Model Electric Ready and Solar Ready Code, published June 1, 2023, promulgated by the State of Colorado Energy Office, 1600 Broadway, Suite 1960, Denver, CO 80202. The purpose and subject matter of this code is to prepare new buildings for solar photovoltaic or solar thermal, electric vehicle charging infrastructure, and electrification of building systems.

15.30.020 Amendments.

The Colorado Model Electric Ready and Solar Ready Code, 2023 Edition, is hereby amended as follows:

Section 101.1 Insert: Town of New Castle

15.30.030 Copy on file.

At least one copy Colorado Model Electric Ready and Solar Ready Code together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or building official. Copies of said code and appendices shall be available to the public at a moderate price, as required by C.R.S. Section 31-16-206.

Section 5. Severability. Each section of this Ordinance is an independent section and a holding of any section or part thereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof.

Section 6. Effective Date. This Ordinance shall be effective fourteen days after final publication pursuant to section 4.3 of the Town Charter.

INTRODUCED on December 5th, 2023, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado on December 19th, 2023, read by title and number, passed with amendments, approved, and ordered published as required by the Charter.



TOWN OF NEW CASTLE, COLORADO
TOWN COUNCIL

By: 
Grady Hazelton, Mayor Pro Tem

ATTEST:


Mindy Andis, Town Clerk