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Recording: , Sheila Reiner, Mesa County, CO. CLERK AND RECORDER

ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA, STATE OF
COLORADO

Ordinance 008(C)

AN ORDINANCE OF THE COUNTY OF MESA, COLORADO ADOPTING AND AMENDING THE
INTERNATIONAL BUILDING CODE, THE INTERNATIONAL PLUMBING CODE, THE INTERNATIONAL
MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE, THE INTERNATIONAL EXISTING BUILDING
CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE NATIONAL ELECTRICAL CODE, AND THE
INTERNATIONAL ENERGY CONSERVATION CODE TO BE APPLIED THROUGHOUT THE COUNTY OF MESA,
STATE OF COLORADO, EXCEPT WITHIN THE LIMITS OF ANY INCORPORATED CITY OR TOWN.

WHEREAS, pursuant to Section 30-28-201 et seq., C.R.S. (2007), the Mesa County Board of County
Commissioners has the power to adopt ordinances and a building code; and

WHEREAS, the Mesa County Board of County Commissioners finds that adoption of this Ordinance is
necessary to preserve the health, safety and welfare of the citizens of Mesa County.

NOW THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Mesa County as follows:

Part 1: LEGISLATIVE DECLARATION:

The Mesa County Board of County Commissioners finds that it is important for the safety of the citizens
of Mesa County to establish a current uniform code. Accordingly, it is necessary to adopt and amend
the current building code together with the plumbing code, the mechanical code, the fuel gas code, the
existing building code, the residential code, the electrical code and the energy conservation code
("Codes").

Part 2: APPLICABILITY:

This Ordinance shall apply throughout the County of Mesa, State of Colorado, except within the limits of
any incorporated city or town unless the incorporated city or town elects by ordinance or resolution to
have the provisions hereof apply ("Jurisdiction").

Part 3: PURPOSE:

The provisions of this Ordinance have been made with reasonable consideration of, and in accordance
with, the public health, safety, morals and general welfare of the public, and the safety, protection and
sanitation of such dwellings, buildings, and structures.

Part 4: ADOPTION AND AMENDMENT OF THE INTERNATIONAL BUILDING CODE:

Section 1: Adoption of International Building Code.

- (a) The International Building Code, 2018 Edition, as published by the International Code Council,
Inc., together with amendments set forth below (hereafter "IBC" or "International Building
Code") is hereby adopted to provide minimum standards to safeguard life and limb, health,

Re record to include Exhibit A Fee Schedule

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property, and the public welfare by regulating and controlling various matters including, but not limited to the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures within the Jurisdiction.

- (b) The following chapters of the Appendix of the International Building Code, 2018 Edition, are adopted:
- a. Chapter C, Group U- Agriculture Building
 - b. Chapter I, Patio Covers
 - c. No other chapters of the Appendix of the IBC are adopted

Section 2: Amendments to International Building Code.

The building code adopted in the Section 1 of this Part 4, is hereby amended as follows:

- (a) Section 101: Section 101.4.4 **Property maintenance** is amended by deletion of this section in its entirety.
- (b) Section 103: Section 103.3 **Deputies** is amended by deletion of last sentence.
- (c) Section 105: Section 105.2 **Work exempt from permit** is amended by the addition of the word "Platforms" to Item 6.
- (d) Section 105: Section 105.2 **Work exempt from permit** is amended by the addition of Item 14 to read: "Plastic covered crop production shelters where access to public is prohibited."
- (e) Section 109: Section 109.2 **Schedule of permit fees** is amended by the addition of Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in Building Inspection Office).
- (f) Section 109: Section 109.6 **Refunds** is amended by the addition of the following: "Building permit fees may be refunded at the rate of 85% of the building permit fee provided the project for which the permit was issued has not commenced and/or inspections have not been conducted. No refunds will be made after work has commenced or after 180 days of issuance."
- (g) Section 109: Section 109.7 **Fees for agriculture buildings** is amended by the addition of Subsection 109.7 to read: "No fees shall be required for a building permit obtained for Agriculture Buildings defined as buildings or structures used for the sole purpose of providing shelter for agricultural implements, farm products, livestock or poultry, that is not a place of employment or open to the public. This agriculture building fee exemption does not include fees for electrical, mechanical and plumbing permits for said structures."
- (h) Section 110: Section 110.7 **Inspections for agriculture buildings** is amended by addition of Subsection 110.7 to read as follows: "No inspections shall be required for a building permit obtained for Agriculture Buildings defined as buildings or structures used for the sole purpose of providing shelter for agricultural implements, farm products, livestock or poultry, that is not a place of employment or open to the public. However, this exemption is not an exception of the minimum building standards set forth in the International Building Code, or to the other requirements for inspections for electrical, mechanical and plumbing."
- (i) Section 113: Section 113 **Board of appeals** is amended by deletion of this section in its entirety and replaced with: "The Board of Appeals established in Part 13 shall serve as the Board of Appeals."

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- (j) Section 114: Section 114.4 **Violation penalties** is amended by deletion of this section in its entirety and replaced with: "Any person who violates a provision of the code or fails to comply with any of the requirements thereof shall be subject to the penalties prescribed in Part 16 of this Ordinance."
- (k) Section 116: Section 116.1 **Conditions** is amended by adding a paragraph to read: "The building official may cause the premises to be closed up and secure through any available public agency or contractor arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be lien upon such real estate and may be collected by any other legal resource. The building official may condemn unsafe structures."
- (l) Section 305: Section 305.2.3 **"Twelve" or fewer children in a dwelling unit** is amended by deleting Five and replacing with Twelve.
- (m) Section 308: Section 308.2.4 **Five or fewer persons receiving custodial care** is amended by deleting: "provided an automatic sprinkler system is installed in accordance with section 903.3.1.3 or with section 2904 of the International Residential Code."
- (n) Section 310: Section 310.4.1 **Care facilities within a dwelling** is amended by deleting: "provided an automatic sprinkler system is installed in accordance with section 903.3.1.3 or with section 2904 of the International Residential Code."
- (o) Section 310: Section 310.5 **Residential Group R-4** is amended by adding at the end of the last paragraph: "or shall comply with the International Residential Code. "
- (p) Table 602: Table 602 **Fire-Resistance rating requirements for exterior walls based on fire separation distance** is amended by the addition of footnote j. to E occupancies. "Footnote j. Group E Day Care occupancies that accommodate 12 or fewer persons shall have fire resistive ratings as required for IRC occupancies."
- (q) Section 1004: Table 1004.5 **Maximum floor area allowances per occupant** is amended to change the maximum floor area allowance per occupant of Agriculture Building from: 300 Gross to 500 Gross.
- (r) Section 3001: Section 3001.1 is amended to read as follows:

3001.1 Scope. This chapter governs the design, construction, installation, alterations, maintenance and repair of new and existing installations of elevators, dumbwaiters, escalators and moving walks, requiring permits therefore and providing procedures for the inspection and maintenance of such conveyances.
- (s) Section 3001: Section 3001.2 is amended by deletion of this section in its entirety.
- (t) Chapter 30: Chapter 30 **Elevators and conveying systems** is amended by the addition of four new sections and subsections to read as follows:

**SECTION 3009
PERMITS & CERTIFICATES OF INSPECTION**

3009.1 Permits Required. It shall be unlawful to install any new elevator, moving walk, escalator or dumbwaiter or to make alterations to any existing elevator, dumbwaiter or moving walk, as defined in Park XII of ASME A17.1, without first having obtained a permit for such

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installations from the building official. Permits shall not be required for maintenance or minor alterations.

3009.2 Certificates of Inspection Required. It shall be unlawful to operate any elevator, dumbwaiter, escalator or moving walk without a current certificate of inspection issued by an approved inspection agency. Such certificates shall be issued upon payment of prescribed fees and a valid inspection report indicating that the conveyance is safe and that the inspection and tests have been performed in accordance with Part X of ASME A17.1. Certificates shall not be issued when the conveyance is posted as unsafe pursuant to Section 3012.

Exception: Certificates of Inspection shall not be required for conveyances within a dwelling unit.

3009.3 Applications for Permits. Applications for a permit to install shall be made on forms provided by the building official, and the permit shall be issued to an owner or the owner's representative, upon payment of the permit fees specified in this section.

3009.4 Applications for Certificates of Inspection. Applications for an inspection and certificates of inspection shall be made to an approved inspection agency by the owner of an elevator, dumbwaiter, escalator or moving walk. Fees for inspections and certificates of inspection shall be determined by the approved inspection agency.

3009.5 Fees. A fee for each permit shall be paid to the building official as prescribed in the jurisdiction Permit Fee Schedule.

SECTION 3010 DESIGN

3010.1 Detailed Requirements. For detailed design, construction and installation requirements see Chapter 16 and the appropriate requirements for ASME A17.1.

SECTION 3011 REQUIREMENTS FOR OPERATION AND MAINTENANCE

3011.1 General. The owner shall be responsible for the safe operation and maintenance of each elevator, dumbwaiter, escalator and moving walk installations and shall cause periodic inspections to be made on such conveyances as required by this section.

3011.2 Periodic Inspection and Tests. Routine and periodic inspections and tests shall be made as required by ADME A17.1.

3011.3 Alterations, Repairs and Maintenance. Alterations, repairs and maintenance shall be made as required by Part XII of ASME A17.1.

3011.4 Inspection Costs. All costs of such inspections shall be paid by the owner.

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**SECTION 3012
UNSAFE CONDITIONS**

3012.1 Unsafe Conditions. When an inspection reveals an unsafe condition of an elevator, escalator, moving walk or dumbwaiter, the inspector shall immediately file with the owner and the building official a full and true report of inspection and unsafe conditions. If the building official finds that the unsafe condition endangers human life, the building official shall cause to be placed on such conveyance, in a conspicuous place, a notice stating that such conveyance is unsafe. The owner shall see to it that such notice of unsafe condition is legibly maintained where placed by the building official. The building official shall also issue an order in writing to the owner requiring the repairs or alterations to be made to such conveyance that are necessary to render it safe and may order the operation thereof discontinued until the repairs or alterations are made or the unsafe conditions are removed. A posted notice of unsafe conditions shall be removed by the building official when satisfied that the unsafe conditions have been corrected.

- (u) Section 3109: Section 3109.1 **General** is amended by deletion and replaced with: "Swimming pools, spas and hot tub barriers shall comply with section 305 of the International Swimming Pool and Spa Code."

Part 5: ADOPTION OF THE INTERNATIONAL PLUMBING CODE:

Section 1: Adoption of the International Plumbing Code and applicable chapters of the International Residential Code.

- (a) The International Plumbing Code and applicable chapters of the International Residential Code published by the International Code Council and as amended and adopted by the State of Colorado Plumbing Board pursuant to Title 12, Article 58 C.R.S. (hereafter "IPC" or "International Plumbing Code") is hereby adopted to regulate the design, construction, quality of materials, erection, installation, alteration, location, relocation, replacement, addition to, use and maintenance of plumbing systems within the Jurisdiction.

Section 2: Amendments to the International Plumbing Code.

The plumbing code adopted in Section 1 of this Part 5 is hereby amended as follows:

- (a) Section 106: Section 106.6.2 **Fee schedule** is amended by the addition of Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in Building Inspection Office).
- (b) Section 106: Section 106.6.3 **Fee refunds** is amended by the deletion of this section in its entirety and replaced with the following: "Building permit fees may be refunded at the rate of 85% of the building permit fee provided the project for which the permit was issued has not commenced and/or inspections have not been conducted. No refunds will be made after work has commenced or after 180 days of issuance."

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- (c) Section 109: Section 109 **Means of appeal** is amended by deletion of this section in its entirety and replaced with the following: "The Colorado State Plumbing Board serves as the Board of Appeals for the International Plumbing Code."

Part 6: ADOPTION AND AMENDMENTS OF THE INTERNATIONAL MECHANICAL CODE:

Section 1: Adoption of the International Mechanical Code.

- (a) The International Mechanical Code, 2018 Edition, as published by the International Code Council, together with amendments set forth below (hereafter "IMC" or "International Mechanical Code") is hereby adopted to regulate the design, construction, quality of materials, erection, installation, alteration, location, relocation, replacement, addition to, use and maintenance of mechanical systems within the Jurisdiction.

Section 2: Amendments to the International Mechanical Code.

The mechanical code adopted in Section 1 of this Part 6 is hereby amended as follows:

- (a) Section 106: Section 106.5.2 **Fee schedule** is amended by the addition of Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in Building Inspection Office).
- (b) Section 106: Section 106.5.3 **Fee refunds** is amended by the deletion of this section in its entirety and replaced with the following: "Building permit fees may be refunded at the rate of 85% of the building permit fee provided the project for which the permit was issued has not commenced and/or inspections have not been conducted. No refunds will be made after work has commenced or after 180 days of issuance."
- (c) Section 108: Section 108.4 **Violation penalties** is amended by deletion of the section in its entirety and replaced with the following: "Any person who violates a provision of this code or fails to comply with any of the requirements thereof shall be subject to the penalties as prescribed in Part 16 of this Ordinance."
- (d) Section 109: Section 109 **Means of appeal** is amended by deletion of this section in its entirety and replaced with the following: "The Board of Appeals established in Part 13 shall serve as the Board of Appeals."

Part 7: ADOPTION AND AMENDMENTS OF THE INTERNATIONAL FUEL GAS CODE:

Section 1: Adoption of the International Fuel Gas Code.

- (a) The International Fuel Gas Code, 2018 Edition, as published by the International Code Council, together with amendments set forth below (hereafter "IFGC" or "International Fuel Gas Code") is hereby adopted to regulate the design, construction, quality of materials, erection, installation, alteration, location, relocation, replacement, addition to, use and maintenance of fuel gas systems within the Jurisdiction.
- (b) The following chapters of the Appendix of the International Fuel Gas Code, 2018 Edition, are adopted:

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- a. Appendix A, Sizing and Capacities of the Gas Piping.
- b. Appendix B, Sizing of Vent Systems.
- c. Appendix C, Exit Terminals of Mechanical Draft and Direct- Venting Systems.
- d. No other Appendix chapters of the IFGC are adopted.

Section 2: Amendments to International Fuel Gas Code.

The fuel gas code adopted in Section 1 of this Part 7 is hereby amended as follows:

- (a) Section 106: Section 106.6.2 **Fee schedule** is amended by the addition of Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in Building Inspection Office).
- (b) Section 106: Section 106.6.3 **Fee refunds** is amended by the deletion of this section in its entirety and replaced with the following: "Building permit fees may be refunded at the rate of 85% of the building permit fee provided the project for which the permit was issued has not commenced and/or inspections have not been conducted. No refunds will be made after work has commenced or after 180 days of issuance."
- (c) Section 108: Section 108.4 **Violations** is amended by deletion of this section in its entirety and replaced with the following: "Any person who violates a provision of this code or fails to comply with any of the requirements thereof shall be subject to the penalties as prescribed in Part 16 of this Ordinance."
- (d) Section 109: Section 109 **Means of appeal** is amended by deletion of this section in its entirety and replaced with the following: "The Board of Appeals established in Part 13 shall serve as the Board of Appeals."

Part 8: ADOPTION OF THE INTERNATIONAL EXISTING BUILDING CODE:

Section 1: Adoption of the International Existing Building Code.

- (a) The International Existing Building Code, 2018 Edition, as published by the International Code Council, together with amendments set forth below (hereafter "IEBC" or "International Existing Building Code") is hereby adopted to regulate the design, construction, quality of materials, erection, installation, alteration, location, relocation, replacement, addition to, use and maintenance of existing buildings within the Jurisdiction.

Section 2: Amendments to International Existing Building Code.

The existing building code adopted in Section 1 Part 8 is hereby amended as follows:

- (a) Section 108: Section 108.2 **Schedule of permit fees** is amended by the addition of Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in Building Inspection Office).
- (b) Section 112: Section 112 **Board of appeals** is amended by deletion of this section in its entirety and replaced with the following: "The Board of Appeals established in Part 13 shall serve as the Board of Appeals."

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- (c) Section 113: Section 113.4 **Violations** is amended by deletion of this section in its entirety and replaced with the following: "Any person who violates a provision of the code or fails to comply with any of the requirements thereof shall be subject to the penalties prescribed in Part 16 of this Ordinance."
- (d) Section R115: Section R115 **Unsafe buildings and equipment** is amended by deletion of this section in its entirety and replaced with: "As amended in section 116 of the 2018 International Building Code."

Part 9: ADOPTION AND AMENDMENT OF THE INTERNATIONAL RESIDENTIAL CODE:

Section 1: Adoption of the International Residential Code.

- (a) The International Residential Code, 2018 Edition, published by the International Code Council, together with amendments set forth below (hereafter "IRC" or "International Residential Code") is hereby adopted for regulating the design, construction, quality of materials, erection, installation, alteration, location, repair, location, relocation, replacement, addition to, use and maintenance of one-and two family dwellings and townhouses not more than three stories in height within the Jurisdiction.
- (b) The following chapters of the Appendix of the International Residential Code, 2018 Edition, are adopted:
 - a. Appendix A, Sizing and Capacities of Gas Piping
 - b. Appendix B, Sizing of Vent Systems Serving Appliances Equipped With Draft Hoods, Category 1 Appliances and Appliances Listed for Use with Type B Vents
 - c. Appendix C, Exit Terminals of Mechanical Draft and Direction-Vent Venting Systems
 - d. Appendix D, Recommended Procedures for Safety Inspections of Existing Appliance Installations
 - e. Appendix H, Patio Covers
 - f. Appendix Q, Tiny Homes
 - g. Appendix J Existing Buildings and Structures
 - h. No other Appendix chapters of the IRC are adopted

Section 2: Amendments to the International Residential Code.

The residential code adopted in Section 1 of this Part 9, is hereby amended as follows:

- (a) Section R101: Section R101.2 **Scope** is amended by moving Owner-occupied lodging houses with five or fewer guestrooms from exception to scope.
- (b) Section 101: Section 101.2 **Scope** is amended by the addition to scope: "Child Care Facilities as permitted under Title 12 Article 2509-8 C.C.R. but not to exceed 12 Children."
- (c) Section 102: Section 102.7 **Existing structures** is amended by deletion of: International Property Maintenance Code.
- (d) Section R105: Section R105.2 **Work exempt from permit** is amended to read:
 - a. "Building Item 1. One-story detached accessory structures, provided that the floor area does not exceed 200 square feet and is not designed or used as a garage."

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- b. "Building Item 5. Sidewalks, Driveways and Platforms not more than 30 inches above the adjacent grade and not over any basement or story below."
- c. "Building Item 10. Decks that are not more than 30 inches above grade at any point."
- (e) Section R105: Section 105.2 **Work exempt from permit** is amended by the addition of the following new sub-sections:
 - a. "Building Item 11. Re-siding of buildings regulated by this code."
 - b. "Building Item 12. Re-roofing of buildings regulated by this code that do not exceed Limits of Section R908.3.1 and 908.3.1.1."
 - c. "Building Item 13. Plastic covered crop production shelters where access to the public is prohibited."
- (f) Section R105: Section R105.3.1.1 **Buildings in flood hazard areas** is amended by the deletion of this section in its entirety.
- (g) Section R106: Section R106.3.1 **Construction documents** is amended by deletion of the second sentence of the first paragraph: "One set of construction documents so reviewed shall be retained by the Building Official."
- (h) Section R106: Section R106.5 **Retention of construction documents** is amended by deletion of this section in its entirety.
- (i) Section R108: Section R108.2 **Schedule of permit fees** is amended to add Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in Building Inspection Office).
- (j) Section R112: Section R112 **Board of appeals** is amended by deletion of this section in its entirety and replaced with: "The Board of Appeals established in Part 13 shall serve as the Board of Appeals."
- (k) Section R113: Section R113.4 **Violation penalties** is amended by deletion of the section in its entirety and replaced with the following: "Any person who violates a provision of this code or fails to comply with any of the requirements thereof shall be subject to the penalties as prescribed in Part 16 of this Ordinance."
- (l) Section R116: Section R116 **Unsafe structures and equipment** is amended by addition to read: "As amended in section 116 of the 2018 International Building Code."
- (m) Table R302.1: Table R302.1 (1) **Exterior walls** is amended by changing the following:
 - "Walls (not fire resistance rated) Minimum Fire Separation Distance = 3 feet
 - Projections (not fire resistance rated) Minimum Fire Separation Distance = 2 feet
 - Openings (unlimited) Minimum Fire Separation Distance = 3 feet
 - Openings, deleted 25%Maximum of Wall Area/ 0 Hours/ 3 feet
 - Penetrations (all) Minimum Fire Separation Distance < 3 feet, compliance with Section R302.4 and at 3 feet or greater, no requirements."
- (n) Section R302: Section R302.2 **Townhomes** is amended for the purpose of this section to read: "Townhouse shall include two (2) or more attached units as defined in Section R202."

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- (o) Section R303.1: Section R303.1 **Habitable rooms** Exception 3 is amended by deletion in its entirety and replacing with the following: "Use of sunroom additions and patio covers, as defined in Section R202, shall be permitted for natural ventilation provided the space has adequate openings to the outside."
- (p) Section R309: Section R309.1 **Garages and carports** is amended by the deletion of the second paragraph.
- (q) Section R309: Section R309.5 **Fire sprinklers** is amended by deletion of this section in its entirety.
- (r) Section R310: Section R310.1 **Emergency escape and rescue openings required** first sentence is amended to read: "Basements, floors above grade plane, habitable attics and every sleeping room shall have not less than one operable emergency escape and rescue opening."
- (s) Section R313: Section R313.1 and R313.2 **Automatic fire sprinkler systems** is amended by the deletion of "shall be installed" and replaced with "may be installed".
- (t) Section R 315: Section R315.2.2 **Alterations, repairs and additions** exception 2 is amended to read: "Installation, alteration or repair of non-fuel fired plumbing or mechanical systems."
- (u) Section R326: Section R326.1 **Swimming pools, spas and hot tubs** is amended by deletion of this section in its entirety.
- (v) Section R328: **Section R328 Wildfire hazard areas** is amended by the addition Section R328.

Section R328 Requirements in Wildfire Hazard Areas.

- a. Section R328.1 Wildfire Hazards defined. Areas that have wildfire hazard rating of medium or above (as shown on the Mesa County Wildfire Hazard Map).
- b. Section R328.2 Roof Covering. Roof coverings for new buildings or structures or additions thereto or roof covering utilized for re-roofing, shall be Class A or B, tested in accordance with ASME E108 or UL790 or an approved noncombustible roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be fire stopped to preclude entry of flames or embers or have one layer of 72-pound (32.4 kg) mineral-surfaced, nonperforated cap sheet complying with ASTM D3909 installed over the combustible decking.
- c. Section R328.3 Roof Valleys Roof valleys where provided, valley flashings shall be not less than 0.019-inch(0.44 mm) (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide (914 mm) underlayment consisting of one layer of 72-pound (32.4 kg) mineral-surfaced, nonperforated cap sheet complying with ASTM D3909 running the full length of the valley. Section R328.4 Attic ventilation openings are not permitted within ten feet of finished grade.
- d. Section R328.6 Moved Buildings. Any building or structure moved within or into any Wildfire Hazard Area shall be made to comply with all the requirements for new buildings in the Wildfire Area.
- e. Section R328.7 Replacement or repairs to buildings or structures in existence prior to the adoption of this code that are replaced or have 25 percent or more replaced in a 12-month period shall meet the requirements of this section for new construction.

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- (w) Chapter 11 (eleven): Chapter 11 (eleven) **Energy efficiency** is amended by the deletion of this chapter in its entirety, and replace with: "See 2009 International Energy Conservation Code as adopted for energy code requirements."

Part 10: ADOPTION OF THE INTERNATIONAL ENERGY CONSERVATION CODE:

Section 1: Adoption of the International Energy Conservation Code

- (a) The International Energy Conservation Code, 2009 Edition, published by the International Code Council, (hereafter "IECC" or "International Energy Conservation Code") (or more current published energy compliance standards used in its entirety as approved by the Building Official) is hereby adopted as the Energy Conservation Code of County of Mesa regulating design, construction, quality of materials, erection, installations, alterations, repair, location, relocation, replacement, additions to, use and maintenance of the building envelope, mechanical, lighting and power systems within the Jurisdiction.

Section 2: Amendments to the International Energy conservation Code

- (a) Section 107: Section 107.2 **Schedule of permit fees** is amended by the addition of Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in Building Inspection Office).
- (b) Section 108: Section 108 **Stop work order** is amended by the deletion of this section in its entirety.
- (c) Section 109: Section 109 **Board of appeals** is hereby amended by deletion of this section in its entirety and replaced with: "The Board of Appeals established in Part 13 shall serve as the Board of Appeals."
- (d) Section 402: Section 402.5 **Maximum fenestration U-factor and SHGC** is hereby amended by the deletion of this section in its entirety.
- (e) Section 403: Section 403.2.2 **Sealing verification by 1 or 2** is amended by the deletion in their entirety.
- (f) Section 403: Section 403.6 **Equipment sizing** is hereby amended to read: "IRC regulated structures that exceed 4,500 square feet of conditioned space or space to be conditioned requires an engineered design."
- (g) Section 404: Section 404.1 **Electrical power and lighting systems** is amended by the deletion of this section in its entirety.

Part 11: ADOPTION OF THE NATIONAL ELECTRICAL CODE:

Section 1: Adoption of the National Electrical Code.

- (a) The National Electrical Code published by the National Fire Protection Association as amended and adopted by the State of Colorado Electrical Board pursuant to Title 12, Article 23 C.R.S. (hereafter "NEC" or "National Electrical Code") is hereby adopted to regulate the design, construction, quality of materials, erection, installation, alteration, location, relocation, replacement, addition to, use and maintenance of electrical systems in the Jurisdiction.

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Section 2: Amendments to the National Electrical Code

- (a) Applicants shall pay for each electrical permit at the time of issuance, a fee for electrical permits and inspections as determined by Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in Building Inspection Office).

Part 12: REPEAL OF MESA COUNTY ORDINANCE #008(b):

The Ordinance #008(b) of the County of Mesa and all other resolutions or ordinances in conflict herewith are repealed. This repeal is not intended, nor does this repeal act to reinstate any prior resolution or ordinances previously repealed.

Part 13: BOARD OF APPEALS, APPEALS PROCEDURES:

- (a) A common appellate procedure and Board of Appeals to hear all appeals arising under the application of this Ordinance, EXCEPT with respect to the National Electric Code and the International Plumbing Code is contained within this Part 13.
- (b) In order to determine the suitability of alternate materials and methods of construction and to provide reasonable interpretations of this Ordinance and the adopted Codes, there shall be and is hereby created a Board of Appeals consisting of five members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the Jurisdiction. The Chief Building Official shall be an ex-officio member of and shall act as secretary to said board. The Board of Appeals shall be appointed by the Board of County Commissioners and shall hold office at its pleasure. The Board of Appeals shall adopt rules and procedures for conducting business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Chief Building Official.
- (c) The Board of Appeals shall have jurisdiction to decide any appeals from the Chief Building Official if the decision of the Chief Building Official concerns suitability of alternate material, methods of construction or a reasonable interpretation of this Ordinance and the adopted Codes. The Board of Appeals shall not hear appeals of life safety items, administrative provisions of this Ordinance nor shall the Board of Appeals be empowered to waive requirements of the Codes. The first order of business at any hearing of the Board of Appeals shall be to determine if it has jurisdiction to hear the appeal.
- (d) Any appeal to the Board of Appeals shall be preceded by a written appeal to the Chief Building Official, who shall reply in writing. The decision of the Chief Building Official may be appealed to the Board of Appeals, within ten days from the date of the decision of the Chief Building Official. A Notice of Appeal, together with a copy of the original written appeal and a copy of the Chief Building Officials decision, shall be filed with the Board of Appeals at the time the appeal is requested.
- (e) The Board of Appeals shall meet within thirty (30) days of the written appeal, hear evidence and argument if it deems appropriate, and shall render all decisions and findings in writing to the Chief Building Official with a duplicate copy to the appellant.

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Part 14: SCOPE AND APPLICATION:

The Codes adopted herein shall apply throughout the County of Mesa except within the limits of any incorporated city or town.

Part 15: ADMINISTRATION:

The Chief Building Official is hereby authorized by the Board of County Commissioners to administer and enforce this Ordinance as is provided herein and pursuant to Article 28 of Title 30, Colorado Revised Statutes. This Ordinance fully adopts any authority granted in Article 28 of Title 30, Colorado Revised Statutes, and no interpretation of this Ordinance shall be deemed to limit the powers and authority granted in those statutes.

Part 16: VIOLATION AND PENALTY:

The penalties imposed for violation of this Ordinance and of the statutory sections authorizing their adoption are as follows:

- (a) Any violation of this Ordinance is subject to any penalty provisions contained in Article 28 of Title 30, Colorado Revised Statutes, as amended. The adoption of this Ordinance does not limit the application of any of the penalty provisions contained in those statutes.
- (b) Each day that an illegal erection, construction, reconstruction, alteration, maintenance or use continues to be in violation of this Ordinance shall be deemed a separate offense.
- (c) Mesa County shall bring any action in the appropriate venue to enforce the provisions of this Ordinance and the adopted Codes. Enforcement actions may be in any form authorized by Article 28 of Title 30, Colorado Revised States, as amended, and includes, but is not limited to, criminal sanctions, civil penalties, injunctions, and abatement actions.

Part 17: MISCELLANEOUS PROVISIONS:

- (a) Adoption of Codes Unamended. All Sections of the referenced Codes not specifically amended by this Ordinance are adopted as published in said Code.
- (b) Conflicts and Permits Previously Issued. Any and all Resolutions and/or Ordinances or parts thereof in conflict herewith to the extent of such conflicts or inconsistencies are hereby amended; provided, however, this Ordinance shall not affect the construction of buildings which permits were issued prior to the effective date of this Ordinance and all buildings now under construction pursuant to existing permits shall be constructed in conformance with the Building Codes applicable at the time of issuance of said permit; provided further however, that no construction authorized by an existing permit shall be altered without complying with the newly adopted Building Codes. Nor shall the adoption of this Code prevent the prosecution of violations of any prior Resolution or Ordinance adopting prior Building Codes which occurred prior to the effective date of this Ordinance. Where this Ordinance and the Codes adopted herein by reference are in conflict with other resolutions or ordinance of the County of Mesa, Colorado, the more restrictive provision shall apply.

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- (c) Copies of Code Available for Inspection. At least three (3) copies of each of the Codes hereby adopted, all certified to be true copies, are now and shall remain on file with the County of Mesa, Building Inspection Department.
- (d) Exhibit A, the "Mesa County Building Department Fee Schedule", as cited in this Ordinance, is attached to and adopted with this Ordinance and is incorporated herein by reference.
- (e) Nonassumption, nonwaiver. The County of Mesa, its officials, employees and agents thereof shall not be deemed to have assumed a duty of care where none otherwise existed by the performance of a service or an act of assistance for the benefit of any person under this Ordinance. The adoption of these Codes shall not give rise to a duty of care where none otherwise existed. Enactment of this Ordinance shall not constitute a waiver of sovereign immunity by the County of Mesa, its officials, employees or agents.
- (f) Invalidity in Part. If any part, section, subsection, sentence, clause or phrase of this Ordinance or of the Codes adopted herein is for any reason held to be invalid, such decisions shall not affect the validity of remaining sections of this Ordinance or of the Codes adopted herein, the Board of County Commissioners hereby declares that it would have passed the Ordinance and adopted said Codes in each part, section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more parts, sections, subsections, sentences or clauses or phrases be declared invalid. Should any portion of this Ordinance or Codes adopted herein be declared invalid, then the extent of such invalidity on the application of this Ordinance shall be limited so as to continue the provisions of this Ordinance in effect for any portions of this Ordinance and Codes which were not declared invalid or unenforceable.

READ, PASSED, ADOPTED, APPROVED, AFTER PUBLIC HEARING, AND ORDERED PUBLISHED

THIS 24th DAY OF September 2018.

THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF MESA, COLORADO

By: *John Justman*
John Justman
Chairperson

ATTEST:
Sheila Reiner
Sheila Reiner
Mesa County Clerk and Recorder



**EXHIBIT A
 MESA COUNTY BUILDING DEPARTMENT FEE SCHEDULE**

All fees related to the activities of the Mesa County Building Department in relation to public compliance with the adopted Building Codes are given in this Exhibit A. In general, fees include permit fees, plan review fees and inspection fees. All questions regarding the calculation of fees for any specific project should be directed to the Mesa County Building Department.

Table 1A- Mesa County Building Department Fees

Fee #	Fee Description	Fee Value
1	<p>Applies to any project subject to the "Group" and "Type of Construction" identified by the 2003 International Building Code. The fee associated with any project type separately listed in this table will supersede this Permit Fee.</p> <p>Permit Fees generally include the permit and the inspections to support a project. Re-inspection and additional plan review fess may also apply.</p> <p>Plan Review Fees in addition to the Permit Fee: New Commercial Construction, Addition, or Alteration to Commercial Building</p> <p>New One and Two Family Residence (R-3): Applies to new one and two residential projects. The Building Department has the discretion to apply this fee or a portion thereof.</p> <p>Third Party Plan Review: The Building Department may require certain projects to have plan reviews completed by a third party. Any costs between the applicant and the third party reviewer are negotiated and charged directly between the parties. The Building Department may assess an additional fee associated for the Building Department's additional review.</p>	<p align="center">Table 2</p> <p>Maximum 50% of the Value of the Calculated Permit Fee as determined to be appropriate by the Building Department</p> <p>Maximum 15% of the Value of the Calculated Permit Fee as determined to be appropriate by the Building Department</p> <p>Maximum 20% of the Value of the Calculated Permit Fee as determined to be appropriate by the Building Department</p>

Table 1B- Mesa County Building Department Fees (continued)

Fees Related to Inspections

Fee #	Fee Description	Fee Value
2	Inspections outside of normal business hours (2 hour minimum)	\$50. ⁰⁰ per hour per person
3	Inspections or plan review for which no fee is specifically indicated	\$45. ⁰⁰ per hour per person
4	Re-inspection Fee	\$50. ⁰⁰ first re-inspection \$100. ⁰⁰ for addition re-inspection on same violation
5	Same day re-inspection if staff is available	\$100. ⁰⁰ in addition to required Re-inspection fee (4)
6	When inspections are required after Temporary Certificate of Occupancy expires	\$250. ⁰⁰
	Extensions before TCO expires	\$100. ⁰⁰

Project Specific Permit Fees

Fee #	Fee Description	Fee Value
7	Demolition Permit	\$35. ⁰⁰
8	Move on Houses Permit Fee	Table 2 ⁽²⁾
9	Signs Illuminated and Non Illuminated Permit Fee	Table 2 ⁽¹⁾
10	Mechanical, Electrical, Plumbing, Hot Tubs, Pools & Spas Permit Fee	Table 2 ⁽¹⁾
11	Manufactured Homes Permit Fee	\$100. ⁰⁰
12	Manufactured Home on required Permanent Foundation Permit Fee	\$150. ⁰⁰
13	International Residential Code (IRC) Certified Homes Permit Fee	\$150. ⁰⁰
14	Office/ Construction Trailer Permit Fee	\$150. ⁰⁰ per section
15	Change in Use/ Occupation Valuation Permit Fee	
	Under \$2,000 Valuation	\$35. ⁰⁰
	Over \$2,000 Valuation	Table 2 ⁽¹⁾
16	Decks, Patio Covers, Storage Sheds & Open Carports Permit Fee	
	Less than 400 sq. ft. in area and accessory to residences	\$35. ⁰⁰
	Plumbing, Electrical & Mechanical	Table 2 ⁽¹⁾
	Over 400 sq. ft. in area: Valuation Calculated at \$15. ⁰⁰ per sq. ft.	Table 2

⁽¹⁾ "Total Valuation" is the actual coast of project labor and materials.

⁽²⁾ "Total Valuation" is determined by Table 3A and 3B.

Table 2- Mesa County Permit Fee Schedule

Total Valuation	Permit Fee (All Permit Fees Rounded up to the next dollar)
Up to \$500. ⁰⁰	\$35. ⁰⁰
\$500. ⁰¹ to \$2,000	\$35. ⁰⁰ for the first \$500. ⁰⁰ plus \$2. ²⁰ for each additional \$100. ⁰⁰ or fraction thereof, to and including \$2,000
\$2,000. ⁰¹ to \$25,000	\$68. ⁰⁰ for the first \$2,000. ⁰⁰ plus \$9. ⁹⁰ for each additional \$1,000. ⁰⁰ or fraction thereof, to and including \$25,000
\$25,000. ⁰¹ to \$50,000	\$295. ⁷⁰ for the first \$25,000. ⁰⁰ plus \$7. ²⁰ for each additional \$1,000. ⁰⁰ or fraction thereof, to and including \$50,000
\$50,000. ⁰¹ to \$100,000	\$475. ⁷⁰ for the first \$50,000. ⁰⁰ plus \$5. ⁰⁰ for each additional \$1,000. ⁰⁰ or fraction thereof, to and including \$100,000
\$100,000. ⁰¹ to \$500,000	\$725. ⁷⁰ for the first \$100,000. ⁰⁰ plus \$3. ⁹⁰ for each additional \$1,000. ⁰⁰ or fraction thereof, to and including \$500,000
\$500,00. ⁰¹ to \$1,000,000	\$2,285. ⁷⁰ for the first \$500,000. ⁰⁰ plus \$3. ³⁰ for each additional \$1,000. ⁰⁰ or fraction thereof, to and including \$1,000,000
\$1,000,000. ⁰¹ And up	\$3,935. ⁷⁰ for the first \$1,000,000. ⁰⁰ plus \$2. ²⁰ for each additional \$1,000. ⁰⁰ or fraction thereof

Notes:

1. To determine the Total Valuation for new construction or additions, select the applicable Square Foot Construction Cost multiplier in Table 3A and 3B- Building Valuation Data. The product of the identified multiplier and the area, in square feet, of the outside dimension of the proposed construction project is the Total Valuation.
2. The Total Valuation for remodels is the actual labor and material cost of the project.

Table 3A- Building Valuation Data

Group	Type of Construction								
	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, Theaters, with stage	160.69	153.29	149.76	143.55	133.59	132.90	138.98	123.75	119.25
A-1 Assembly, Theaters, without stage	148.41	141.02	137.48	131.28	121.31	120.63	126.71	111.47	106.98
A-2 Assembly nightclubs	118.34	115.03	112.14	107.94	100.98	99.751	104.00	91.98	88.94
A-2 Assembly, restaurants, bars, banquet halls	117.34	114.03	110.14	106.94	98.98	98.75	103.00	89.98	87.94
A-3 Assembly, churches	149.66	142.27	138.73	132.52	122.51	121.82	127.96	112.67	108.17
A-3 Assembly, general, community halls, libraries, museums	119.71	111.78	107.24	102.03	91.08	91.39	97.46	81.24	77.74
A-4 Assembly, arenas	117.34	114.03	110.14	106.94	98.98	98.75	103.00	89.98	87.94
B Business	119.85	115.54	111.79	106.56	95.15	94.65	102.31	84.79	81.61
E Educational	128.37	124.05	120.50	115.17	106.24	103.73	111.36	94.92	91.38
F-1 Factory and industrial, moderate hazard	74.13	70.68	66.42	64.36	55.62	56.61	61.75	47.42	45.06
F-2 Factory and industrial, low hazard	73.13	69.68	66.42	63.36	55.62	55.61	60.75	47.42	44.06
H-1 High Hazard, explosives	69.75	66.29	63.04	59.97	52.43	52.42	57.36	44.23	NP
H234 High Hazard	69.75	66.29	63.04	59.97	52.43	52.42	57.36	44.23	40.88
H-5 HPM	119.85	115.54	111.79	106.56	95.15	94.65	102.31	84.79	81.61
I-1 Institutional, supervised environment	119.19	115.10	112.01	107.47	98.61	98.56	104.22	90.64	87.06
I-2 Institutional incapacitated	200.36	196.04	192.30	187.07	175.32	NP	182.81	164.96	NP
I-3 Institutional, restrained	137.99	133.67	129.93	124.70	114.47	112.98	120.44	104.12	98.94

Table 3A- Building Valuation Data (continued)

Group	Type of Construction								
	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
1-4 Institutional, day care facilities	119.19	115.10	112.01	107.47	98.61	98.56	104.22	90.64	87.06
M Mercantile	88.15	84.83	80.95	71.74	70.26	70.02	73.81	61.26	59.22
R-1 Residential, hotels	120.33	116.24	113.15	108.61	99.80	99.75	105.41	91.83	88.25
R-2 Residential, multi-family	100.33	96.24	93.15	88.61	79.95	79.90	85.56	71.98	68.40
R-3 Residential, one and two-family	96.19	93.52	91.22	88.71	84.51	84.36	87.22	80.46	74.68
R-4 Residential, care/ assisted living facilities	119.19	115.10	112.01	107.47	98.61	98.56	104.22	90.64	87.06
S-1 Storage, moderate hazard	68.75	65.29	61.04	58.97	50.43	51.42	56.36	42.23	39.88
S-2 Storage, low hazard	67.75	64.29	61.04	57.97	50.43	50.42	55.36	42.23	38.88
U Utility, miscellaneous	52.28	49.43	46.49	44.17	38.31	38.31	41.69	31.50	29.99

Notes:

1. Private Garages use Utility, miscellaneous Group
2. Unfinished basements (all use groups) = \$15.⁰⁰ per sq. ft.
3. For shell only buildings, deduct 20 percent
4. N.P. = Not Permitted
5. Complete unfinished residential basements \$40.⁰⁰ per sq. ft.
6. The values in this table are from the 2003 International Building Code (IBC). This reference to the 2003 IBC is intended to only apply to the values listed in this Table. For all other requirements of the Mesa County Building Code, including the definition of any Group or Construction Type, the version of the IBC that applies is the one adopted by the Building Department.