TITLE 15 BUILDINGS AND CONSTRUCTION

Chapter 15.01 Uniform Codes Adopted

Section 15.01.01 Codes Adopted by Reference. Pursuant to the authority conferred by Title 31, Article 12, Colorado Revised Statutes, 1973, as amended, there is hereby adopted by the Town of Yampa, Colorado, for the purpose of providing minimum standards to safeguard life or limb, health, property, and public welfare by regulating use and occupancy, location and maintenance of buildings previously adopted by the Town of Yampa to conform to the International Uniform Building Code (2003 Edition including Appendix Chapter C and J); International Residential Code (2003 Edition including Appendix Chapter E); International Existing Building Code (2003 Edition); Uniform Code for the Abatement of Dangerous Buildings (1997 Editions); National Electrical Code, Administrative Provisions (2003 Edition); International Uniform Mechanical Code (2003 Edition); International Plumbing Code (2003 Edition including Appendix Chapters B, D, E, F, G); International Fuel Gas Code (2003 Edition all regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures, and building service equipment); providing for the issuance of permits and collection of fees therefore; and providing for penalties for the violation thereof; repealing all conflicting ordinances; providing for severability; and providing an effective date; promulgated by the International Conference of Building Officials, of which three (3) copies of each have been and now are filed in the office of the Town Clerk and may be inspected during regular business hours. The said Codes and the whole thereof, are hereby adopted by reference thereto the same as if set forth at length herein.

Section 15.01.02 Violations and Penalties. Any person violating any of the provisions of this ordinance or of the code hereby adopted shall be deemed guilty of a misdemeanor and, upon conviction, shall be punishable by a fine in accordance with Title ___ of this Code.

Section 15.01.03 Amendment and Restatement of Existing Codes. The currently effective building codes adopted by Ordinance No. 01-02 together with any previously adopted building codes not previously repealed or amended are hereby amended and restated by reference to the codes and materials described as follows.

Chapter 15.02 International Building Code Adoption.

> "There is hereby adopted by the Town of Yampa, for the purpose of providing minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the Town, that certain code known as the International Building Code, 2003 Edition, including Appendix Chapters C and J, published by the International

Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this section". This adoption is subject to the amendments set forth herein.

International Building Code Amendments and Deletions. The International Building Code, 2003 Edition, is amended as follows:

Section 103.1 Creation of Enforcement Agency, is amended as follows:

The Building Department is hereby created and the official in charge shall be known as the Building Official.

Section 106.5 Retention of Construction Documents, is amended to read as follows:

One set of approved plans, specifications and computations shall be retained by the Building Official for a period of not less than 90 days from the date of the completion of the work covered therein; and one (1) set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

Section 115 Unsafe Structures and Equipment, is amended by adding a second paragraph to read as follows:

The Building Official may use the Uniform Code for Abatement of Dangerous Buildings, as adopted, to provide a just, equitable and practicable method to be cumulative with and in addition to any other remedy provided by this code.

Section 108.2 Schedule of fees, is amended by adding a second paragraph to read as follows:

The fee or permit shall be as set forth in Table-A as shown in Chapter 15.10 of this ordinance.

Section 406.1.1 Classification, is amended to read as follows:

Building or parts of buildings classified as Group U Occupancies because of the use or character of the occupancy shall not exceed 1,000 square feet in area or two (2) stories in height except as provided in Section 406.1.2. Any building or portion thereof that exceeds the limitations specified in this chapter shall be classed in the occupancy group other than Group U that it most nearly resembles.

Section 705.3 Materials, is amended to read as follows:

Fire walls shall be of concrete or masonry constructed only, without exception.

Section 712.4.1.2 Through-Penetration Firestop System. Exception, is amended to add a second exception as follows:

2. Floor penetrations consisting of either a pipe, tube, conduit or electrical conductor that are not in contact with combustible material and do not require a T rating.

Section 901.1 Scope, is amended to add a second paragraph as follows:

The authority having jurisdiction for fire protection systems shall have the authority to adopt additional standards for fire protection systems subject to applicable state statutes and the terms and conditions of any intergovernmental agreement between Routt County and any fire protection district.

Section 903.2.7 Group R, is amended to add the following exception:

EXCEPTION: An automatic sprinkler system is not required in multi-use buildings, two (2) stories or less with no more than two (2) dwelling units, provided the building is constructed as required by Section 302.3.2, and an automatic manual fire alarm system is installed in accordance with NFPA 72. Sprinkler systems required by other sections and other codes must still be provided.

Section 907.2.1 Group A, Exception, delete.

Section 907.2.2 Group B, Exception, delete.

Section 907.2.4 Group F, Exception, delete.

Section 907.2.7 Group M, Exception, delete.

Section 907.2.8.1 Manual fire alarm system, Exception 2, delete.

Section 907.2.9 Group R-2, Exception 2, delete.

Section 907.3.1 Location, Exception, delete.

Section 1009.1 Stairway width, the first paragraph is amended to read as follows:

The width of stairways shall be determined as specified in Section 1005.1, but such width shall be not less than 48 inches (1219 mm). See Section 1007.3 for accessible means of egress stairways.

Section 1009.1 Stairway width. Exception 1, is amended to read as follows:

1. Stairways serving one (1) individual dwelling unit in Group R, Division 1 or 2, or serving Group U Occupancies may be 36 inches in width.

Section 1009.11.3 Handrail graspability, is amended to read as follows:

Handrails with circular cross section shall have an outside diameter of at least 1.25 inches (32 mm) and not greater than 2 inches (51 mm) or shall provide equivalent graspability. If a handrail is not circular, it shall have a maximum horizontal cross section dimension of as least 1.25 inches (32 mm) and not greater than 3 inches (57 mm). The narrowest horizontal cross section of the handgrip portion of the handrail shall have a minimum dimension .75 inch less than the maximum horizontal cross section. The surface of the handgrip portion of the handrail shall have a perimeter dimension of at least 4 inches (102 mm) and not greater than 6.25 inches (160 mm) measured to the centerline of the narrowest horizontal cross section. Edges shall have a minimum radius of 0.01 inch (0.25 mm).

Section 1104.4 Multilevel buildings and facilities. Exception 1, the following paragraph is added to this exception:

This exception, exempting elevator or ramp service does not obviate or limit the obligation to comply with all other accessibility requirements required by this chapter. For example, floors above or below the accessible ground floor must meet the requirements of this chapter except for elevator or ramp service. If toilet or bathing facilities are provided on a level not served by an elevator or ramp, the toilet or bathing facilities must be provided on the accessible ground floor.

Section 1207.2 Air-borne sound, the first sentence of this section is amended to read as follows:

Walls, partitions and floor/ceiling assemblies separating dwelling units from each other or from public or service areas shall have a sound transmission class (STC) of not less than 49 (45 if field tested) for air-borne noise when tested in accordance with ASTM E 90.

Section 1207.3 Structure-borne sound, delete.

Section 1301.1.1 Criteria, is amended to read as follows:

Buildings should be designed and constructed in accordance with the International Energy Conservation Code. This code is not officially adopted.

Table 1604.5 Classification of Buildings and Other Structures for Importance Factors, is amended to add the following:

Category	Nature of Occupancy	Seismic Factor	Snow Factor	Wind Factor
1	• Detached private garage	1.00	0.8	0.87[b]

Section 1805.2.1 Frost protection. Exception 2, is amended to read as follows:

2. Area of 576 square feet (53.5m^2) or less; and

Section 3002.4 Elevator car to accommodate ambulance stretcher, is amended to read as follows:

In buildings four (4) stories in height or more, at least one (1) elevator shall be provided for fire department emergency access to all floors. Such elevator car shall be of such a size and arrangement to accommodate a 24-inch by 80-inch (610 mm by 2032 mm) ambulance stretcher in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3-inch (76 mm) high and shall be placed inside on both sides of the hoistway door frame.

Section 3202.1.1 Structural support, is amended to read as follows:

A part of a building erected below grade that is necessary for structural support of the building or structure shall not project beyond the lot lines.

Section 3202 Encroachments above grade and below 8 feet in height, is amended to read as follows:

Encroachments into the public right-of-way above grade and below 8 feet (2438 mm) in height shall be prohibited except as provided for in Section 3202.2.3. Doors and windows shall not open or project into the public right-of-way.

Section 3202.2.1 Steps, delete.

Section 3202.2.2 Architectural features, is amended to read as follows:

Columns, pilasters, moldings, bases, belt courses, lintels, sills, architraves, pediments and similar architectural features shall not project more than 4 inches (102 mm).

Section 3202.3.1 Awnings, canopies, marquees and signs, is amended to read as follows:

Awnings, canopies, marquees and signs shall be supported entirely by the building and constructed of noncombustible materials or, when supported by a building of Type V construction, may be of one-hour fire-resistive construction. Awnings, canopies, marquees and signs shall not extend more than 4 feet (1220 mm) from the building.

Section 3202.3.3 Encroachments 15 feet or more above grade, delete.

Section 3307 CERTIFICATES OF INSPECTION is added to read as follows:

3307.1 General. Elevators, dumbwaiters and escalators shall be maintained to sustain safely all imposed loads, to operate properly, and to be free from physical and fire hazards. The most current certificate of inspection shall be on display at all times within the elevator or attached to escalator or dumbwaiter; or the certificate shall be available for public inspection in the office of the building operator.

3307.2 Elevators. In buildings equipped with passenger elevators, at least one (1) elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one (1) elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

Appendix Section J103.3 Grading fees, is added to read as follows:

When plans or other data are required to be submitted, a plan review fee shall be paid at the time of submitted plans and specifications for review. A grading permit fee shall be paid at permit issuance. Said plan review and grading permit fees shall be as set forth in the adopted Fee Schedule 3-A.

Chapter 15.03 Internal Residential Code Adoption.

> "There is hereby adopted by the Town of Yampa, for the purpose of providing minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of one and two-family dwellings within the Town, that certain code known as the International Building Code, 2003 Edition, including Appendix Chapter E, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this section". This adoption is subject to the amendments set forth herein.

International Residential Code Amendments and Deletions. The International Residential Code, 2003 edition, is amended as follows:

Section R103.1 Creation of Enforcement Agency, is amended to read as follows:

The Building Department is hereby created and the official in charge shall be known as the Building Official.

Section R105.2 Work exempt from permit. Item 1, is amended to read as follows:

1. One story detached accessory structures, provided the floor area does not exceed 120 square feet (11.15m^2).

Section R106.5 Retention of construction documents, is amended to read as follows:

One (1) set of approved plans, specifications and computations shall be retained by the Building Official for a period of not less than 90 days from the date of completion of the work covered therein; and one (1) set of approved plans and specifications shall be returned to the

applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

Section R108.2 Schedule of fees, is amended by adding a second paragraph to read as follows:

The fee for each permit shall be as set forth in Table 3-A as shown in Section 2 of this ordinance.

Section R110.1 Use and occupancy. Exception, is amended to add a second exception to read as follows:

2. Certificates of occupancy are not required for one and two family dwellings and private garages.

Section R202 Definitions, is amended to read as follows:

TOWNHOUSE. A single-family dwelling unit constructed in a group of **two (2)** or more attached units in which each unit extends from foundation to roof and with open space on at least two (2) sides.

Table R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA, is completed as follows:

- Ground Snow Load – Varies by site location and elevations. (Use actual roof snow load)
- Wind Speed – 90 MPH
- Seismic Design Category – B
- Subject to Damage by Weathering – Severe
- Subject to Damage by Frostline Depth – 48 inches (1220 mm)
- Subject to Damage by Termite – None to slight
- Subject to Damage by Decay – None to slight
- Winter Design Temperature – 15ºF (-26ºC)
- Ice Shield Underlayment Required – Yes
- Flood Hazards – FIRM, February 4, 2005
- Air Freezing Index – Steamboat 2239
- Mean Annual Temperature – 40-45ºF (4.5-7.2ºC)

Section R305.1 Minimum height. Exception 2, delete.

Section R310.1 Emergency escape and rescue required, the first sentence in the paragraph is amended to read as follows:

Basements and every sleeping room shall have at least one (1) openable emergency escape and rescue opening.

Section R311.5.6.3 Handrail grip size, Item 1, is amended to read as follows:

Handrails with a circular cross section shall have an outside diameter of at least 1.24 inches (32 mm) and not greater than 2 inches (51 mm) or shall provide equivalent graspability. If a handrail is not circular, it shall have a maximum horizontal cross section dimension of at least 1.245 inches (32 mm) and not greater than 3 inches (57 mm). The narrowest horizontal cross section of the handgrip portion of the handrail shall have a minimum dimension 0.75 inch (20 mm) less than the maximum horizontal cross section. The surface of the handgrip portion of the handrail shall have a perimeter dimension of at least 4 inches (102 mm) and not greater than 6.25 inches (160 mm) measured to the centerline of the narrowest horizontal cross section. Edges shall have a minimum radius of 0.01 inch (0.25 mm).

Section R311.5.6.3 Handrail grip size, Item 2, delete.

Section R311.5.8.3 Ship's ladder stairway, is added to read as follows:

An interior fire escape stairway may serve as an exit from an area not to exceed 200 square feet. The pitch of the stairway shall not exceed 60 degrees with a minimum width of 24 inches. Treads shall be not less than 4 inches in width and the rise between treads shall not exceed 10 inches. An approved handrail shall be provided on each side.

Section R311.5.8.4 Alternating tread stairway, is added to read as follows:

Alternating tread stairways may serve as an exit from an area not to exceed 200 square feet. Alternating tread stairways shall have a minimum projected tread of 8.5 inches (216 mm) with a minimum tread depth of 10.5 inches (267 mm). The rise to the next alternating tread surface should not be more than 8 inches (203 mm). The initial tread of the stairway shall begin at the same elevation as the platform, landing or floor surface. An approved handrail shall be provided on each side.

Section R403.1.4.1 Frost Protection. Exception 1, is amended to read as follows:

1. Freestanding accessory structures (private garages) with an area of 576 square feet (53.5 m^2) or less and an eave height of 10 feet (3048 mm) or less shall not be required to be protected.

Section R501.2 Requirements, is amended to read as follows:

Floor construction shall be capable of accommodating all loads according to Section 301 and of transmitting the resulting loads to the supporting structural elements. All tables and Applicability Limits in this chapter that use roof live load less than 50 psf or ground snow load of 70 psf or less are hereby unusable for design in this jurisdiction.

Section R601.2 Requirements, is amended to read as follows:

Wall construction shall be capable of accommodating all loads imposed according to Section 301 and of transmitting the resulting loads to the supporting structural elements. All

tables and Applicability Limits in this chapter that use roof live load less than 50 psf or ground snow load of 70 psf or less are hereby unusable for design in this jurisdiction.

Section R801.2 Requirements, is amended to read as follows:

Roof and ceiling construction shall be capable of accommodating all loads imposed according to Section 301 and of transmitting the resulting loads to the supporting structural elements. All tables and Applicability Limits in this chapter that use roof live load less than 50 psf or ground snow load of 70 psf or less are hereby unusable for design in this jurisdiction.

Section N1101.1 Scope, is amended to read as follows:

This chapter sets forth energy-efficiency related recommendations for the design and construction of buildings regulated by this code.

Section G2406.2 (303.3) Prohibited locations. Exception 3, delete.

Section G2406.2 (303.3) Prohibited locations. Exception 4, delete.

Section G2406.4 LP-gas appliance in pit or basement, is added to read as follows:

Liquefied petroleum gas piping may serve a gas appliance located in a pit, basement or similar location when the following conditions are met:

1. There shall be installed a listed gas detector that is interlocked to a listed solenoid valve located so as to shut off the supply of gas to the building in the event of an alarm.

2. There shall be installed an exhaust system for the purpose of removing unburned gases. The exhaust system shall be interlocked to the gas detector so as to operate automatically in the event of an alarm. The exhaust system shall provide a minimum of four (4) air changes per hour, and the exhaust intake shall be located within six (6) inches of the floor.

Section G2433 (603) Log Lighters, delete.

Section G2445.2 (621.2) Prohibited use, is amended to read as follows:

Unvented room heaters are not to be installed in dwelling units.

Section G2445.7 (621.7) Unvented Log Heaters, delete.

Section P2717.2 Sink, dishwasher is amended to read as follows:

A sink and dishwasher are permitted to discharge through a single 1.5 inch (38 mm) trap after the dishwasher passes through an air gap device. No domestic dishwashing machine shall be directly connected to a drainage system or food waste disposer without the use of an approved dishwasher airgap fitting on the discharge side of the dishwashing machine. Listed airgap

fittings shall be installed with the flood level (FL) marking at or above the flood level of the sink or drainboard, whichever is higher, or separately trapped with the air gap located on the stand pipe.

Section P2717.3 Sink, dishwasher and food grinder, is amended to read as follows:

The combined discharge from a sink, dishwasher and food grinder is permitted to discharge through a single 1.5 inch (38 mm) trap after the dishwasher passes through an air gap device. No domestic dishwashing machine shall be directly connected to a drainage system or food waste disposer without the use of an approved dishwasher airgap fitting on the discharge side of the dishwashing machine. Listed airgap fittings shall be installed with the flood level (FL) marking at or above the flood level of the sink or drainboard, whichever is higher, or separately trapped with the air gap located on the stand pipe.

Section E3301.1 Applicability, is amended by the addition of a second paragraph as follows:

Any conflict with the provisions of this code and the current electrical code adopted by the State of Colorado Electrical Board shall comply with the current State code.

Chapter 15.04 Internal Existing Building Code Adoption

> "There is hereby adopted by the Town of Yampa, for the purpose of providing minimum life safety requirements for all existing buildings within the Town that undergo alteration or a change in use, that certain code know as the International Existing Building Code, 2003 Edition, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this section." This adoption is subject to the amendments set forth herein.

International Existing Building Code Amendments. The International Existing Building Code, 2003 Edition, is amended as follows:

Section 103.1 Creation of Enforcement Agency, is amended to read as follows:

The Building Department is hereby created and the official in charge shall be known as the Building Official. Building Official shall be synonymous with code official in all other references in this code.

Chapter 15.05 National Electrical Code Adoption

"There is hereby adopted by the Town of Yampa, for the purpose of regulating the installation and use of electric conductors and equipment within the Town, that certain code know as the National Electric Code, 2005 Edition, published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this section."

Chapter 15.06 International Code Council Electrical Code, Administrative Provisions, Adoption

"There is hereby adopted by the Town of Yampa, for the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of electrical systems and equipment within the Town, that certain code know as the International Code Council Electrical Code, Administrative Provisions, 2003 Edition, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this section." This adoption is subject to the amendments set forth herein.

International Code Council Electrical Code, Administrative Provisions, Amendments. The International Code Council Electrical Code, Administrative Provisions, 2003 Edition, is amended as follows:

Section 301.1 Creation of enforcement agency, is amended to read as follows:

The Building Department is hereby created and the official in charge shall be known as the Building Official. The Building Official shall appoint an electrical inspector to assist the building department in the administration and enforcement of this code. Building Official shall be synonymous with code official in all other references in this code.

Section 404.2.2 Schedule of permit fees, is amended by adding a second paragraph to read as follows:

The fee for each permit shall be as set forth in Table 3-A as shown in Section 2 of this Ordinance.

Section 1201.1.1 Adoption, is amended to read as follows:

Electrical systems and equipment shall be designed and constructed in accordance with the most current electrical code adopted by the State of Colorado Electrical Board.

Chapter 15.07 International Mechanical Code Adoption

"There is hereby adopted by the Town of Yampa, for the purpose of regulating and controlling the design, construction, installation, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances in the Town, that certain code known as the International Mechanical Code, 2003 Edition; published by the International Code Council 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this section." This adoption is subject to the amendments set forth herein.

International Mechanical Code Amendments. The International Mechanical Code, 2003 Edition, is amended as follows:

Section 103.1 Creation of Enforcement Agency, is amended to read as follows:

The Building Department is hereby created and the official in charge shall be known as the Building Official. Building Official shall be synonymous with code official in all other references in this code.

Section 106.5.2 Fee schedule, is amended by adding a second paragraph to read as follows:

The fee for each permit shall be as set forth in Table 3-A as shown in Section 2 of this Ordinance.

Section 303.3 Prohibited locations, a second paragraph is added to read as follows:

Liquefied petroleum gas-burning appliances shall not be installed in a pit, basement or similar location where heavier-than-air gas might collect, unless the following conditions are met:

1. There shall be installed a listed gas detector that is interlocked to a listed solenoid valve located so as to shut off the supply of gas to the building in the event of an alarm.

2. There shall be installed an exhaust system for the purpose of removing unburned gases. The exhaust system shall be interlocked to the gas detector so as to operate automatically in the event of an alarm. The exhaust system shall provide a minimum of four (4) air changes per hour, and the exhaust intake shall be located within six (6) inches of the floor.

Chapter 15.08 International Plumbing Code Adoption

"There is hereby adopted by the Town of Yampa, for the purpose of regulating and controlling design, construction, installation, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of any plumbing system within the Town, that certain code known as the International Plumbing Code, 2003 Edition, including Appendices B, D, E, F, G published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405, The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this section." This adoption is subject to the amendments set forth herein.

International Plumbing Code Amendments and Deletions. The Internal Plumbing Code, 2003 Edition, is amended as follows:

Section 103.1 Creation of Enforcement Agency, is amended to read as follows:

The Building Department is hereby created and the official in charge shall be known as the Building Official. Building Official shall be synonymous with code official in all other references in this code.

Section 106.6.2 Fee schedule, is amended by adding a second paragraph to read as follows:

The fee for each permit shall be as set forth in Table 3-A as shown in Section 2 of this Ordinance.

Section 107.1 Required inspections and testing, Item 1, is amended to read as follows:

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping installed, and before any backfill is put in place. Underground inspections of the water service pipe and building sewer shall be performed by the authority having jurisdiction.

Section 312.5 Water supply system test, is amended by adding the following exception:

Exception: The water service piping shall be tested as required by the authority having jurisdiction.

Section 312.6 Gravity sewer test, is amended to read as follows:

Gravity sewer tests shall consist of plugging the end of the building sewer at the point of connection to the public sewer, filling the building sewer with water, testing with not less than a 10-foot (3048 mm) head of water and maintaining such pressure for 15 minutes, or as required by the authority having jurisdiction.

Section 603.2 Separation of water service and building sewer, is amended to read as follows:

Water service pipe and the building sewer shall be separated as required by policy established by authority having jurisdiction. No exceptions.

Section 603.2 Separation of water service and building sewer, Exceptions 1, 2, and 3, deleted.

Section 701.3 Separation sewer connection, is amended to read as follows:

Every building having plumbing fixtures installed and intended for human habitation, occupancy or use on premises abutting on a street, alley or easement in which there is a public sewer shall have a separate connection to the sewer.

Section 703.6 Slope of building sewer, is added to read as follows:

The building sewer shall have a minimum slope of ¼ inch (6.35 mm) per lineal foot (305 mm).

Section 802.1.6 Domestic dishwashing machines, is amended to read as follows:

No domestic dishwashing machine shall be directly connected to a drainage system or food waste disposer without the use of an approved dishwasher airgap fitting on the discharge side of the dishwashing machine. Listed airgaps shall be installed with the flood level (FL) marking at or above the flood level of the sink or drainboard, whichever is higher, or separately trapped with the air gap located on the stand pipe.

Section 1003.4 Sand and oil separators required, is amended to read as follows:

At any building providing access to motor vehicles, repair garages, car washing facilities, and where oily or flammable liquid wastes are produced or stored, separators shall be installed into which water that may contain heavy solids, oil-bearing, grease-bearing or flammable wastes shall be discharged before emptying in the building drainage system or other point of disposal. Sand and oil interceptors shall be designed and located so as to be provided with ready access for cleaning. Location within a building will require a vapor tight cover.

Exception: Private garages attached to a dwelling or townhome.

Section 1003.4.2 Sand and Oil Separator Design, is amended to read as follows:

Sand and oil separators shall be designed in accordance with 1003.4.2.1.

Section 1003.4.2.1 General Design Requirements, is amended to read as follows:

Sand and oil separators shall have a depth of not less than 2 feet (610 mm) below the invert of the discharge drain. The outlet opening of the separator shall have not less than an 18-inch (457 mm) water seal. The inlet shall extend to within 6-inches (152 mm) of the bottom of the interceptor. Sand and oil separators shall have a minimum capacity of six (6) cubic feet (0.168 m^3) for the first 100 square feet (9.3 m^2) of area to be drained, plus one (1) cubic foot (0.028 m^3) for each additional 100 square feet (9.3 m^2) of area to be drained into the separator.

Section 1003.4.2.2 Garages and service stations, delete.

Chapter 15.09 International Fuel Gas Code Adoption

"There is hereby adopted by the Town of Yampa, for the purpose of regulating and controlling the installation of fuel-gas piping systems, fuel-gas utilization equipment and related accessories within the Town, that certain code known as the International Fuel Gas Code, 2003 Edition, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this section." This adoption is subject to the amendments set forth herein.

International Fuel Gas Code Amendments and Deletions. The International Fuel Gas Code, 2003 Edition, is amended to read as follows:

Section 103.1 Creation of Enforcement Agency, is amended to read as follows:

The Building Department is hereby created and the official in charge shall be known as the Building Official. Building Official shall by synonymous with code official in all other references in this code.

Section 106.5.2 Fee schedule, is amended by adding a second paragraph to read as follows:

The fee for each permit shall be as set forth in Table 3-A as shown in Section 2 of this Ordinance.

Section 303.3 Prohibited locations, Exception 3, delete.

Section 303.3 Prohibited locations, Exception 4, delete.

Section 303.3 Prohibited locations, a second paragraph is added to read as follows:

Liquefied petroleum gas-burning appliances shall not be installed in a pit, basement or similar location where heavier-than-air gas might collect, unless the following conditions are met:

1. There shall be installed a listed gas detector that is interlocked to a listed solenoid valve located so as to shut off the supply of gas to the building in the event of an alarm.

2. There shall be installed an exhaust system for the purpose of removing unburned gases. The exhaust system shall be interlocked to the gas detector so as to operate automatically

in the event of an alarm. The exhaust system shall provide a minimum of four (4) air changes per hour, and the exhaust intake shall be located within six (6) inches of the floor.

Section 603 Log Lighters, delete.

Section 621.2 Prohibited use, is amended to read as follows:

Unvented room heaters are not to be installed in dwelling units.

Chapter 15.10 Fee Schedule

Section 15.10.01 Adoption of Fee Schedule. Building Permit Fees, Electrical Permit Fees, Plumbing Permit Fees, Mechanical Permit Fees, Pool, Spa and Hot Tub Permit Fees, Grading Plan Review Fees, Grading Permit Fees, Other Fees, Factory Built Home, Manufactured Home, and Mobile Home Permit Fees, Elevator Permit Fees, and Fire Suppression and Detection Permit Fees are hereby repealed and a new Table 3-A – Fee Schedule is adopted as follows:

TABLE 3-A – FEE SCHEDULE

BUILDING PERMIT AND PLAN REVIEW FEES

BUILDING PERMIT FEES:

Total Valuation	Fee
• $1.00 to $500.00	$15.00
• $501.00 to $2,000.00	$15.00 for the first $500.00 plus $2.00 for each additional $100.00 or fraction thereof, up to and including $2,000.00
• $2,001.00 to $25,000.00	$45.00 for the first $2,000.00 plus $9.00 for each additional $1,000.00 or fraction thereof, up to and including $25,000.00
• $25,001.00 to $50,000.00	$252.00 for the first $25,000.00 plus $6.50 for each additional $1,000.00 or fraction thereof, up to and including $50,000.00
• $50,001.00 to $100,000.00	$414.50 for the first $50,000.00 plus $4.50 for each additional $1,000.00 or fraction thereof, up to and including $100,000.00
• $100,001.00 to $500,000.00	$639.50 for the first $100,000.00 plus $3.50 for each additional $1,000.00 or fraction thereof, up to and including $500,000.00
• $500,001.00 to $1,000,000.00	$2,039.50 for the first $500,000.00 plus $3.00 for each additional $1,000.00 or fraction thereof, up to and including $1,000,000.00
• $1,000,001.00 and up	$3,539.50 for the first $1,000,000.00 plus $2.00 for each additional $1,000.00 or fraction thereof

PLAN REVIEW FEE: When a plan or other data is required to be submitted, a plan review fee shall be paid at the time submitting plans and specifications for review. The plan review fee for buildings and structures shall be **65% of the building permit fee** as set forth above.

ELECTRICAL PERMIT FEES

PERMIT ISSUANCE (in addition to items below)

For issuing each permit.....$25.00

For issuing each supplemental permit $15.00

RESIDENTIAL. This shall include modular homes, mobile homes, duplexes, condominiums and townhomes. Fees for all new construction and extensive remodeling and additions shall be as follows (based on floor area):

Not more than 1,000 sq ft. $45.00

Over 1,000 sq ft.....$67.00

Over 1,500 sq ft but not more than 2,000 sq ft $85.00

For each additional 100 sq ft excess of 2,000 sq ft add $3.50

ALL OTHER FEES, except for inspection in mobile home and RV parks, shall be computed based on the dollar value of the electrical installation, including labor and material. The fees shall be computed as follows:

More than $0 but not more than $2,000.00.....$45.00

More than $2,000.00 but not more than $50,000.00.....$18.00*
(*per thousand or fraction thereof)

More than $50,000.00 but not more than $500,000.00.....$17.00*
(*per thousand or fraction thereof plus $50.00)

More than $500,000.00 .....$16.00*
(*per thousand or fraction thereof plus $550.00)

Mobile homes and travel (RV) parks per space.....$50.00

PLUMBING PERMIT FEES

PERMIT ISSUANCE

1. For issuing each permit.....$25.00
2. For issuing each supplemental permit $15.00

UNIT FEE SCHEDULE (in addition to item 1 or 2 above):

1. **FIXTURES AND VENTS**
   For each plumbing fixture or trap or set of fixtures on one trap (including water piping, drainage piping, and backflow protection therefore).....$8.00
   For repair or alteration of drainage or vent piping, each fixture.....$10.00

2. **WATER PIPING**
   For installation, alteration, or repair of building water piping and/or water-treating equipment, each $10.00

3. **ROOF DRAINS**
   Roof drain systems – per roof drain (inside building) $17.00

4. **WATER HEATERS**
   For each water heater and/or vent.....$10.00

5. **FUEL GAS PIPING**
   For each gas pipe system of one to five outlets $20.00
   For each additional gas piping system outlet, per outlet.....$1.00

6. **DISPOSAL SYSTEMS AND INTERCEPTORS**
   For each industrial waste pretreatment interceptor or grease trap $10.00

7. **BACKFLOW PROTECTION**
   For each building backflow protective device or building atmospheric-type vacuum breakers or irrigation system backflow device:
   2 inches and smaller.....$10.00
   over 2 inches $20.00

8. **GRAYWATER SYSTEM**
   For each graywater system.....$8.00

9. **MEDICAL GAS PIPING**
   For each medical gas piping system serving one to five inlet(s)/outlet(s) for a specific gas $20.00
   For each additional medical gas inlet/outlet $1.00

MECHANICAL PERMIT FEES

PERMIT ISSUANCE

1. For issuing each permit.....$25.00
2. For issuing each supplemental permit $15.00

UNIT FEE SCHEDULE (in addition to items 1 and 2 above)

1. **FURNACES AND HEATERS**
   For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h.....$16.50

   For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h.....$21.00

   For the installation or relocation of each floor furnace, including vent.....$16.50

   For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater $16.50

   For the installation of a wood or gas fired fireplace, insert, or stove $16.50

2. **FUEL GASS PIPING AND TANKS**
   Gas piping systems of one to five outlets $20.00

   For each additional gas outlet $1.00

   LPG Tank set and yard piping $10.00

3. **BOILERS AND COMPRESSORS**
   For the installation of relocation of each boiler or compressor to and including three horsepower or each absorption system to and including 100,000 Btu/h.....$16.50

   For the installation or relocation of each boiler or compressor over three horsepower to and including 15 horsepower, or each absorption system over 100,000 Btu/h to and including 500,000 Btu/h.....$30.50

   For the installation or relocation of each boiler or compressor over 15 horsepower to and including 30 horsepower, or each absorption system over 500,000 Btu/h to and including 1,000,000 Btu/h.....$42.00

For the installation or relocation of each boiler or compressor over 30 horsepower to and including 50 horsepower, or each absorption system over 1,000,000 Btu/h to and including 1,75500,000 Btu/h.....$62.00

For the installation or relocation of each boiler or refrigeration compressor over 50 horsepower, or each absorption system over 1,750,000 Btu/h $104.00

4. **AIR HANDLING UNITS**
   For each air-handling unit to and including 10,000 CFM, including ducts attached thereto $12.00

   For each air-handling over 10,000 CFM.....$20.00

5. **VENTILATION AND EXHAUST**
   For each ventilation fan connected to a single duct.....$8.00

   For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit.....$12.00

   For the installation of each domestic-type hood which is served by mechanical exhaust, including ducts for such hood.....$12.00

   For the installation of each commercial or industrial hood which is served by mechanical exhaust, including the ducts for such hood.....$30.00

6. **EVAPORATIVE COOLERS**
   For each evaporative cooler other than a portable type $12.00

7. **APPLIANCE VENTS**
   For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit (includes dryer duct) $8.50

8. **REPAIR OR ADDITIONS**
   For the repair, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls regulated by the UMC or IMC.....$15.50

9. **MISCELLANEOUS**
   For each appliance or piece of equipment regulated by the UMC or IMC but not classed in other appliance categories, or for which no other fee is listed in this schedule of fees $12.00

POOL, SPA AND HOT TUB PERMIT FEES

PERMIT ISSUANCE

Public Pools and Hot Tubs (each).....$30.00
Private Pools and Hot Tub (each).....$20.00

Building permit and plan review fees along with Plumbing, Mechanical and Electrical sub permits shall apply. Permit fees shall be based on building and sub permit fee schedules.

GRADING PLAN REVIEW FEES

- 50 cubic yards.....No Fee
- 50 to 100 cubic yards.....$26.50
- 100 to 1,000 cubic yards.....$42.00
- 1,000 to 10,000.....$55.00
- 10,000 to 100,000 cubic yards - $55.00 for the first 10,000 cubic yards, plus $27.50 for each additional 10,000 cubic yards or fraction thereof.
- 100,000 to 200,000 cubic yards - $302.50 for the first 100,000 cubic yards, plus $14.85 for each additional 10,000 cubic yards or fraction thereof.
- 200,000 cubic yards or more - $451.00 for the first 200,000 cubic yards, plus $8.15 for each additional 10,000 cubic yards or fraction thereof.

GRADING PERMIT FEES

- 0 to 100 cubic yards.....$50.00
- 100 to 1,000 cubic yards - $50.00 for the first 100 cubic yards, plus $20.00 for each additional 100 cubic yards or fraction thereof.
- 1,000 to 10,000 cubic yards - $230.00 for the first 1,000 cubic yards, plus $16.50 for each additional 1,000 cubic yards or fraction thereof.
- 10,000 to 100,000 cubic yards - $378.50 for the first 10,000 cubic yards, plus $75.00 for each additional 10,000 cubic yards or fraction thereof.
- 100,000 cubic yards or more - $1,053.50 for the first 100,000 cubic yards plus $42.00 for each additional 10,000 cubic yards or fraction thereof.

OTHER FEES

1. Inspections outside of normal business hours (minimum charge – 4 hours).....$50.00 per hour
2. Reinspection fees (work not ready for inspection or called for corrections not made) $50.00
3. Inspections for which no fee is specifically indicated (minimum charge – 2 hours) .....$50.00 per hour
4. Additional plan review required by changes, additions or revisions to or revisions to the approved plans (minimum charge – one half hour).....$50.00 per hour

FACTORY-BUILT HOME, MANUFACTURED HOMES AND MOBILE HOME PERMIT FEE SCHEDULE

BUILDING PERMIT FEES:

For each factory-built home.....$100.00 per section plus Building Permit and Plan Review Fees as determined based on the valuation (*material and labor*) for foundation systems, porches, decks and stairs or other permanent construction which are not components of the factory-built home as produced.

ELECTRICAL PERMIT FEES:

For hookup of each factory-built home $45.00

Fees for additions, remodels and repairs to factory-built home electrical systems shall be as determined for Electrical Permit Fees.

MECHANICAL PERMIT FEES:

For the issuance of each permit $15.00

For hookup of fuel gas system to each factory-built home.....$9.00

Fees for additions, remodels and repairs to factory-built home mechanical systems shall be as determined for Mechanical Permit Fees.

ELEVATOR PERMIT FEES

North West Colorado Council on Government (NWCCOG) is the inspection agency for all elevator installations in Yampa. Contact NWCCOG at (970) 468-0295 ext. 108 for fee information on elevator permits.

FIRE SUPPRESSION AND DETECTION PERMIT FEES

The Yampa Fire Protection District has access and fire prevention review authority for buildings constructed in their district. Contact the district for application submittal information and permit fees.

Chapter 15.11 Land Use and Control Measures to Reduce Flood Losses

Section 15.11.01 Water/Sewer Systems to be Reviewed for Flood Hazards. The Yampa Town Board shall require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-sire waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding. (Ordinance 116, September 1976)

Section 15.11.02 Record of Structures Located in Flood Hazard Areas. The Board of Trustees appoints the Building Department to maintain for public inspection and to furnish upon requires a record of elevations (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures located in the special flood hazard areas. If the lowest floor is below grade on one or more sides, the elevation of the floor immediately above must also be recorded. (Ordinance 117, September 1976)

Chapter 15.12 Automobile Trailer Coaches Used as Residences

Section 15.12.01 Definitions. As used in this Chapter 15.12:

A. "Mobile Home" means a mobile home, as defined at _____ of the Yampa Zoning Ordinance.

B. "Mobile Home Park" shall be as defined at _____ of the Yampa Zoning Ordinance.

Section 15.12.02 Parking Outside of Mobile Home Park.

A. No mobile home shall be parked or stand upon any public street or ally in the Town of Yampa for a longer period than eight (8) hours during any 24 hour period. If so parked it shall be parallel with the curb and shall not extend outward into the street a distance in excess of ten (10) feet measured at right angles with the curb.

B. It shall be unlawful for any person to use or occupy a mobile home within the Town of Yampa unless it is located in a mobile home park.

C. No mobile home shall be maintained upon any private or public property in the Town of Yampa when the same is used for living purposes unless the property is within the mobile home residential district or unless a temporary permit has been first secured from the Town Clerk. The said permit shall not be granted for a longer period than six (6) months and a fee of $10.00 shall be charged for such temporary permit. The temporary permit shall be granted only with the written consent of the owner (or the legal agent of the owner) of the location for which

the permit is issued and all such trailers shall be hooked up to Town water by a separate individual hook-up with the Town water main, connections shall be in accordance with approved plumbing and sewer standards.

D. It shall be unlawful for any person to remove the wheels or other transporting device from any trailer coach or otherwise to affix said trailer coach permanently to the ground so as to prevent ready removal of such trailer coach, unless a permit to do so is obtained as required for the construction of a new building. Any such alteration shall be construed as converting the trailer coach into a building and subject to the requirements of the zoning and building ordinances.

E. The owners of existing mobile homes outside a mobile home park who do not surrender the title, shall obtain all necessary licenses from the County Clerk. All such existing trailers are hereby deemed to be "non-conforming" and in case of removal from the present site, service for water and sewer shall be discontinued and no service to any other trailer or mobile home for the same site shall be furnished.

Chapter 15.13 Fences

Section 15.13.01 Permit Required. No fence shall be erected in the Town of Yampa without first obtaining a fence permit from the Building Department.

Section 15.13.02 Fences on Residential Lots.

A. No fence in excess of six (6) feet in height shall be erected on any lot used for residential purposes.

B. No fence in excess of 42 inches in height shall be erected in the front setback of any lot used for residential purposes.

C. Any fence erected within the front setback of any residential lot shall be at least 50% open in construction (chain link, split rail or similar construction meets this requirement).

D. Fences on the street-side of any residential corner lot shall be;

1. Set-back 7.5 feet from the property or

2. Shall not exceed 42 inches in height and shall be at least 80% open.

Section 15.13.03 Fences on Commercial or Industrial Lots. No fence shall be erected in excess of eight (8) feet in height on any lot used for commercial or industrial purposes. No fence

shall be erected in such a way as to obstruct the view of traffic at any intersection. (Ordinance No. 131)

Chapter 15.14 Management of Work in Public Rights-of-Way

Section 15.14.01 Definitions. For the purpose of this chapter the following words shall have the following meanings:

A. "Director" means the Director of Public Works of the City and his/her authorized representative.

B. "Fence" means any artificially constructed barrier of wood, masonry, stone, wire, metal, or any other manufactured material or combination of materials erected to enclose partition, beautify, mark, or screen areas of land.

C. "Infrastructure" means any public facility, system, or improvement including, without limitation, water and sewer mains and appurtenances, storm drains and structures, streets and sidewalks, and public safety equipment.

D. "Landscaping" means materials, including without limitation, grass, ground cover, shrubs, vines, hedges, or trees and non-living natural materials commonly used in landscape development, as well as attendant irrigation systems.

E. "Permittee" means the holder of a valid permit issued pursuant to this ordinance.

F. "Person" means and person, firm, partnership, special, metropolitan, or general district, association, corporation, limited liability company, or organization of any kind.

G. "Public right-of-way" or "right-of-way" or "public way" means any public street, way, place, alley, sidewalk, easement, park, square, plaza, and Town owned right-of-way or any other public property owned or controlled by the Town and dedicated to public use.

H. "Specifications" means engineering, regulations, construction specifications, and design standards adopted by the Town.

I. "Structure" means anything constructed or erected with a fixed location below, on, or above grade, including, without limitation, foundations, fenced, retaining walls, awnings, balconies, and canopies.

J. "Town" means the Town of Yampa, Colorado.

K. "Work" means any labor performed on, or any use or storage of equipment or materials in the public rights-of-way, including but not limited to, construction of streets and all related appurtenances, sidewalks, driveway openings, bus shelters, bus loading pads, street lights, and traffic signal devices. It shall also mean construction, maintenance, and repair of all underground structures such as pipes, conduit, ducts, tunnels, manholes, vaults, buried cable, wire, or any other similar structure located below the surface of any public way, and installation of overhead poles used for any purpose.

Section 15.14.02 Police Powers. The permittee's rights hereunder are subject to the police powers of the Town, which include the power to adopt and enforce ordinances, including amendments to this ordinance, necessary to the safety, health, and welfare of the public. The permittee shall comply with all applicable laws and ordinances enacted, or hereafter enacted, by the Town or any other legally constituted governmental unit having lawful jurisdiction over the subject matter hereof. The Town reserves the right to exercise its police powers, notwithstanding anything in this ordinance and the permit to the contrary. Any conflict between the provisions of this ordinance or the permit and any other present or future lawful exercise of the Town's police powers shall be resolved in favor of the latter.

Section 15.14.03 Permit Required.

A. No person except an employee or official of the Town or a person under contract with the Town shall undertake or permit to be undertaken any construction, excavation, or work in the public right-of-way without first obtaining a permit from the Town as set forth in this chapter, except as provided in Section 15.14.18. Each permit obtained, along with associated documents, shall be maintained on the job site and available for inspection upon request by any officer or employees of the Town.

B. Construction, Excavation or Work Area. No permittee shall perform construction, excavation, or work in an area larger or at a location different than that specified in the permit or permit application. But if, when construction, excavation, or work is commenced under an approved permit, it becomes necessary to perform construction, excavation, or work in a larger or different area than originally requested under the application, the permittee shall notify the director immediately and within twenty-four (24) hours shall file a supplementary application for the additional construction, excavation, or work.

C. Permits shall not be transferable or assignable and work shall not be performed in any place other than that specified in the permit. The applicant may subcontract the work to be performed under a permit provided that the holder of the permit shall be and remain responsible for the performance of the work under the permit and all insurance and financial security as required.

Section 15.14.04 Permit Application – Permit Contents

A. An applicant for a permit to allow construction, excavation, or work in the public right-of-way under this section shall:

1. File a written application on forms furnished by the Town that include the following: the date of application; the name and address of the applicant; the name and address of the developer, contractor or subcontractor licensed to perform work in the public right-of-way; the exact location of the proposed construction, excavation or work activity; the type of existing public infrastructure (street surface, curb and gutter, sidewalks or utilities) impacted by the construction, excavation or work; the purpose of the proposed construction, excavation or work; the dates for beginning and ending the proposed construction, excavation or work; the measurements, quantities, itemization and total cost, including labor and materials, of the construction improvements and excavations; and type of work proposed.

2. Include a verified statement that the applicant and/or its contractor is not delinquent in payments due the Town on prior work.

3. Include a verified statement that the applicant and/or its contractor hold all permits or licenses (including required insurance, deposits, bonding, and warranties) required to do the proposed work, if licenses or permits are required under the laws of the United States, the State of Colorado, or the ordinances of the Town.

4. Provide a satisfactory plan of work showing protection of the subject property and adjacent properties when the Town determines such protection is necessary.

5. Provide a satisfactory plan for the protection of shade and ornamental trees and the restoration of turf when the Town determines that damages may occur to such trees or turf.

6. Include with the application engineering construction drawings or site plans for the proposed construction, excavation, or work.

7. Include with the application a satisfactory traffic control and erosion protection plan for the proposed construction, excavation, or work when the Town determines such plans as necessary.

8. Pay the fees prescribed by this Ordinance.

B. Permit Contents. For the benefit of the Town, each permit issued under this section should state the right-of-way permit number, the date of issue and expiration of the permit; the name and address of the permittee, the name and address of the developer, contractor or subcontractor licensed to perform work under the permit; the location, nature, and purpose of the proposed construction,

excavation or work permitted; any conditions of approval (including but not limited to inspection, testing, certification, and provision of as built drawings); the type of existing public infrastructure (street surface, curb and gutter, sidewalks or utilities) impacted by the permit; references for the engineering construction drawings or site plans; references to any supplemental permits (wetland, floodplain development, state highway access or utility, revocable right-of-way and water and sewer utility permits, etc.) required; and the amount of fees and deposits paid, and bonds filed by the permittee.

Section 15.14.05 Permit Fee. Before a permit is issued pursuant to this section, the applicant shall pay to the Director a permit fee, which shall be determined in accordance with a fee schedule adopted by the Town Board by resolution.

Section 15.14.06 Location of Equipment. The Director may prohibit or limit the placement of new or additional equipment within the right-of-way if there is insufficient space to accommodate all of the requests of applicants to occupy or use the right-of-way. In making such decisions, the Director shall strive to the extent possible to accommodate all existing and potential users of the right-of-way, but shall be guided primarily by considerations of the public interest, the public's need for a particular service, the condition of the right-of-way, the time of year with respect to essential utilities, the protection of existing equipment and facilities in the right-of-way, and future Town plans for public improvements and development projects which have been determined to be in the public interest.

Section 15.14.07 Mapping Data. Each permittee shall, within sixty days from the date of the Town's acceptance of the work undertaken in connection with the permit, shall provide to the Director "as-built" maps indicating at a minimum the horizontal and vertical location, relative to the boundaries of the right-of-way, of all equipment and facilities which is owns or over which it has control, and which is located in any right-of-way.

Section 15.14.08 Insurance and Indemnification.

A. Insurance. Prior to the granting of any permit, the Director shall require the filing of an insurance policy or certificate with coverage as follows:

1. The contractor shall carry a comprehensive general liability policy, including broad form property damage, completed operations and contractual liability for limits not less than one million dollars ($1,000,000.00) each occurrence for damages of bodily injury or death to one or more persons; and one million dollars ($1,000,000.00) each occurrence for damage to or destruction of property.

2. Insurance coverage for special hazards. Special hazards coverage, such as, but not limited to, property damage as a result of explosion hazard, collapse hazard, underground property damage hazard, commonly known

as XCU, shall all be specially added by endorsement to the hereinabove required liability policies.

B. Whenever any person has filed with the Director evidence of insurance as required, any additional or subsequent license holder in the employ of said initial person shall not be required to deposit or file any additional evidence of insurance.

C. Each permittee shall construct, maintain, and operate its facilities in a manner which provides protection against injury or damage to persons or property. The permittee for itself and its related entities, agents, employees, subcontractors, and the agents and employees of said subcontractors shall hold the Town harmless, defend, and indemnify the Town, its successors, assigns, officers, employees, agents, and appointed and elected officials from and against all liability or damage and all claims or demands whatsoever in nature, and reimburse the Town for all its reasonable expenses, as incurred, arising out of the installation and operation of the permittee's system within the streets and rights-of-way, including but not limited to the actions of the permittee, its employees, agents, contractors, related entities, successors and assigns, or the securing of and the exercise by the permittee of the permit rights granted in the permit, including any third party claims, administrative hearings, and litigation; whether or not any act or omission complained of is authorized, allowed, or prohibited by this ordinance. The terms of each contract awarded by the permittee for activities pursuant to a permit shall contain indemnity provisions whereby the contractor shall indemnify the Town to the same extent as described above. The permittee shall have the right to defend the Town with regard to all damages and penalties arising in any way out of the exercise of any rights in the permit. If at any time, however, the Town elects to defend itself with regard to such matters, the permittee shall pay all actual expenses incurred by the Town related to its defense. In the event the Town institutes litigation against the permittee for a breach of the permit or for an interpretation of this ordinance and the Town is the prevailing party, the permittee shall reimburse the Town for all costs related hereto, including reasonable attorney's fees. The permittee shall not be obligated to hold harmless or indemnify the Town for claims or demands to the extent that they are due solely to the gross negligence, or any intentional and/or willful acts of the Town or any of its officers, employees, or agents.

Section 15.14.09 Performance Bond.

A. Before any permit shall be issued, the applicant shall file a bond or letter of credit in favor of the Town in an amount equal to the total cost of construction, including labor and materials, or two thousand five hundred dollars ($2,500.00), whichever is greater. The bond or letter of credit shall be executed by the applicant as principal and by at least one surety upon whom service of process may be had in the state. The bond or letter of credit shall be conditioned upon the applicant fully complying with all provisions of Town ordinances and of the rules

and regulations of the department of public works and upon payment of all judgments and costs rendered against the applicant for any violation of Town ordinances or state statutes that may be recovered against the applicant by any person for damages arising out of any negligent or wrongful acts of the applicant in the performance of work done pursuant to the permit issued under the provisions of this chapter. Action on the bond or letter of credit may be brought by any person so aggrieved as beneficiary. The bond or letter of credit must be approved by the Town as to form and as to the responsibility of the surety thereon prior to the issuance of the permit provided for in this chapter. However, the Town may waive the requirements of any such bond or letter of credit or may permit the applicant to post a bond without surety thereon upon finding that the applicant has financial stability and assets located in the state to satisfy any claims intended to be protected against the security required by this section.

B. A letter of responsibility will be accepted in lieu of a performance bond or letter of credit from all public utilities, all cable television companies, and all metropolitan, water and sanitation districts operating within the Town.

C. The performance bond or letter of credit shall remain in force and effect for a minimum of three (3) years after completion and acceptance of the street cut, excavation or lane closure.

Section 15.14.10 Performance Warranty/Guarantee.

A. Any warranty made hereunder shall serve as security for the performance of work necessary to repair the public right-of-way if the permittee fails to make the necessary repairs or to complete the work under the permit.

B. The permittee, by acceptance of the permit, expressly warrants and guarantees complete performance of the work in a manner acceptable to the Town and warrants and guarantees all work done by him/her for a period of three years after the date of acceptance, and agrees to maintain upon demand and to make all necessary repairs during the three (3) year period. This warranty shall include all repairs and actions needed as result of:

1. Defects in workmanship.

2. Settling of fills or excavations.

3. Any unauthorized deviations from the approved plans and specifications.

4. Failure to barricade.

5. Failure to clean up during and after performance of the work.

6. Any other violation of this or any other ordinances of the Town.

C. The three (3) year warranty period shall run from the date of the Town's acceptance of the work. If repairs are required during the three (3) year warranty period, those repairs need only be warranted until the end of the initial three (3) year period starting with the date of initial acceptance. It is not necessary that a new three (3) year warranty be provided for subsequent repairs after initial acceptance.

D. At any time prior to completion of the three (3) year warranty period, the Town may notify the permittee of any needed repairs. Such repairs shall be completed within twenty-four hours if the defects are determined by the Town to be an imminent danger to the public health, safety and welfare. Nonemergency repairs shall be completed within thirty (30) days after notice.

Section 15.14.11 Inspection. Two inspections shall take place. First, the permittee shall notify the Town immediately after completion of work operations and acceptance will be made if all work meets Town and permit standards. Second, approximately thirty (30) days prior to the expiration of the three (3) year guarantee, the Town shall perform an inspection of the completed work. If the work is still satisfactory, the performance bond or letter of credit for individual permit holders shall be returned less any amounts needed to complete work not done by permittee.

Section 15.14.12 Public Safety and Nuisance. A person who obtains a permit for construction, excavation, or work in the public right-of-way shall maintain a safe work area, free of nuisance conditions. The Town may make any repair necessary to eliminate any hazards or nuisances or work not performed as directed. Any such work performed by the Town shall be completed and billed to the permittee at overtime rates. The permittee shall pay all such charges within 30 days of the statement due. If the permittee fails to pay such charges within the prescribed time period, the Town may, in addition to taking other collection remedies, seek reimbursement through the performance bond or letter of credit. Furthermore, the permittee shall be barred from performing any work in the public right-of-way, and under no circumstances will the Town issue any further permits of any kind to said permittee, until such time that all outstanding charges have been paid in full.

Section 15.14.13 Time of Completion. All work covered by the permit shall be completed by the date stated on the application. Permits shall be void if work has not commenced in six (6) months after issuance. Performance bonds or letters of credit deposited as security for individual permits will be returned after voiding of the permit.

Section 15.14.14 Traffic Control.

A. When it is necessary to obstruct traffic, a detour plan shall be submitted to the Town prior to starting construction. No permit will be issued until the plan is approved by the Town. No permittee shall interrupt access to and from private property, block emergency vehicles, block access to fire hydrants, fire stations, fire escapes, water valves, underground vaults, valve housing structures, or any

other vital equipment unless permission is obtained in writing from the owner of that facility, equipment, or property. If a street closing is desired, the applicant will request the assistance of and obtain approval from the Director. It shall be the responsibility of the permittee to notify and coordinate all work in the public way with police, fire, ambulance, and transit organizations.

B. When necessary for public safety, the permittee shall employ flag persons whose duties shall be to control traffic around or through the construction site. The use of flag persons may be required by the Director.

C. Traffic control devises, as defined in Part VI of the Manual on Uniform Traffic Control Devices, must be used whenever it is necessary to close a traffic lane or sidewalk. Traffic control devises are to be supplied by the permittee. If used at night, they must be reflectorized and must be illuminated or have barricade warning lights. Oil flares or kerosene lanterns are not allowed as means of illumination.

D. Part VI of the Manual on Uniform Traffic Control Devices shall be used as a guide for all maintenance and construction signing. The permittee shall illustrate on the permit the warning and control devices proposed for use. At the direction of the Director, such warning and control devices shall be increased, decreased, or modified.

Section 15.14.15 Minimizing the Impact of Work in the Right-of-Way.

A. Relocation and Protection of Utilities. Before any permittee begins excavation in any public way, he shall contact the Utility Notification Center of Colorado and make inquiries of all ditch companies, utility companies, telecommunications companies, districts, municipal departments, and all other agencies that might have facilities in the area of work to determine possible conflicts.

The permittee shall contact the Utility Notification Center of Colorado and request field locations of all facilities in the area at least 48 hours in advance. Field locations shall be marked prior to commencing work. The permittee shall support and protect all pipes, conduits, poles, wires, or other apparatus which may be affected by the work from damage during construction or settlement of trenches subsequent to construction.

B. Noise, Dust, Debris, Hours of Work. Each permittee shall conduct work in such manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. In the performance of the work, the permittee shall take appropriate measures to reduce noise, dust, and unsightly debris. No work shall be done between the hours of 6 p.m. and 8 a.m. not at any time on Sunday, except with the written permission of the Director, or in case of an emergency.

C. Trash and Construction Materials. Each permittee shall maintain the work site so that:

1. Trash and construction materials are contained so that they are not blown off on the construction site.

2. Trash is removed from a construction site often enough so that it does not become a health, fire, or safety hazard.

3. Trash dumpsters and storage or construction trailers are not placed in the street without specific approval of the Director.

D. Deposit of Material on Roadways. Equipment and trucks used during construction, excavation, or work activity shall be cleaned of debris prior to leaving any work site.

E. Protection of Trees and Landscaping. Each permittee shall protect trees, landscape, and landscape features as required by the Town. All protective measures shall be provided at the expense of the permittee.

F. Protection of Paved Surfaces from Equipment Damage. Backhoe equipment shall be fitted with rubber pads whenever outriggers are placed on any paved surface. Tracked vehicles with grousers are not permitted on paved surfaces unless specific precautions are taken to protect the surface. The permittee will be responsible for any damage caused to the pavement by the operation of such equipment and, upon order of the Director, shall repair such surfaces. Failure to do so will result in the use of the applicant's performance/warranty guarantee by the Town to repair any damage.

G. Protection of Property. Each permittee shall protect from injury any adjoining property by providing adequate support and taking other necessary measures. The permittee shall, at his own expense, shore up and protect all buildings, walls, fences or other property likely to be damaged during the work, and shall be responsible for all damage to public or private property resulting from failure to properly protect and carry out work in the public way.

H. Clean Up. As the work progresses, all public rights-of-way and private property shall be thoroughly cleaned of all rubbish, excess dirt, rock, and other debris. All clean up operations shall be done at the expense of permittee.

I. Preservation of Monuments. Each permittee shall not disturb any surface monuments or survey hubs and points found on the lien of work unless approval is obtained from the Director. Any monuments, hubs, and points disturbed will be replaced by a Colorado Registered Land Surveyor at the permittee's expense.

J. Each permittee shall make provisions for employee and construction vehicle parking so that neighborhood parking adjacent to a worksite is not impacted.

Section 15.14.16 Standards for Repairs.

A. Permittee Responsibility. The permittee shall be fully responsible for the cost and actual performance of all work in the public way. The permittee shall do all work in conformance with any and all engineering regulations, construction specifications, and design standards as may be adopted by the Town. These standards shall apply to all work in the public way unless otherwise indicated in the permit.

B. All restoration shall result in a work site condition equal to or better than that which existed prior to construction.

Section 15.14.17 Relocation of Facilities. If at any time the Town requests the permittee to relocate its facilities, in order to allow the Town to make any public use of streets or rights-of-way, or if at any time it shall become necessary because of a change in the grade or for any other purpose by reason of the improving, repair, constructing, or maintaining of any street or rights-of-way, or by reason of traffic conditions, public safety or reason of installation of any type of structure of public improvement to the Town or other public agency or special district, and any general program for the undergrounding of such facilities, to move or change the permittee's facilities within or adjacent to streets or rights-of-way in any manner, either temporarily or permanently, the Town shall notify the permittee, at least 90 days in advance, except in the case of emergencies, of the Town's intention to perform or have such work performed. The permittee shall thereupon, at its sole cost and expense, accomplish the necessary relocation, removal or change within a reasonable time from the date of the notification, but in no event later than three (3) working days prior to the date the Town has notified the permittee that it intends to commence its work or immediately in the case of emergencies. Upon the permittee's failure to accomplish such work, the Town or other public agencies or special district may perform such work at the permittee's expense and the permittee shall reimburse the Town or other agency within 30 days after receipt of a written invoice. Following relocation, all affected property shall be restored to, at a minimum, the condition which existed prior to construction by the permittee at the permittee's expense.

Section 15.14.18 Emergency Procedures. Any person maintaining facilities in the public way may proceed with repairs upon existing facilities without a permit when emergency circumstances demand that the work be done immediately. Emergency work is defined to mean any work necessary to restore water, sewer, gas, telephone, electric, cable and other telecommunications facilities. Repairs on other facilities in the public way may also be administratively classified as emergency by the Director. The person doing the work shall apply to the Town for a permit on the first working day after such work has commenced. All emergency work will require prior telephone notification to the Routt County Sheriff's Department and Town Fire Departments.

Section 15.14.19 Revocation of Permits.

A. Any permit may be revoked or suspended by the Director, after notice to the permittee for:

1. Violation of any condition of the permit or of any provision of this ordinance.

2. Violation of any provision of any other Town ordinance or state law relating to the work.

3. Existence of any condition or performance of any act which does constitute or cause a condition endangering life or damage to property.

B. A suspension or revocation by the Director, and a stop work order, shall take effect immediately upon notice to the person performing the work in the public way.

C. A stop work order may be issued by the Director to any person or persons doing or causing any work to be done in the public way without a permit, or in violation of any provision of this chapter, or any other ordinance of the Town.

D. Any suspension or revocation or stop work order may be appealed by the permittee to the Director by filing a written notice of appeal within 10 days of the action.

Section 15.14.20 Abandoned and Unstable Equipment and Facilities.

A. The permittee, or subsequent owner of equipment or facilities installed pursuant to a permit granted under this ordinance, who is determined to discontinue its operations must either:

1. Provide information satisfactory to the Director that the permittee's or owner's obligations for its equipment in the right-of-way under this chapter have been lawfully assumed by another entity; or

2. Submit to the Director a personal and instruments for transferring ownership of its equipment or facilities to the Town. If a person proceeds under this subsection, the Town may, at its option:

a. Purchase the equipment; or

b. Require the permittee or owner at its owner expense, to remove it; or

c. Require the permittee or owner to post a bond in an amount sufficient to reimburse the Town for reasonably anticipated costs to be incurred in removing the equipment or facilities.

B. Equipment or facilities of a permittee or owner who fails to comply with subsection A and which, for two years, remains unused shall be deemed to be abandoned. Abandoned equipment or facilities are deemed to be a nuisance. The Town may exercise any remedies or rights it has at law or in equity. Any permittee or owner who has unusable equipment or facilities in any public right-of-way shall remove it from that right-of-way during the next scheduled excavation, unless this requirement is waived by the Director.

Section 15.14.21 Appeals Procedure. Any decision rendered by the Director may be appealed within 30 days by the permittee to the Board of Trustees.

Section 15.14.22 Penalty. If any person, firm or corporation, including but not limited to the officers and agents of a corporation responsible for its action or inaction, and the partners of a partnership, firm or joint venture, shall violate or cause the violation of any of the provisions of this Ordinance, they shall be guilty of a separate offense for each and every day or portion thereof during which a violation is committed, continues or is permitted, and upon conviction of any such violation such person, firm or corporation, including but not limited to such partners or officers or agents, shall be punished as by a fine not to exceed three hundred dollars ($300.00) for each such violation.