



Archuleta County Development Services Department
ARCHULETA COUNTY PLANNING COMMISSION AGENDA
County Commissioners Meeting Room, 398 Lewis Street
Public is welcome and encouraged to attend.

REGULAR PLANNING COMMISSION MEETING FOR JANUARY 23, 2019, 6:00 PM

ROLL CALL

CONSENT:

Approval Of Minutes: December 12, 2018

Documents:

[MINUTES 121218 DRAFT.PDF](#)

OLD BUSINESS:

Meeting Schedule For 2019

Attached calendar corrects certain dates for Planning Commission 2019 meetings as approved on 12/12/2018.

Documents:

[PC 2019 CALENDAR.PDF](#)

NEW BUSINESS:

Proposed Adoption Of 2015 Building Codes

As provided by CRS 30-28-204, the Board of County Commissioners from time to time by resolution may alter and amend any county building code after public hearing, when first submitted for the approval, disapproval, or suggestions of the County Planning Commission. The opinion of the County Planning Commission shall be advisory only and not binding upon the Board of County Commissioners. The following Building Codes are currently in effect within the County:

- 2006 Edition of the International Residential Code, for One- and Two- Family Dwellings;
- 2006 International Building Code;
- 2006 International Energy Conservation Code;
- 2009 International Fire Code except for the appendices,
- 2015 International Plumbing Code; and 2017 National Electric Code; latest edition and amendments to the Electrical and Plumbing Codes as adopted by the State of Colorado.

Archuleta County Building Official John Ruyle has proposed to adopt the 2015 International Residential Code and 2015 International Building Code with certain

amendments and deletions. The [INTERNATIONAL CODE COUNCIL](#) has published 2018 editions of these model codes.

Documents:

[IRC_2015_UPDATE-PC_MEMO_20190123.PDF](#)
[STAFF_REPORT_CODE_CHANGES_2015_IRC_AND_IBC-PC_012319.PDF](#)
[DRAFT-BOCC_RESOLUTION_ADOPTING_THE_2015_IBC.PDF](#)
[AMENDED_BUILDING_SAFETY_CODE_RESOLUTION_2015_CODE-DRAFT_TEXT.PDF](#)

Discussion Of ICC WUI Codes

The International Code Council (ICC) publishes the Wildland-Urban Interface model code. Bill Trimarco, Archuleta County Program Manager for the Wildfire Adopted Partnership (Firewise), will discuss the wildland-urban interface and features of the model building code.

ANNUAL MEETING: Election Of Officers

REPORTS, ANNOUNCEMENTS:

Vacation Rentals Report

General Review Of Archuleta County Land Use Regulations

General discussion of Subdivision Regulations and related provisions in the Land Use Regulations, as time allows.

MEMBER COMMENTS

NEXT MEETING: Policy Meeting, February 13, 2019

ADJOURN

Please Note: Agenda items may change order during the meeting; it is strongly recommended to attend the meeting at the start time indicated.



**Archuleta County Development Services Department
ARCHULETA COUNTY PLANNING COMMISSION MINUTES**

Archuleta County Planning Commission Minutes, Regular Meeting December 12, 2018

The Archuleta County Planning Commission held a meeting on Wednesday, December 12, 2018, at 6:00 PM at the Archuleta County Commissioners Meeting Room, 398 Lewis Street, Pagosa Springs, Colorado. Chairman Frederick called the meeting to order at 6:00pm.

Commissioners in attendance:

Michael Frederick, David Parker, Anita Hooton, Betty Shahan, and Lisa Jensen.

Staff in Attendance:

John Shepard, AICP; Planning Manager. Sherrie Vick, Planning Technician

Public in Attendance:

Jari Sage & David Girardin, BWD; Mike Davis & Myron Stretton, Davis Engineering; James Dickhoff, George Brown, and Avery Martinez from the Sun.

Consent:

Minutes for the November 14, 2018 meeting.

Commissioner Hooton made a motion to approve the minutes as corrected. Commissioner Jensen seconded. Vote 5-0 aye.

Old Business:

None

New Business:

River Rock Estates Sketch Plan, A Proposed Major Subdivision In S24, T35N R2W NMPM On County Rd 119.

River Rock Estates, LLC, represented by Jari Sage, BWD Construction, applied for Sketch Plan review of a proposed Major Subdivision—River Rock Estates—to develop 87 Dwelling Units on 15.83 acres (Fairway Land Trust Exemption Plat) immediately adjacent to the Town of Pagosa Springs on County Rd 119 (Light Plant Road) in the San Juan River floodplain (Case File PLN18-336). The property is part of the Reservoir River Ranch Planned Unit Development (PUD), which was granted certain vested rights by Board Resolution 2009-47, including a conceptual density of up to 160 residences and 160,000 gross square feet of commercial density at this approximate location.

Chairman Frederick asked the applicant to go first, then Mr. Shepard would follow up with comments, and also Mr. Dickhoff from the Town if he had any additional comments.

Jari Sage introduced the project stating that their current proposal is for 45 single family homes and 56 Multi-Family units for a total of 101 units on the property which averaged 6.4 per acre, which was less than 160 units in the original PUD for this parcel. Also they would start with one entrance and have a second one completed with a phased approach.

Ms. Sage then turned the briefing over to Mike Davis, the design engineer. Mr. Davis addressed the floodplain issue, explaining that a retaining wall would be built so there could be about 5 foot of fill brought in to raise the project out of the floodplain. There was discussion around the difference between the Riverbend flood documentation of 10 foot of fill needed and the design with only 5 foot. Mr. Davis stated that the difference is under study. There was discussion on how the wall would look from the other side of the river and whether or not that was the best approach to addressing the floodplain issue on the property.

Mr. Davis then presented road information for the project, including use of trails and sidewalks connecting to town parks and the two egresses into the development. Currently there was not much detail on engineering, as options were still being discussed. Utilities would be connecting with the town water and sewer. They were leaning toward designing a gravity feed system so a lift station did not have to be added and the applicant was still working some details out with the Town. There was extensive discussion on the irrigation ditch that passed through the area, who used the water and how the ditch would be rerouted for the project. Mr. Davis pointed out that some of that work had been done in the past and there would need to be more research done. It was also discussed that there would be a water billing system through a Property Owners Association (POA). All other utilities were close to the project and those specific utilities would be contacted. A general traffic plan was discussed and would be looked at. Affordable housing was also discussed, where it

could be added in the project and how soon it would be developed. There was discussion on where and how the fill dirt for the project would be delivered, with sources directly across the street on other property which was included in the original PUD for this area. Mr. Davis pointed out this was just the first step and all the points and suggestions would be looked at and options weighed.

Mr. Shepard explained that this property was part of a master PUD from 2009, and it gave them flexibility but they had to give more details in how the project was going to be implemented. Filling the floodplain to this extent was typical 50 years ago but hasn't proven to work well. Mr. Shepard stated that this project would be better suited in the Town jurisdiction because their regulations were designed for high density projects.

Mr. Dickhoff was invited to speak and pointed out this project would be a candidate for annexation. Mr. Dickhoff requested that, if the applicant chose not to annex, that a donation to the Town for parks and recreation infrastructure be collected to insure completion of the connecting sidewalks and trails.

There was further discussion on the floodway and floodplain information and the Town's current Letter of Map Change submitted to FEMA. Also, members discussed formalizing the 5th street improvements and plans for a pedestrian bridge to Yamaguchi Park. Mr. Dickhoff also wanted to make sure that the 50' wide easement along the river was maintained as public access. There was discussion on how the Subdivision's traffic and potential off-site improvements would affect traffic going up Hot Springs Blvd and US Hwy 160 for the CDOT access there, and on County RD 119 to US Hwy 84.

It was also suggested that the development's CC&Rs should address short term rentals and affordability.

Setting Meeting Schedule for 2019:

Mr. Shepard presented the 2019 schedule. There was brief discussion and Commissioner Hooton made a motion to accept the calendar. Commissioner Jensen seconded. Vote 5-0 aye.

Reports and Announcements:

Vacation Rentals Permit Update:

Mr. Shepard reported that the department was doing its best to keep up with the demands for Vacation Rental pre-application meetings and getting permits processed.

General Review of Archuleta County Land Use Regulations

This item was deferred to the next meeting.

Mr. Shepard pointed out that chair and vice chair would need to be picked at the first meeting in January 2019.

Mr. Shepard shared with the Commission a Meeting coming up Jan 30th for a Workshop on Community Resilience at the Extension Building, an outcome of the Sonoran Institute competitive process he has been participating in. Also, there was some discussion on affordable housing and water smart work groups at work in the county over the last year.

There was some discussion around the BP Cox #3 Well application and potential changes to the oil and gas regulations to protect the community and the County and still follow State requirements.

Chairman Frederick discussed adding a category to the agenda where Commission members could present ideas or ask questions.

Next Meeting: January 23, 2019

Adjourn: Commissioner Hooton moved to adjourn the meeting at 9:01 PM, Commissioner Jensen seconded. Vote 5 aye.

Approved this day of , 2019

Sherrie Vick
Planning Technician

Michael Frederick
Chairman



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Development Services—Planning Department
1122 HWY 84
P. O. Box 1507
Pagosa Springs, Colorado 81147
970-264-1390
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Archuleta County Planning Commission

2019 Calendar of Meetings

Regular Business Meetings 4th Wed of month, January-October; 2nd Wed of Nov & Dec

*Policy Meetings 2nd Wed of every other month, February-October

January 23 (Annual Meeting)

February 13*

February 27

March 27

April 10*

(APA National Planning Conference 4/13-16/2019)

April 24

May 22

June 12*

June 26

July 24

August 14*

August 28

(APA Western Planner 9/8-11/2019; or Colorado State Conference 9/18-20/2019)

September 25

October 9*

October 23

November 13

December 11

Schedule subject to change. Special meetings may be called by the Chairman.



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Development Services—Planning Department
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MEMORANDUM

TO: Archuleta County Planning Commission
FROM: John C. Shepard, AICP; Planning Manager
DATE: January 23, 2019
RE: Proposed Adoption of 2015 Building Codes

As provided by CRS 30-28-204, the Board of County Commissioners from time to time by resolution may alter and amend any county building code after public hearing, when first submitted for the approval, disapproval, or suggestions of the County Planning Commission.

The opinion of the County Planning Commission shall be advisory only and not binding upon the Board of County Commissioners. The following Building Codes are currently in effect within the County:

- 2006 Edition of the International Residential Code, for One- and Two- Family Dwellings;
- 2006 International Building Code;
- 2006 International Energy Conservation Code;
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Archuleta County Building Official John Ruyle has proposed to adopt the 2015 International Residential Code and 2015 International Building Code with certain amendments and deletions. The International Code Council has published 2018 editions of these model codes.

DISCUSSION

Archuleta County adopted the 2006 editions of the International Residential Code and International Building Code in 2006, effective 1 January 2007. The County also adopted a Building and Safety Code in December 2011, which was amended in March 2012, as a supplement to the IRC & IBC, and the *Archuleta County Land Use Regulations*. The Town of Pagosa Springs has adopted 2015 ICC model codes.

The *Archuleta County Community Plan (2017)* Policy Action Item 2.5.2 reads “Archuleta County should update building codes as necessary, to require appropriate energy conservation measures.” No update of the Energy Conservation Code is proposed at this time. Policy 2.9 is “Mitigate natural and man-made hazards to reduce risk”, with Action item 2.9.2 “Assess the

feasibility of adopting the most current international building code standards”, supported by Action Item 7.2 Implement Hazard Mitigation Plan: “The Planning Commission should consider, in particular, building code standards, wildland fire protection, and floodplain management”. Planning staff has heard from several local developers and design professionals concerned about adopting new building codes immediately, since they are currently well along with 2019 building plans under existing codes, which will substantially increase costs of development.

While the Planning Commission has not been formally asked to review and comment on recent Affordable Housing reports, workgroups active in the community have raised concerns with the impacts of building codes on housing affordability. No analysis has been provided on how the 2015 IRC would affect construction costs compared to existing codes. The National Association of Home Builders has estimated that the 2018 IRC would actually decrease estimated cost to consumers (on a national average) vs. the 2015 IRC.¹

Another element is the current code’s minimum living area of 425 square feet, which does not change under the 2015 codes. The ICC has adopted Appendix Q Tiny Houses in the 2018 International Residential Code, which provides reviewed standards for homes of 400 square feet and less.

The Planning Commission has a number of options for approval, disapproval or suggestions to the County Board, including:

1. Recommend no action to allow time to consider 2018 ICC Codes, including Appendix Q for Tiny Houses.
2. Recommend approval of 2015 IRC & IBC, with effective date 1 January 2020 after this year’s building season.
3. Recommend approval as presented.
4. Recommend no action (continue with 2006 IRC & IBC).

ATTACHMENTS.

Building Official’s Staff Report

Draft Board of County Commissioners’ Resolution of Adoption of IRC & IBC

Draft Board of County Commissioners’ Resolution of Adoption of Amended Building & Safety Code and Text

¹ Home Innovation Research Labs, “Estimated Costs of the 2018 IRC Code Changes”, October 27, 2017.



Archuleta County Development Services Department
**REPORT TO THE ARCHULETA COUNTY
PLANNING COMMISSION**

REQUEST: Report Building Code Changes from 2006 IRC and IBC to the 2015 IRC and IBC with modifications.

APPLICANT: Archuleta County Building Department

Presenter: John Ruyle Chief Building Official

HEARING DATE: January 23, 2019 **REPORT DATE:** 12/27/18

The proposal is to change from the currently adopted 2006 International Residential Code and the 2006 International Building Code and to go to 2015 International Building Code without any appendices and the 2015 International Residential Code with the follow modifications.

1. Deleting Setion: R313 residential sprinkler
2. Deleting Chapter 11 entirely
3. Add Appendixes J, R, and S

Resolution Attached

Also modifying the County's Building and Saftey Regulation to update code referances.

Attached:
Modified Building and Saftey Regulations
Resolution

End Report

**DRAFT
RESOLUTION 2019 - _____**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ARCHULETA COUNTY, COLORADO,
ADOPTING THE 2015 INTERNATIONAL BUILDING CODE AND THE 2015
INTERNATIONAL RESIDENTIAL CODE WITH AMENDMENTS**

WHEREAS, the International Code Council (“the ICC”) is accepted both nationally and by the State of Colorado as the promulgator of accepted standards for establishing building and property codes, manuals, training and certification for governmental entities; and,

WHEREAS, the ICC has established the 2015 International Residential Code and the 2015 International Building Code (“the Codes”); and,

WHEREAS, the Archuleta County Board of County Commissioners (the “Board”) has by prior Resolution adopted the Codes; and;

WHEREAS, it is within the authority of the Board to clarify, revise and amend the Codes to allow cohesive administration of the Codes with other County Code, Regulations and/or Ordinances.

**THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, THAT:**

1. The 2015 International Residential Code shall be adopted with the following amendments, deletions or modifications:
 - a. Exclude Section R313 in its entirety pertaining to Residential Sprinklers; and,
 - b. Exclude Chapter 11 in its entirety pertaining to Additions; and,
 - c. Include Appendix J (Existing Building and Structures); and,
 - d. Include Appendix R (Light Straw-Clay Construction); and,
 - e. Include Appendix S (Strawbale Construction).

2. The 2015 International Building Code shall be adopted in its entirety.

APPROVED AND ADOPTED THIS _____ DAY OF FEBRUARY 2019

ATTEST:

**Board of County Commissioners
Archuleta County, Colorado**

Kristy Archuleta, County Clerk & Recorder

Steve Wadley, Chair

DRAFT
RESOLUTION 2019- _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, AMENDING THE BUILDING AND SAFETY REGULATIONS

WHEREAS, authority for adopting and imposing building codes is granted to the Counties of the State of Colorado by the provisions of CRS 30-28-201, *et seq.*, and the Board of County Commissioners of Archuleta County (“Board”) may alter and amend any county building code by resolution after a public hearing and publication of notice of such public hearing, pursuant to CRS 30-28-204; and

WHEREAS, notice of a public hearing regarding amending the building code was published in the Pagosa Springs Sun on January 31, 2019 and the required public hearing was held before the Board on February 19, 2019, in accordance with CRS 30-28-204; and

WHEREAS, the language to be modified reflects the change from the previously adopted code to the county adoption of the 2015 International Building Code and 2015 International Residential Code; and

WHEREAS, the Board has considered the recommendations of the Department of Building Safety, public comment and other pertinent information, and the Board has determined that the amended regulations are necessary and proper for the health, safety and general welfare of the people of Archuleta County, Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, AS FOLLOWS:

The Revised Archuleta County – Amended Building and Safety Code is for the Safety of the people of Archuleta County and will help with the enforcement of the Adopted Codes. The amendments to the Amended Building and Safety Code are attached as exhibit A

APPROVED AND ADOPTED THIS _____ DAY OF FEBRUARY 2019

ATTEST:

**Board of County Commissioners
Archuleta County, Colorado**

Kristy Archuleta, County Clerk & Recorder

Steve Wadley, Chair

ARCHULETA COUNTY - AMENDED BUILDING AND SAFETY CODE

Effective December 6, 2011

Amended March 20, 2012

DRAFT Amended February 18, 2019

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SECTION 1 - GENERAL PROVISIONS

Effective December 6, 2011

Amended March 20, 2012

DRAFT Amended February 18, 2019

SECTION 1- GENERAL PROVISIONS

1.1 Title and Applicability:

This Code shall be officially known and referred to as the "Archuleta County Amended Building Safety Code." The provisions of these Amended Building Safety Codes shall apply to all residential, storage, manufactured homes, commercial and industrial building construction anywhere within the County of Archuleta.

1.2 Authority:

Authority for adopting and imposing building regulations is granted to the Counties of the State of Colorado, by C.R.S. Title 30, Article 28, Part 201, as the same may be amended from time to time, and others as may be or become applicable, and this code is hereby declared to be in accordance with all applicable statutes.

1.3 Purpose

This code is for the purpose of protecting the health, safety, and general welfare of the present and future inhabitants of Archuleta County, Colorado by:

1.3.1 Ensuring that proposed building safety codes adequately mitigate potential hazards to health, safety and property.

1.3.2 Ensuring that any building, which is to be converted to a commercial or industrial use, shall conform to the provisions of the 2015 International Building Code, the Archuleta County Land Use Regulations and this Amended Code before it may be used and occupied for such commercial or industrial use.

1.3.3 Ensuring that the buildings referred to in Section 101.2 of the 2015 International Building Code and Section R101.2 of the International Residential Code, titled "Title and Applicability", shall include but not be limited to condominiums, apartments and other multi-living unit buildings, restaurants, stores, offices, motels, hotels, bed and breakfasts, schools, churches, places of entertainment and other buildings wherein people congregate, work, shop or otherwise meet.

1.3.4 Ensuring that where specific provisions of this code differ from those of the 2015 International Codes, the provisions of this Amended Code shall govern. Likewise, provisions of the Colorado Statutes shall take precedence over the 2015 International Codes and this Amended Code.

SECTION 1 - GENERAL PROVISIONS

Effective December 6, 2011

Amended March 20, 2012

DRAFT Amended February 18, 2019

- 1.4** In the event any paragraph or paragraphs of this Amended Code or of the 2015 International Codes hereby adopted shall be declared invalid by the Courts, then in such event, only that portion declared invalid shall be affected thereby and all other portions hereof shall remain in effect.

SECTION 2 - DEFINITIONS

- 2.1 Addition:**
An extension or increase in floor area or height of a building or structure.
- 2.2 Adjacent Property Owners:**
Those property owners whose boundary touches the subject property at any point. Properties separated from the subject property by roads, river, streams and waterways shall be considered adjacent if such property would touch the subject property if the road, river, stream or waterway were not present.
- 2.3 Agricultural Building:**
A structure designed and constructed for the sole purpose of housing agricultural implements, farm products, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation, assembly, or a place of employment where agricultural products are produced, treated, or packaged; nor shall it be a place used for storage of cars, trucks, boats, recreational vehicles or any other non-agricultural vehicles. The structure shall not be used by the public.
- 2.4 Agricultural Fences:**
A barbed or smooth horizontal wire fencing for the purpose of containing livestock.
- 2.5 Airport Influence Area:**
An area bounded by imaginary lines parallel to and one (1) mile from each side of every existing or proposed runway centerline and perpendicular to and one (1) mile from every proposed runway end, as shown on the official map on file in the Archuleta County Building and Planning Office.
- 2.6 Applicant:**
Owner of the property, or authorized designated agent, who is applying for a Building Permit.
- 2.7 Authority Having Jurisdiction:**
The governmental unit that has adopted this Code under due legislative authority.
- 2.8 Basement:**
That portion of a building that is partly or completely below grade.
- 2.9 Board of County Commissioners:**
The Board of County Commissioners of Archuleta County, Colorado.

SECTION 2 - DEFINITIONS
Effective December 6, 2011
Amended March 20, 2012
DRAFT Amended February 18, 2019

2.10 Board of Appeals

A duly appointed Board for Archuleta County, Colorado. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Amended Code.

2.11 Building:

Any structure used or intended to be used for supporting or sheltering any use or occupancy.

2.12 Building Official:

The officer or other designated authority charged with the administration and enforcement of the Adopted Codes.

2.13 Development:

Any man-made change to improved or unimproved real estate. Development includes but is not limited to buildings or structures, mining, dredging, grading, paving, excavation or drilling operations located within the area of special flood hazard.

2.14 Draft Stop:

A material, device or construction installed to restrict the movement of air within open spaces of concealed areas of building components such as crawl spaces, floor-ceiling assemblies, roof-ceiling assemblies and attics.

2.15 Dwelling:

Any building that contains one or two dwelling units used, intended or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.

2.16 Dwelling Unit:

A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

2.17 Existing Building or Structure:

A building or structure erected prior to the adoption of this Code or one for which a legal building permit has been issued.

2.18 Base Flood:

Refer to the Adopted Archuleta County Land Use Regulations.

SECTION 2 - DEFINITIONS
Effective December 6, 2011
Amended March 20, 2012
DRAFT Amended February 18, 2019

2.19 Floodplain:

Refer to the Adopted Archuleta County Land Use Regulations.

2.20 Floodway:

Refer to the Adopted Archuleta County Land Use Regulations.

2.21 Guard:

A system of building components located near open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.

2.22 Habitable Space:

Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.

2.23 Handrail:

A railing provided for grasping with the hand for support.

2.24 Improvements:

Anything done to, erected, or placed on land, which did not naturally exist thereon.

2.25 Manufactured Home:

2.25.1 Mobile Home:

A structure designed to be transported after fabrication and exceeding either eight (8) feet in body width or thirty-two (32) feet in body length. Such a structure is built on a chassis and retains the chassis on which it was built, whether or not such a structure is placed on a permanent foundation. Such a structure is suitable for human habitation on a year round basis when provided with the required plumbing, sanitation, heating and electrical facilities.

A "mobile home" shall not include any camping unit such as a travel trailer, a camper, or a self-contained "motor home" or "camper bus." All mobile homes placed in Archuleta County must be H.U.D. approved and Colorado Coded with a minimum 60 lb. per square foot snow load. A mobile home is identified by the red tag on the outside of the mobile home opposite the end with the tongue and the unit information sheet is placed inside the cabinet below the kitchen sink.

2.25.2 Modular Home:

A structure designed to be transported after fabrication and located as a permanent addition to, and becoming a part of, the real property. Such a structure must meet minimum construction requirements of this Code. Such a structure must be set on a permanent foundation and is subject to all local building, zoning, and dwelling regulations including the 60 lb. per square foot snow load requirements. Any modular home meeting the requirements herein defined is not considered a mobile home. All modular homes placed in Archuleta County are subject to all local building and dwelling regulations. A modular home is identified by a silver tag placed inside the cabinet below the kitchen sink.

2.26 Multi-Family Dwelling:

A building or structure, or portion thereof, containing three or more dwelling units.

2.27 New Construction:

Structures for which the "start of construction" commenced on or after the effective date of this Code.

2.28 Occupancy:

The purpose for which a building or structure, or part thereof, is used or intended to be used.

2.29 Permit:

An official document or certificate issued by the Building Official authorizing performance of a specified activity.

2.30 Recreational Vehicle

An automobile, travel trailer, camp-car, bus, motor home, other vehicular or portable unit, with or without motor power, designed and constructed for travel and intended for human occupancy as a temporary living quarters for recreation, vacation or travel purposes.

2.31 Repair:

The reconstruction or renewal of any part of an existing building or structure for the purpose of restoring it to its original or better condition or its maintenance.

SECTION 2 - DEFINITIONS
Effective December 6, 2011
Amended March 20, 2012
DRAFT Amended February 18, 2019

- 2.32 Retail Use:**
Space within any building or structure or portion thereof intended or primarily suitable for occupancy by persons or utilities which supply commodities to customers on the premises including, but not limited to, stores, shops, restaurants, bars, and drinking establishments.
- 2.33 Secondary Staircase:**
For the purpose of this application, bathrooms will be considered habitable space. There will be no change to the 2015 IRC habitable space staircase or ladder requirements. (see section 6.5)
- 2.34 Setback:**
The distance between the eve of a building and the street, public sidewalk or lot line nearest to the building.
- 2.35 Single Family Residence:**
A freestanding dwelling intended for occupancy by an individual, family or group of persons sharing living arrangements.
- 2.36 Structure:**
That which is built or constructed.
- 2.37 Substantial Damage:**
Damage of any origin sustained by a building or structure whereby the damage exceeds or equals 25% of the structure prior to the damage, as determined by the Building Official. Based upon the square footage damage relative to the total square footage.
- 2.38 Substantial Improvement:**
Any repair, reconstruction or improvement to a building or structure, of which the improvement exceeds or equals 25% of the structure either:
(a) Before the improvement or repair is started, or
(b) If the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor or structural part of the building commences, whether or not the alteration affects the external dimensions of the structure.

SECTION 2 - DEFINITIONS
Effective December 6, 2011
Amended March 20, 2012

The term does not, however, include:

- (c) Any project for improvement of a building or structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
- (d) Any alteration of a building or structure listed on the National Register of Historic Places of a State Inventory of Historic Places.

2.39 Unstable Land:

Areas which may include landslide, earth movement, avalanches, rock falls, mudflows, debris fans and expansive soils and rocks.

SECTION 3 - SCOPE AND ENFORCEMENT

Effective December 6, 2011

Amended March 20, 2012

DRAFT Amended February 18, 2019

SECTION 3 - SCOPE AND ENFORCEMENT

3.1 Scope:

Where, in any specific case, different sections of this Amended Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

3.1.1 The provisions of the International Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

3.1.2 The provisions of the International Residential Code for One or Two Family Dwellings shall apply to the construction, alteration, movements, enlargement, replacement, repair, use and occupancy, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three (3) stories in height with a separate means of egress, and there accessory structures.

3.2 Enforcement:

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

3.2.1 The Building Official shall be appointed by the chief appointing officer of the Authority Having Jurisdiction.

3.2.2 In accordance with the prescribed procedure of this jurisdiction and with the concurrence of the appointing authority, the Building Official shall have the authority to appoint a Deputy Building Official, related technical officers, inspectors, plans examiners and other employees. Such employees shall have the powers as delegated by the Building Official.

SECTION 4 - MANUFACTURED HOME INSTALLATION

Effective December 6, 2011

Amended March 20, 2012

DRAFT Amended February 18, 2019

SECTION 4-MANUFACTURED HOME INSTALLATION

4.1 Required Permits:

Manufactured homes shall require building permits as follows:

4.1.1 Manufactured Homes having an approved certification from the Colorado Division of Housing may be considered structurally and mechanically acceptable without reference to the 2015 International Residential Code but must comply with the 2015 International Residential Code requirements for the separation of buildings and property line proximity and all sections of this Amended Code.

4.2 Installation:

Installation of Manufactured Homes shall be regulated pursuant to C.R.S. Title 24, Article 32, Part 3104, Compliance with Manufacturer's Installation Instructions," as the same may be amended from time to time.

4.2.1 Any installation of a manufactured home in the State of Colorado shall be performed in strict accordance with the applicable manufacturer's installation instructions. Where the manufacturer's installation instructions are not applicable, installations shall be in accordance with standards promulgated by the Division. A copy of the manufacturer's instructions or the standard promulgated by the Division shall be available at the time of installation and inspection.

4.2.1.2 If the Manufacturer's Installation Instructions are not available then the following standards must be used:

- Non-Permanent Installations: NCSBCS/ANSI A 225.1 - 1994
Manufactured Home Installation, (Amended)
- Permanent Foundation Installations: Permanent Foundation,
Guide for Manufactured Housing, September 1996 (Amended)
- Engineered Foundation Systems as required by Local
Jurisdictions.
- Installation Handbook from the Colorado Division of Housing.

SECTION 4 - MANUFACTURED HOME INSTALLATION

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4.3 Additions:

Any additions to a manufactured home, including exterior structures over and around a manufactured home for weather and snow protection, porches, decks and similar structures shall require a building permit and shall comply with the provisions of the 2015 International Residential Code and this Amended Code.

4.3.1 All entrances and exits of all manufactured homes shall have a porch, deck or landing at least as wide as the door, at a height of not more than one (1) inch below the threshold, and extending at least 36 inches in front of the door.

4.3.1.1 All decks, porches and landings must have steps, handrails or guards that meet the 2015 International Residential Code for single family residences.

4.4 Incorporation of a Stricter Standard:

The Authority Having Jurisdiction has adopted various resolutions concerning manufactured homes including but not limited to Resolution 2010-12. At all times manufactured homes shall comply with the stricter of such resolutions or this Amended Code.

SECTION 5 - INSPECTIONS

5.0 General:

For on-site construction, from time to time the Building Official, upon notification from the permit holder or his or her agent, shall make or cause to be made any necessary inspections and shall either approve that option or the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with these Adopted and Amended Codes.

5.1 Types of Inspections:

(a) Foundation Inspections: Inspections of foundations shall be made after poles or piers are set, trenches or basement areas are excavated, any required forms erected and any required steel is in place prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs intended for support of bearing walls, partitions, structural supports or equipment and special requirements for wood foundations.

(b) Fireplace Masonry Inspections: A bond beam inspection shall be completed prior to grout filling of all lifts in masonry fireplace construction.

(c) Mechanical Inspections: A rough mechanical installation inspection shall be completed prior to a structural framing inspection. A final mechanical inspection shall be completed prior to a final inspection.

(d) Frame and Masonry Inspection: Inspection of framing and masonry construction shall be made after the masonry, all framing, fire stopping, draft stopping and roof are in place, and after the plumbing and electrical rough-in inspections are approved.

(e) Energy Code Compliance Inspection: An insulation inspection shall be performed after the insulation is installed. All energy code labels must remain intact and attached to all windows, doors and insulation until after the inspection has been approved.

(f) Final Inspection: Final inspection shall be performed after plumbing and electrical inspections are approved, the permitted work is 100% completed and prior to building occupancy.

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(g) Other Inspections: In addition to the required inspections above, the Building Official may, at his discretion, and based on reasonable cause, make or require any other inspections to ascertain compliance with this Amended Code and other Code requirements enforced by the Building Department.

5.2 Manufactured Home Inspection:

(a) Foundation Inspection: An inspection of all poured footings for the placement of all manufactured homes to ensure compliance with all adopted codes. This shall be done prior to placement of concrete and after any required forms are in place and any required steel is in place and after any required excavation has been completed.

(b) An Installation Inspection: This inspection shall be completed after the manufactured home is set in place and tied down per manufacturers specifications. All marriage walls are attached and screw placement is completed per manufacturer's specifications. This inspection will be completed prior to installation of any roofing material, insulation and/or moisture barriers installed and covering the required screws. No skirting shall be installed prior to this inspection.

(c) Final Inspection: Final inspection shall be performed after plumbing and electrical inspections have been approved, the permitted work is 100% completed and prior to occupancy.

5.3 Inspection Agencies:

The Building Official is authorized to accept reports of approved agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

5.4 Inspection Requests:

It shall be the duty of the person doing the work authorized by a permit to notify the Building Official that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this Amended Code to provide access to and a means for inspection of such work.

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5.5 Approval Required:

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official upon notification shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with the Adopted Archuleta County ICC Code or this Amended Code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official.

5.6 Certificate of Occupancy:

No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy as provided herein. Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of the Adopted Archuleta County ICC Building Code or this Amended Code or any other ordinances of this jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of the Adopted Archuleta County ICC Building Code or this Amended Code or other ordinances of the jurisdiction shall not be valid.

5.6.1

The Building Official shall, in writing, suspend or revoke a Certificate of Occupancy issued under the provisions of this Code wherever the certificate is issued in error, or on a basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this Code.

SECTION 6 - BUILDING PLANNING AND CONSTRUCTION

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SECTION 6 - DESIGN CRITERIA

6.1 Avigation Easement:

An Avigation easement acceptable to Archuleta County shall be granted by the owner of any site within the Airport Influence Area as condition for the issuance of a permit for any building or structure on such site.

6.1.1

Airport Influence Area: An area bounded by imaginary line parallel to and one (1) mile from each side of every existing or planned runway centerline and perpendicular to and one (1) mile from every existing or planned runway end; as shown on the official map on file in the Archuleta County Department of Building Safety.

6.2 Flood Hazard Areas:

See the Archuleta County Land Use Regulations.

6.3 Load Requirements:

6.3.1 Snow Loads:

Any structure built within the boundaries of Archuleta County, shall be required to be constructed to a minimum of a 65-pounds per square foot roof snow load. Based on engineering and climatology data available, a reduction to minimum 45-pounds per square foot roof snow load shall be permitted in certain southerly areas of Archuleta County as shown on a map kept on file in the Archuleta County Department of Building Safety.

6.3.1.1

Design consideration shall be given to impact loads of snow sliding or falling from a higher roof to a lower roof or deck.

Except as governed elsewhere in this Amended Code,

(a) All Manufactured homes placed in Archuleta County must be Colorado Coded for a minimum 60-pound per square foot snow load.

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(b) Exception: In the approved southerly area of Archuleta County, the snow load requirement shall be permitted to be reduced to 40-pounds per square foot snow load.

6.3.2 WindLoad:

Any structure built within the boundaries of Archuleta County shall be designed and constructed in compliance with the 2015 International Building Code, the 2015 International Residential Code and the latest edition of the SEI/ASCE Manual "Minimum Design Loads for Buildings and Other Structures." For Archuleta County, the following shall apply:

6.3.2.1

Design wind velocity shall be 115 miles per hour.

6.3.2.2

The design Exposure Factor shall be C, except as noted below:

6.3.3 Seismic Load: B

Any structure built within the boundaries of Archuleta County shall be designed and constructed in compliance with the 2015 International Building Code, the 2015 International Residential Code and the latest edition of the SEI/ASCE Manual "Minimum Design Loads for Buildings and Other Structures." For Archuleta County, the following shall apply:

6.3.3.1

The 0.2 Sec Spectral Response Acceleration Factor (S_s) shall be 0.27.

6.3.3.2

The 1.0 Sec Spectral Response Acceleration Factor (S₁) shall be 0.085.

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6.4 Frost Depth Requirements:

Any Structure built within the boundaries of Archuleta County, shall be required to be constructed to a minimum of a 42-inch frost depth for foundations.

6.4.1

Based on engineering and climatological data available, a reduction to a minimum of a 32-inch frost depth for foundations shall be permitted in certain southerly areas of Archuleta County as shown on a map kept on file in the Archuleta County Department of Building Safety.

6.4.2

Any exception to the required foundation requirements adopted by Archuleta County shall be designed by a Colorado Registered Architect or Engineer and approved by the Building Official.

6.5 Secondary Staircases:

Width: Stairways shall not be less than 26 inches in clear widths at all points in the staircase.

Headroom: The minimum headroom in all parts of the staircase shall not be less than six (6) feet measured vertically from the sloped plain adjoining the tread nosing or from the floor surface of the landing or platform.

Riser Height: The maximum riser height shall be ten (10) inches. The riser shall be measured vertically between the leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8".

Tread Depth: The minimum tread depth shall be seven (7) inches. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at right angles to the treads leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch. Winder treads shall have a minimum tread depth of seven (7) inches measured as above at a point twelve (12) inches from the side where the treads are narrower. Within any flight of stairs, the largest winder tread depth at the twelve (12) inch walk line shall not exceed the smallest by more than 3/8 inch.

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Handrails: A continuous handrail shall not be a requirement of this type of staircase.

Guards: Open sides of stairs with four (4) risers or more shall have guards not less than 36 inches in height measured vertically from the nosing of treads. The top rail of the guard shall be constructed in such a manner to be used as a handrail.

6.6 Handrails

Continuity. Handrails for stairways shall be continuous for the full length of the flight, from a point directly above the top riser of the flight to a point directly above the lowest riser of the flight. Handrail ends shall be returned or shall terminate in newel posts or safety terminals. Handrails adjacent to a wall shall have a space of not less than 1 1/2 inch between the wall and the handrails.

Exceptions:

1. Handrails shall be allowed to be interrupted by a wall, post or newel post at the turn.
2. The use of a volute, turnout, starting easing or starting newel shall be allowed over the lowest tread.

6.7 Post Base Connections with Untreated Materials less than Eight (8) Inches to Final Grade:

1. A moisture and vapor impermeable barrier of at least 1/16" steel shall be used as a post base connector. The connector shall be embedded in the concrete at least seven (7) inches and attached to the post by two (2) pieces of steel, equivalent to no. 4 rebar or greater, embedded at least four (4) inches into the post. See type A post connections for a guide or an approved pre-engineered, pre-fabricated base support.

Exception:

A 4X4 post shall require one piece of steel, no. 4 rebar or greater, embedded four (4) inches into the post.

2. Round posts shall have a metal post base the size of the round post with the corners of the metal post connector plate not more than 1/2" inch from the post edges.

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6.8 Commercial and Residential Natural Gas Meter, Propane Gas Meter, Electric Meter and Regulator Location:

6.8.1

All gas meters and regulators, as well as electric meters, shall be installed on the gable end of roof systems on all buildings.

Exceptions: Shed roofs shall be allowed to cover meters and regulators if the shed roof is built as a permanent part of the structure and attached to footers, stem wall or piers.

6.9 Unvented Roof Assembly:

Unvented Attic Assemblies: Unvented attic assemblies (spaces between the ceiling joists of the top story and the roof rafters) shall be permitted if all the following conditions are met:

1. The unvented *attic* space is completely contained within the *building thermal envelope*.
2. No interior vapor retarders are installed on the ceiling side (*attic* floor) of the unvented *attic* assembly
3. Where wood shingles or shakes are used, a minimum 1/4", inch vented air space separates the shingles or shakes and the roofing underlayment above the structural sheathing.
4. In climate zones 5, 6, 7 and 8 any *air-impermeable insulation* shall be a vapor retarder, or shall have a vapor retarder coating or covering in direct contact with the underside of the insulation.
5. Either items 5.1, 5.2 or 5.3 shall be met, depending on the air impermeability of the insulation directly under the structural roof sheathing.

5.1 *Air-IIIpermeable insulation* only. Insulation shall be applied in direct contact with the underside of the structural sheathing.

5.2 *Air-permeable insulation* only. In addition to the air-permeable installed directly below the structural sheathing, rigid board or sheet insulation shall be installed directly above the structural roof sheathing as specified in table 6.7 for condensation control.

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5.4 Air-impermeable and air-permeable insulation. The *air-impermeable insulation* shall be applied in direct contact with the underside of the structural roof sheathing as specified in table 6.7 for condensation control. The *air-permeable insulation* shall be installed directly under the *air-impermeable insulation*.

Table 6.7
Insulation for condensation control

Climate zone	Minimum rigid board on air-impermeable insulation R-value (a)
2b and 3b tile roof only	0 (none required)
1, 2a, 2b, 3a,3b,3c	r-5
4c	r-10
4a,4b	r-15
5	r-20
6	r-25
7	r-30
8	r-35

a. contributes to but does not supersede chapter 11 energy requirements.

6.10 Utilities:

(a) Any Structure, for which a building permit is required, shall be provided with a source of potable water adequate for the uses carried on in the building.

(b) Any Structure, the use of which generates sewage or wastewater, shall be served by a disposal facility appropriate to its use and approved by the San Juan Basin Health Unit of the State Health Department.

6.11 Minimum Square Footage for a Dwelling Unit is 400 sq. ft.

SECTION 7 - BOARD OF APPEALS

7.1 Board of Appeals Authorization:

A Board of Appeals as provided for by C.R.S. 30-28-206 is hereby authorized, shall consist of five (5) members of whom three (3) will be experienced in building construction, one (1) will be a structural design professional and one (1) will be the Fire Chief or his duly appointed representative, and shall be appointed by the Board of County Commissioners.

7.1.1 Membership of the Board of Appeals:

The Board of Appeals shall consist of persons appointed by the Authority Having Jurisdiction as follows:

1. One for five years; one for four years, one for three years; one for two years; and one for one year.
2. Thereafter, each new member shall serve for five years or until a successor has been appointed.

7.1.1.1 Alternate Members:

The Authority Having Jurisdiction shall appoint two alternate members who shall be called by the Board of Appeals Chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board of appeals membership and shall be appointed for five (5) years, or until a successor has been appointed.

7.1.1.2 All members of the Board of Appeals shall have been qualified electors and residents of Archuleta County for at least two (2) years.

7.1.1.3 The Building Official shall be an ex officio member of said, Board of Appeals, and serve as the secretary of the Board of Appeals, but shall have no vote on any matter before the Board of Appeals.

7.1.1.4 Three (3) members shall constitute a quorum for acting on any matter brought before the Board of Appeals. A majority vote of members present shall determine any issue.

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7.2 Duties of the Board of Appeals:

The Duties and Powers of the Board of Appeals shall be:

7.2.1 The Board of Appeals is authorized to establish policies and procedures necessary to carry out its duties.

7.2.1.1 The Board of Appeals may make special exceptions to the terms of the Adopted ICC Code in force in Archuleta County and in this Amended Code that is in harmony with the general purpose and intent of said Codes.

7.2.1.2 The Board of Appeals may determine the suitability of alternate materials and methods of construction and make reasonable interpretations of the Adopted ICC Codes in force in Archuleta County and this Amended Code.

7.2.1.3 The Board of Appeals shall formulate suggested amendments to this Amended Code for the consideration of the Board of County Commissioners.

7.2.2 Chairperson: The Board of Appeals shall annually select one of its members to serve as chairperson.

7.2.3 Disqualification of a member: A member shall not hear an appeal in which that member has a personal, professional or financial interest.

7.2.4 Appeals: All appeals to the Board of Appeals must be made in writing to the Board of Appeals within 30 days of the grievance.

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- 7.2.5 Time:** Every appeal to the Board of Appeals must be perfected within thirty (30) days from the date of the decision or order appealed from. An appeal is perfected by filing notice of appeal with the secretary of the Board of Appeals in the office of the Building Official upon a form provided by the Board of Appeals. Such notice shall contain appropriate reference to the decision or order appealed from, as well as the grounds of the appeal. A duplicate copy of such notice of appeal shall be filed with the chairman of the Board of Appeals, The Board of Appeals may extend the time within which an appeal may be taken where grounds for extension of time are shown. In cases where the decision or order appealed from pertains to a structure or building which can be demonstrated by the Building Official to be unsafe or dangerous, the Building Official may apply; to the board of Appeals to limit the time for such appeal in order to avoid any hazard to life or property.
- 7.2.6 Decisions:** The Board of Appeals shall have the power in all cases appealed to it from decisions or orders of the Building Official to reverse, affirm or modify in whole or part, the decision or order appealed. No decision of the Board of Appeals shall vary or be inconsistent with the terms, provisions and requirements of the Adopted ICC Codes and this Amended Code in force at the time of the appeal. The party filing the appeal shall be notified in writing within fifteen (15) days of the Board of Appeals meeting, the decision, of the Board of Appeals.
- 7.2.7 Meetings:** All meetings shall be open to the public, Minutes of meetings shall be kept and show the vote of each member upon each question. The records of all the actions shall be kept in a suitable place and shall be a public record.

SECTION 8 - PERMIT FEES

8.1 Schedule of Permit Fees:

On buildings, structures or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

8.1.1 A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

8.1.2 Building Permit Valuations shall include total value of the work for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment and other permanent systems, including all materials and labor.

8.1.3 The fee schedule shall be as follows:

(a) Building area is computed from the exterior dimensions of each floor or story, including the basement, garages and covered, enclosed space. The model for establishing a fee structure shall be based on Table 1A of the 2006 IBC square footage construction cost in whole or in part, based in the Building Valuation Data offered by the Building Standards Magazine.

(b) The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

(c) The Building Official is authorized to establish a refund policy. The Building Official may authorize refunding not more than 80 percent of the permit fee paid if the permit request is rescinded within the first 180 days, after issuance, providing no inspections have been performed.