

ARCHULETA COUNTY
AMENDED BUILDING AND SAFETY CODE

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Effective December 6, 2011
Amended March 20, 2012
Amended February 18 and September 5, 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 the Amended Code (hereinafter “Amended Code”) shall apply to all residential, storage, manufactured homes, tiny houses, 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 Amended Code is hereby declared to be in accordance with all applicable statutes.

1.3 Purpose:

This Amended 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 Adopted 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 the sections of the Adopted Code entitled “Scope” 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 Amended Code differ from those of the Adopted Codes, the provisions of this Amended Code shall govern. Likewise, provisions of the Colorado Statutes shall take precedence over the Adopted Codes and this Amended Code.

1.3.5 Allowing for the construction of Tiny Houses in accordance with the Adopted Code and this Amended Code.

1.4 Invalidity:

In the event any paragraph or paragraphs of this Amended Code or of the Adopted 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 Adopted Code:**
The most recent version of the international codes from the International Code Council, as amended by and adopted by the Board of County Commissioners.
- 2.4 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, assemble, 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.
- 2.5 Agricultural Fences:**
A barbed or smooth horizontal wire fencing for the purpose of containing livestock.
- 2.6 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.
- 2.7 Applicant:**
Owner of the property, or authorized designated agent, who is applying for a Building Permit.
- 2.8 Authority Having Jurisdiction:**
The governmental unit that has adopted this Amended Code under due legislative authority.
- 2.9 Basement:**
That portion of a building that is partly or completely below grade.

- 2.10 Board of County Commissioners:**
The Board of County Commissioners of Archuleta County, Colorado.
- 2.11 Board of Review:**
A duly appointed Board for Archuleta County, Colorado established 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.
- 2.12 Building:**
Any structure used or intended to be used for supporting or sheltering any use or occupancy.
- 2.13 Building Official:**
The officer or other designated authority charged with the administration and enforcement of the Adopted Codes and this Amended Code.
- 2.14 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.
- 2.15 Division:**
The Colorado Division of Housing
- 2.16 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.
- 2.17 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.
- 2.18 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.
- 2.19 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.
- 2.20 Base Flood:**
Refer to the Adopted Archuleta County Land Use Regulations.

2.21 Floodplain:

Refer to the Adopted Archuleta County Land Use Regulations.

2.22 Floodway:

Refer to the Adopted Archuleta County Land Use Regulations.

2.23 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.

2.24 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.

2.25 Handrail:

A railing provided for grasping with the hand for support.

2.26 Improvements:

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

2.27 Manufactured Home:

2.27.1 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 65 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.

2.27.2 Modular Home:

A structure designed to be transported after fabrication and located as a permanent addition to, and becoming a part of, real property. Such a structure must meet minimum construction requirements of this Amended Code. Such a structure must be set on a permanent foundation and is subject to all local building, zoning, and dwelling regulations including the 65 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.

2.28 Multi-Family Dwelling:

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

2.29 New Construction:

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

2.30 Occupancy:

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

2.31 Permit:

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

2.32 Recreational Vehicle:

An automobile, travel trailer, camp-car, bus, motorhome, 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.

2.33 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.

2.34 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.

2.35 Secondary Staircase:

For the purpose of this definition, bathrooms will be considered habitable space. There will be no change to the Adopted Code habitable space staircase or ladder requirements. (See Section 6.5)

2.36 Setback:

The distance between the eve of a building and the street, public sidewalk or lot line nearest to the building.

2.37 Single Family Residence:

A freestanding dwelling intended for occupancy by an individual, family or group of persons sharing living arrangements.

2.38 Structure:

That which is built or constructed.

2.39 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. It is based upon the square footage damage relative to the total square footage.

2.40 Substantial Improvement:

Any repair, reconstruction or improvement to a building or structure, of which the improvement exceeds or equals 25% of the structure either:

- Before the improvement or repair is started, or
- 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.

The term does not, however, include:

- 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
- Any alteration of a building or structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

2.41 Tiny House:

A single dwelling unit that is 400 square feet or less in floor area excluding lofts.

2.42 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

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, movement, 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 their 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

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 Adopted Code, but must comply with the Adopted 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 33, "Regulation of Factory-Built Structures, Multi-Family Structures where No Standards Exist, Manufactured Home Installations, and Sellers of Manufactured Homes," 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.

4.2.2 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.

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 Adopted Code and this Amended Code.

4.4 Porches, Decks and Landings:

4.4.1 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.

4.4.2 All decks, porches and landings must have steps, handrails or guards that meet the Adopted Code requirements for single family residences.

4.5 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 the Adopted and Amended Codes.

5.1 Types of Inspections:

- 5.1.1** 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.
- 5.1.2** Fireplace Masonry Inspections: A bond beam inspection shall be completed prior to grout filling of all lifts in masonry fireplace construction.
- 5.1.3** 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.
- 5.1.4** 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.
- 5.1.5** 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.
- 5.1.6** 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.
- 5.1.7** 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, the Adopted Code, and any other requirements enforced by the Building Department.

5.2 Manufactured Home Inspection:

- 5.2.1** 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.
- 5.2.2** 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.

5.2.3 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.

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 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 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 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 - 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.

6.2 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 may be permitted by the Building Official in certain southerly areas of Archuleta County as shown on a map kept on file in the Archuleta County Department of Building Safety.

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,

- All Manufactured homes placed in Archuleta County must be Colorado Coded for a minimum 65-pound per square-foot snow load.
- Exception: In the approved southerly area of Archuleta County, the snow load requirement may be permitted by the Building Official to be reduced to 40-pounds per square foot snow load.

6.3.2 Wind Load:

Any structure built within the boundaries of Archuleta County shall be designed and constructed in compliance with the Adopted 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:

- Design wind velocity shall be 90 miles per hour.
- The design Exposure Factor shall be C, except as noted below:

6.3.3 Seismic Load:

Any structure built within the boundaries of Archuleta County shall be designed and constructed in compliance with the Adopted 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:

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

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

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:

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

6.5.2 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.

6.5.3 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".

6.5.4 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.

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

6.5.6 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:

6.6.1 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 ½" between the wall and the handrails.

Exceptions:

- Handrails shall be allowed to be interrupted by a wall, post or newel post at the turn.
- 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:

6.7.1 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.

6.7.2 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.

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.

Exception: 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:

6.9.1 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:

- The unvented *attic* space is completely contained within the *building thermal envelope*.
- No interior vapor retarders are installed on the ceiling side (*attic* floor) of the unvented *attic* assembly.
- Where wood shingles or shakes are used, a minimum 1/4" vented air space separates the shingles or shakes and the roofing underlayment above the structural sheathing.
- 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.
- Any of the following items shall be met, depending on the air impermeability of the insulation directly under the structural roof sheathing.
 - *Air-impermeable insulation* only. Insulation shall be applied in direct contact with the underside of the structural sheathing.
 - *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.
 - *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:

6.10.1 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.

6.10.2 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 Public Health Unit of the State Health Department.

6.11 Tiny Houses:

6.11.1 Tiny Houses must be constructed in compliance with this Amended Code and the Adopted Code, including but not limited to the installation of utilities as set forth above in Section 6.10 of this Amended Code.

6.11.2 Any tiny house that is moveable and constructed onto a chassis or trailer does not meet the definition of a Tiny House under this Amended Code. Such tiny houses shall be considered a Recreational Vehicle and subject to the provisions of the Archuleta County Land Use Regulation 3.2.4.3., unless plans are submitted to and approved by the Building Official to incorporate the trailer/chassis into a suitable permanent foundation and that the construction of the tiny house otherwise meets the requirements of this Amended Code and the Adopted Code.

SECTION 7 - BOARD OF REVIEW

7.1 Board of Review Authorization:

A Board of Review 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.

7.2 Membership of the Board of Review:

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

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

7.2.1 Alternate Members:

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

- 7.2.2** All members of the Board of Review shall have been qualified electors and residents of Archuleta County for at least two (2) years.
- 7.3** The Building Official shall be an ex officio member of the Board of Review and serve as its secretary, but shall have no vote on any matter before the Board of Review.
- 7.4** Three (3) members shall constitute a quorum for acting on any matter brought before the Board of Review. A majority vote of members present shall determine any issue.
- 7.5 Duties of the Board of Review:**
- 7.5.1** The Board of Review is authorized to establish policies and procedures necessary to carry out its duties.
- 7.5.2** The Board of Review may make special exceptions to the terms of the Adopted Code and in this Amended Code that is in harmony with the general purpose and intent of said Codes.
- 7.5.3** The Board of Review may determine the suitability of alternate materials and methods of construction and make reasonable interpretations of the Adopted Code and this Amended Code.
- 7.5.4** The Board of Review shall formulate suggested amendments to this Amended Code for the consideration of the Board of County Commissioners.
- 7.6 Chairperson:**
The Board of Review shall annually select one of its members to serve as chairperson.
- 7.7 Disqualification of a member:**
A member shall not hear an appeal in which that member has a personal, professional or financial interest.
- 7.8 Appeals:**
All appeals to the Board of Review must be made in writing to the Board of Review within 30 days of the grievance.
- 7.8.1** Time: Every appeal to the Board of Review 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 Review in the office of the Building Official upon a form provided by the Board of Review. 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 Review. The Board of Review may extend the time within which an appeal may be taken where good cause for an extension of time are shown. In cases where the decision or order appealed

from pertains to a structure or building that the Building Official can demonstrate is unsafe or dangerous, the Building Official may apply to the Board of Review to limit the time for such appeal in order to avoid any hazard to life or property.

7.8.2 Decision: The Board of Review 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 Review shall vary or be inconsistent with the terms, provisions and requirements of the Adopted Code 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 Review meeting of the Board of Review's decision.

7.9 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:

- 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 the table entitled "Square Foot Construction Costs" from the most recent Building Valuation Data issued by the International Code Council.
- 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.

- 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.