

Legals

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—TOWN OF MT. CRESTED BUTTE—
ORDINANCE NO. 12
SERIES 2019

AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL ELEMENTS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND DEMOLITION OF SUCH STRUCTURES; KNOWN AS THE BUILDING CODE BY THE ADOPTION BY REFERENCE OF THE 2015 INTERNATIONAL BUILDING CODE, CHAPTERS 1 THROUGH 35 AND APPENDICES B, C, E, F, I, AND J; ADOPTION BY REFERENCE OF THE 2015 INTERNATIONAL RESIDENTIAL CODE, CHAPTERS 1 THROUGH 24 AND CHAPTER 41 AND APPENDICES A THROUGH H, APPENDICES J THROUGH O AND APPENDICES Q THROUGH U; ADOPTION BY REFERENCE OF THE 2015 INTERNATIONAL MECHANICAL CODE, CHAPTERS 1 THROUGH 15 AND APPENDICES A AND B; ADOPTION BY REFERENCE OF THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE CHAPTERS 1 THROUGH 6 (COMMERCIAL AND RESIDENTIAL); ADOPTION BY REFERENCE OF THE 2015 INTERNATIONAL FUEL GAS CODE, CHAPTERS 1 THROUGH 8 AND APPENDICES A THROUGH D; ADOPTION BY REFERENCE OF THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE; CHAPTERS 1 THROUGH 8; ADOPTION BY REFERENCE OF THE 2015 INTERNATIONAL EXISTING BUILDINGS CODE; CHAPTERS 1 THROUGH 15, AND APPENDIX CHAPTER A, AND CHAPTERS A1 THROUGH A5, AND APPENDICES A AND B AND RESOURCE CHAPTER A; ADOPTION BY REFERENCE OF THE 2015 INTERNATIONAL FIRE CODE CHAPTERS 1 THROUGH 80 AND APPENDICES A THROUGH C AND APPENDICES E THROUGH G; ADOPTION BY REFERENCE OF THE 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ORDINANCE NO. 2, SERIES 2015, OF THE TOWN OF MT. CRESTED BUTTE, COLORADO AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith. WHEREAS, the Community Development Department of the Town of Mt. Crested Butte, Colorado, has made a thorough study of the 2015 editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Fire Code, the International Fuel Gas Code, the International Property Maintenance Code, the International Existing Buildings Code, the International Energy Conservation Code, and summarized the contents along with the recommended additions and deletions thereto, to the Town Council of the Town of Mt. Crested Butte, Colorado; and WHEREAS, the Town Council finds that the safety, health, and general welfare of the public is best served by the most up to date and modern building codes; and WHEREAS, the Town Council is of the opinion that the same should be adopted; NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MT. CRESTED BUTTE, COLORADO, THAT:

Colorado, are hereby repealed and re-enacted to read as follows:

CHAPTER 6

ARTICLE I. IN GENERAL
Sec. 6-1 Violations; penalties.

(a) It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure in the town, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this chapter.

(b) Any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a separate offense for each and every day, or portion thereof, during which any violation of any of the provisions of this chapter is committed, continued or permitted, and upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not more than two thousand six hundred and fifty dollars (\$2,650.00). Further, the use of any land, building or structure which is constructed, operated or maintained, contrary to the provisions of this chapter shall be unlawful, and the Town of Mt. Crested Butte, Colorado, may institute injunction, abatement, or other appropriate action to prevent, enjoin, abate or remove such violation.

Sec. 6-2 Parking.

Parking between the dates of April 16 and November 14 by contractors, subcontractors or any other persons may be allowed on the street within the Town's rights of way if permission is granted by the town's zoning administrator. This parking shall be in front of the building under construction on one side only of the street. This on street parking will be allowed only in the event that parking on the property under construction is not possible. Access through the street must be maintained at all times. Under no circumstances will construction materials or equipment, including tool containers, portable toilets or dumpsters, be allowed within the public right-of-way. On street parking within the town's rights of way is prohibited between the dates of November 15 and April 15.

Sec. 6-3 Maintenance.

Contractors, builders and/or building permit holders are required to clean all construction mud, gravel and other debris from all public rights-of-ways at least every forty-eight (48) hours. If the Town determines it necessary to do the work on the behalf of the contractor, builder, and/or permit holder the Town shall charge the contractor, builder, and/or permit holder the fee for such service as set forth by the Town Council.

Secs. 6-4 — 6-15 Reserved.

ARTICLE II. BUILDING CODE

Sec. 6-16 Adoption.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there are hereby adopted by reference the following International Codes:

The International Building Code 2015 edition, Chapters 1 through 35, Appendix Chapters B, C, E through F, and I through J. Published by the International Code Council Inc, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5771, subject to such additions, deletions, and amendments as are set forth in this article.

(b) One (1) copy of the code is available for inspection in the office of the town building inspector during regular business hours.

Sec. 6-17 Title.

Section 101.1, Title, of the International Building Code adopted in this article is hereby amended by substituting "Town of Mt. Crested Butte" for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-18 Referenced Codes.

Section 101.4, General, Referenced Codes, of the International Building Code adopted in this article is hereby deleted.

Sec. 6-19 Permits.

Section 105.3, Permits, Application for Permit, of the International Building Code adopted in this article is hereby amended to add the following subparagraphs:

Section 105.3.

8. In the event land other than that specified in subparagraph (2) above is to be utilized by the contractor or applicant for storage of construction materials or for the parking of vehicles, office trailers or other equipment, applicant shall provide written authorization from the owner of such other land for such use, specifying the type and term of the use being authorized.

9. Be accompanied by a recent site survey or plat, and legal description of the proposed building site or property, prepared by a registered land surveyor, licensed to practice in the state at the time of application for a building permit. The surveyor making the plat shall certify thereon that it is correct and that the perimeter monuments described therein have been placed as described, and affix his name and seal. Permanent reference monuments shall be set and marked and shall be made of #5 reinforcing bar with a metal cap at least one and three-eighths (1 3/8) inches in diameter, and shall protrude no more than four (4) inches from the ground. The plat submitted shall reflect the type of monument set on the property corners and the location and dimension of all easements or right-of-ways of record or known to exist, except when a building permit is sought to reconstruct or remodel totally within the limits of an existing building or structure.

10. Be accompanied by a letter from the Crested Butte Fire Protection District stating that the proposed project is in conformance with the provisions of Chapter 8, Article I, of the Mt Crested Butte Code and that access roads, water supply and any other fire prevention and fire suppression requirements have been provided.

11. Be accompanied by a Construction Management Plan (CMP) demonstrating how the impacts of the proposed project to the community will be minimized. The requirements of the CMP are as follows:

(a) Parking: The site plan must show the location of all job site related vehicles, including number and location of requested street parking spaces, locations for material storage, and construction equipment. If parking is permitted in the right-of-way, all parking must be on the same side of the street and approved by the Town. No parking will be allowed on driveways other than the project lot without the expressed written consent of said property owner. The plan must demonstrate parking for employees, equipment and delivery vehicles, and must also include the maximum number of vehicles expected to be on site at any given time. On street parking within the town's rights of way is prohibited between the dates of November 15 and April 15

(b) Staging of Materials: The plan shall specify construction staging area locations. All staging must be onsite unless expressed written consent is given to stage elsewhere. Loose job material storage is not permitted in public right-of-way under any circumstances.

(c) Cleaning of Roads: Mud tracking ramps and tire washout stations are required. Location and operation procedures shall be described in plans. At the end of the work day all public roads must be clear of dust, mud, water, etc..., which is due to construction. Failure to do so will result in the Town of Mt Crested Butte sweeping the roads at the contractor's expense.

(d) Trash, Toilet Facilities, and Temporary Office Trailer: All food related trash on site must be stored in a bear proof dumpster pursuant to Ordinance 6 Series 2007 in the Mt Crested Butte Town Code.

All sites must be free of trash and refuse at all times. Construction trailers, portable restrooms, and dumpster locations shall be clearly designated on the project's site plan. All temporary structures must be stored on private property and not in the public right-of-way.

(e) Temporary Safety Fencing: The Town may require construction areas to have a non-removable construction fence of other approved device securely placed around the areas to be protected.

(f) Hours of Construction: A person commits the crime of disturbing the peace if in a public or private place he/she performs any construction work, including but not limited to pile drivers, chainsaws, and other loud equipment: between the hours of 7:00 p.m. and 7:00 a.m., Monday through Friday, 6:00 p.m. to 7:00 a.m. Saturday, and 5:00 p.m. to 10:00 a.m. on Sundays.

(g) Pets: All pets must be controlled and securely tied up at all times. Under no circumstances shall pets be allowed to move about freely on a site.

(h) Adjoining Properties: No person shall excavate on land close enough to a property line to endanger any adjacent public street, sidewalk, other public or private property, or easement, without supporting and protecting the property from any damage that might result from construction operations.

(i) Traffic Control: Any temporary blockage of traffic due to construction must be first approved by the Town of Mt Crested Butte's maintenance department. If traffic is to be blocked, certified flaggers must be used to control traffic.

(j) Concrete washout stations: On site concrete washout stations are required and locations and procedures shall be described in plan.

(k) Temporary Lighting Plan: Any temporary lighting used on site must be approved by Town staff.

(l) Snow storage and snow removal plan: Snow should be generally stored on site. If stored off site the general contractor is responsible for clean-up and drainage control.

(m) Dust Mitigation: Cover material shall be required for piles of dirt and areas where the groundcover has been disturbed and not yet re-vegetated unless such piles of dirt and disturbed areas are actively used in on going construction activities.

(n) Dust Control: Dust control for the project site and any staging or parking areas shall be required. On any disturbed areas determined by the building official to be causing significant fugitive dust to go into the atmosphere, the dust control procedures will be used to control fugitive dust from entering the atmosphere. Procedures may include, but not be limited to the application of water, magnesium chloride, or other dust inhibitor, and the cleaning of streets or paved surfaces where dirt and mud was deposited by vehicles or equipment from the project site or staging area.

(o) Sediment and Erosion Control: The main objective of the storm water management plan shall be to identify Best Management Practices which will minimize erosion and sediment transport. The following apply:

i. Stock Piles must be protected with erosion control devices.

ii. City inlets, gutters, swales, and irrigation ditches shall be protected with erosion control devices and such protection shall be maintained for the duration of the project.

iii. A description of procedures used to protect and maintain in good and effective operating condition the erosion/sediment control measures until final stabilization is required.

iv. Temporary Drainage Plan- As site conditions change during the construction process, temporary drainage and erosion control will be required. The con-

tractor is responsible for outlining what kind of drainage and erosion control is warranted for various stages of the work such as excavation, foundation, driveway access, grading, etc...

Section 105.5, Permits, Expiration, of The International Building Code adopted in this article is hereby amended with the addition of the following paragraphs: Section 105.5, Expiration.

Before work on an expired permit can be recommenced, a new permit shall be obtained to do so, and the required permit fees (building permit and plan-check) shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded 270 days. In order to renew action on a permit after work has been suspended or abandoned for more than 270 days, the permittee shall pay a new full permit fee.

All buildings, structures or work whose permit has expired and for which no application for renewal has been made, are to be considered dangerous buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in this chapter providing for the abatement of dangerous buildings.

In consideration of the short building season and the resort aspect of the community in Mt. Crested Butte, contractors are encouraged to complete the exterior portion of buildings before the winter season.

Section 105.6, Permits, Suspension or revocation, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 105.6, Permits, Suspension or revocation.

The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error, or on the basis of incorrect, inaccurate or incomplete information, or where the work being performed authorized under the permit is found to be in violation of any terms or conditions placed upon issuance of the permit by the building official, or in violation of any ordinance or regulation or any of the provisions of this building code.

Section 107, Submittal Documents, of The International Building Code adopted in this article is hereby amended with the addition of the following subsection 107.2.7:

Section 107.2.7 Evidence of tap fee payment required.

The building official shall not issue any building permit which would approve a building project that requires new or additional facilities to be tapped into the Mt. Crested Butte Water and Sanitation District's water and/or sewage system without first receiving satisfactory evidence from the Mt. Crested Butte Water and Sanitation District that all required tap fees have been paid or a written waiver, signed by the district's superintendent or his duly authorized representative.

Sec. 6-20 Phased Approval.

Section 107.3.3, Phased Approval, Construction documents, of the International Building Code adopted in this article is hereby deleted in its entirety.

Sec. 6-21 Fees.

Section 109.2, Fees, Schedule of permit fees, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 109.2 Fees, Schedule of permit fees. On construction of new buildings or structures requiring a permit, a fee for each permit shall be paid as required in accordance with Table 1-A.

TABLE 1-A – BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2000.00
\$2001.00 to \$25,000.00	\$69.25 for the first \$2000.00 plus \$14.00 for each additional \$1000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof.

continued on next page

Legals

continued from previous page

Section 109.3, Fees, Building permit valuations, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

The applicant for a permit for new construction, alteration, repair, moving an existing structure, or building demolition, or to change the occupancy of a building or structure, shall provide an estimated permit value at the time of application. Permit valuations shall include the total value of work for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and other permanent systems, including materials and labor. If, in the opinion of the Building Official, the valuation provided by the applicant is underestimated, a permit shall be denied until such time as the applicant can provide additional evidence supporting the estimates of value which are approved by the Building Official. The final permit valuation shall be determined by the Building Official. The Building Official reserves the right to require a financial audit and to request any and all applicable records relating to the actual value of labor and materials for which a permit has been issued prior to the final refund of the design review compliance and cleanup deposit. In the event that the Building Official determines the actual value of the work performed pursuant to the permit is greater than as estimated on the application, the applicant shall pay any additional permit fees and deposits due on the additional value of the work.

Section 109.5, Fees, Related fees, of the International Building Code adopted in this article is hereby amended by the addition of the following at the end of the text:

Section 109.5, Fees, Related fees. A Plan Check Fee shall be paid at the time of submitting the submittal documents for plan review. Said Plan Check Fee shall be 65% of the Build-

ing Permit Fee. The Plan Check Fee specified in this section is a separate fee from the permit fee specified in Section 108.2 and is in addition to the permit fee.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items, an additional plan review fee shall be charged to the applicant as described above.

In the event that plan check costs exceed said fee collected, a fee in the amount necessary to cover all costs incurred will be charged to the applicant.

In the event that the building official determines that the use of outside consultants is necessary to perform the required plan check and inspections, a fee in the amount necessary to cover all costs incurred will be charged to the applicant.

Section 109.6, Refunds, Fees, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 109.6, Refunds, Fees.

The building official may authorize refunding of not more than eighty (80) percent of the permit and plan check fees paid when no work has been done under a permit issued in accordance with this code. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 109, Fees, of the International Building Code adopted in this article is hereby amended by the addition of the following subsection 109.7:

Sec. 109.7 Design Review Compliance and Cleanup Deposit Fees.

1. All persons who obtain a building permit with a valuation of \$1,000.00 or more shall pay a design review compliance fee and cleanup deposit prior to obtaining a building permit in accordance with the following table:

Total Valuation	Compliance Fee and Cleanup Deposit
\$0 - 999	-0-
1,000 - 4,999	\$ 250
5,000 - 9,999	\$ 500
10,000 - 49,999	\$ 750
50,000 or more	2% of total valuation (including all phases of project)

If in the opinion of the zoning administrator the deposit is not in sufficient amount the zoning administrator may require additional deposit at his/her discretion.

2. Amounts due may be paid by cash payment held by the Town, or posting a bond or other security, in the appropriate amount, forfeitable to the Town upon default hereunder. Approval of the form of security shall be at the sole discretion of the Town. The Town may apply the security, or any portion thereof, to allow the Town to complete a project, reclaim the site, or undertake such other actions as may be necessary to protect the Town and inhabitants in the event the project is abandoned. A project shall be "abandoned" under this section upon expiration of the permit or extensions issued under the terms of Sections 105.3.2 and 105.5 of this chapter.

3. 50% of the Design Review Compliance and Cleanup Deposit shall be refunded upon substantial design review completion. Design review completion shall include, but not be limited to, at minimum, issuance of a temporary certificate of occupancy for the entire structure(s), installation of exterior finishes and installation of landscaping as required by design review and this code.

4. The job site shall be kept clean and orderly at all times, and if it becomes necessary for the Town of Mt. Crested Butte to clean and/or haul debris or material from the site during construction, the fee for such services shall be deducted from this deposit.

5. All construction debris shall be stored in one general location and shall be removed from the site weekly.

6. Open burning of construction

debris is prohibited. Permits for open burning may be issued in accordance with Chapter 8, Article II, of the Mt. Crested Butte Code.

7. The remaining 50% of the Design Review Compliance and Cleanup Deposit will be refunded when, in the opinion of the zoning administrator, the landscaping required by design review and this code has been established and all remaining items for Design Review Compliance have been satisfied. In the event that the property has been legally conveyed or that the landscaping has not established itself within a 2-year period from the initial installation or in the event that the required design review compliance and cleanup is not accomplished in a timely manner, after reasonable notice by the town to the owner of the subject property of such failure, then the town may cause such cleanup and/or design review compliance to be performed, or may cause such project or building to be abated, utilizing such deposit or bond to offset any costs incurred, and, in the event such costs exceed the deposit or bond, the town shall have a lien upon the subject property in such amount, which lien, along with all costs and attorney's fees incurred, may be enforced and foreclosed in the same manner as general mechanic's liens in the State of Colorado.

8. No final refund of the Design Review Compliance and Cleanup Deposit shall be given until an improvement location certificate or plat prepared by a registered land surveyor, licensed to practice in the state is submitted to the Town. The surveyor making the location certificate shall certify thereon that it is correct, and shall include the height and setbacks of the building as required in Chapter 21 of the Code of the Town of Mt. Crested Butte, Colorado, and that the improvements, as built, comply with the zoning requirements as detailed upon the design approval issued by the Town of Mt. Crested Butte, Colorado.

9. Should no inspection be requested by the original permittee who

paid the deposit within three (3) years of the date the certificate of occupancy or temporary certificate of occupancy is issued, and if in the opinion of the zoning administrator, no cleanup or design review compliance mitigation is necessary to be performed by the Town, the Town shall notify the original permittee who paid the deposit, in writing, at the address stated on the permit application, or such other address provided in writing, that they must request an inspection within thirty (30) days of the date of the notice, or they shall forfeit their deposit to the Town. It is the responsibility of the person or entity paying the deposit to notify the Town of any changes in their mailing address in writing.

Sec. 6-22 Inspections.

Section 110.3.3, Inspections, Lowest floor elevation, of the International Building Code adopted in this article is hereby deleted in its entirety.

Section 110.5, Inspections, Inspection requests, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 110.5, Inspections, Inspection requests.

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official that such work is ready for inspection. Every request for inspection must be filed at least 1 working day before such inspection is desired. Such request may be in writing or by telephone. It shall be the duty of the permit holder to provide access to and means for inspection of such work that are required by this code.

Section 110, Inspections, of the International Building Code adopted in this article is hereby amended by the addition of the following subsection:

Section 110.7, Inspections, After Hour Inspection and Reinspection Fees.

Fees for after hour inspections and regular inspections after the initial inspection and one (1) reinspection shall be in accordance with the Table 1-B:

Table 1-B Inspection Fees

Inspections outside of normal business hours. (Minimum Charge – two hours)	\$47.00 per hour ¹
Re-inspection Fees. (Minimum Charge – One hour)	\$47.00 per hour ¹
Additional plan review required by changes, additions or revisions to plans. (Minimum charge – one-half hour)	\$47.00 per hour ¹
For use of outside consultants for plan checking, inspections and enforcement action.	Actual costs ²

¹ Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, attorney's fees, hourly wages and fringe benefits of the employees involved.

² Actual costs include administrative, attorney, and overhead costs.

Sec. 6-23 Certificate of Occupancy.

Section 111.3, Certificate of occupancy, Temporary occupancy, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 111.3, Certificate of occupancy, Temporary occupancy. If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed; he may issue a Temporary Certificate of Occupancy for the use of such portion or portions of a building or structure prior to the completion of the entire building or structure. No Temporary Certificate of Occupancy shall be issued until all required fire and life safety inspections have been found to be compliant. Temporary Certificates shall have an expiration date to be set by the building official. Said expiration date may be extended by the building official upon good cause shown to such building official prior to the original expiration date.

Sec. 6-24 Definitions.

Section 202, Definitions, of the International Building Code adopted in this article is hereby amended to include the following definitions:

Bottom Rail. Horizontal member of the framework running continuously along the bottom edge of a guard.

Crawlspace. Any unfinished non-habitable space between the ground and the first floor of a building or structure.

Noxious weed. Any plant that has been declared a local noxious weed by the Town of Mt Crested Butte.

Sec. 6-25 Carbon Monoxide Alarms and Detection.

Sections 915.2.1 and 915.2.2 Carbon Monoxide Detection, Dwelling Units of the International Building Code is hereby amended in its entirety to read as follows:

Section 915.2.1. Dwelling Units. Carbon monoxide alarms shall be

installed on each floor in dwelling units and outside of each separate sleeping area. The detection device shall be located within 15 feet of an entrance to each room lawfully used for sleeping and audible within the sleeping room(s) it serves. Said alarm must be located outside of each room. In existing buildings, the alarm can be battery powered only or plug-in with battery backup. Where a fuel burning appliance is located within a bedroom or its attached bathroom, carbon monoxide detection shall be installed within the bedroom.

Section 915.2.2, Carbon Monoxide Detection, Sleeping units, Exception of the International Building Code is hereby amended in its entirety to read as follows:

Section 915.2.2 Sleeping Units

Exception: Carbon Monoxide detection shall be allowed to be installed outside of each separate sleeping area. Such detection shall be located within 15 feet of an entrance to each room lawfully used for sleeping and audible within the sleeping room(s) it serves. Said alarm must be located outside of each room. In existing buildings, the alarm can be battery powered only or plug-in with battery backup. Where a fuel burning appliance is located within a bedroom or its attached bathroom, carbon monoxide detection shall be installed within the bedroom.

Section 915.2 Carbon Monoxide Alarms, Locations of the International Building Code is hereby amended by the addition of the following subsection:

Section 915.2.4 Carbon Monoxide Alarms, Commercial Mechanical/Boiler Rooms.

Carbon monoxide alarms shall be installed in mechanical/boiler rooms that are contained within its own room.

Exception: The carbon monoxide alarm is not required in the mechanical/boiler room when the equipment

is in an open atmosphere within a garage.

Sec. 6-26 Lower Explosive Gas Alarm, Required

Chapter 9 Fire Protections Systems of the International Building Code adopted in this article is hereby amended by the additional of the following Section:

Section 917.1 Lower Explosive Gas Alarms, Required

All occupancies provided with propane gas service shall have an approved LEL (lower explosive level) gas detector installed at the lowest point in the crawl space, basement or lowest floor of the structure. LEL notification devices (sounders) must provide 75db at the pillow. (Reference NFPA 72). LEL detector notification devices (sounders) must be located on a level to ensure 75 db at each pillow (bedroom). LEL detector sounder shall not be interlinked to the house hold building wiring's residential smoke detectors to ensure proper db's at the pillow. LEL detectors can be installed utilizing a "low voltage" system with interiors sounders to be installed in approved locations to ensure 75 db's at each pillow.

Sec. 6-27 Means of Egress.

Section 1011.2, Floor level exit signs in Group R-1, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 1013.2, Floor level exit signs in Group R-1, R-2, R-4, and I occupancies.

Where exit signs are required in Group R-1, R-2, R-4, and I occupancies by Section 1013.1, additional low-level exit signs shall be provided in all corridors serving individual dwelling units or sleeping units in Group R-1, R-2, R-4, and I occupancies and shall comply with Section 1013.6. The bottom of the sign shall be not less than 10 inches (254 mm) nor more than 12 inches (305 mm) above the floor

level. The sign shall be flush mounted to the door or wall and the edge of the sign shall be within 4 inches (102 mm) of the door frame on the latch side. Photo-luminescent of self luminous signs shall only be allowed in buildings that do not have power or in buildings that are being remodeled.

Sec. 6-28 Guards.

Section 1015.4, Guards, Opening limitations, of the International Building Code adopted in this article is hereby amended by the addition of the following exception as follows:

7. The bottom rail of exterior open guardrails shall not have an opening which allows passage of a sphere 6 inches in diameter.

Sec. 6-29 Emergency Escape.

Section 1029.5, Emergency Escape and Rescue, Window wells, of the International Building Code adopted in this article is hereby amended by the addition of the following subsection:

Section 1030.5.3 Roof snow shed.

No window well will be approved as an emergency escape and rescue opening unless a roof section extends past the window well footprint (at a minimum 12") sufficient to prevent snow from falling into or backing into the window well it covers. The section covering a window well egress must be high enough above grade to allow egress but should not be more than nine feet above the grade upon which the window well exits. A curb may be required around the sides of the window well used for egress above the adjacent grade to prevent snow from backing into the window well and to prevent pedestrians from inadvertently falling into the window well.

Sec. 6-30 Ventilation of Crawlspace.

Section 1203.4, Under-floor ventilation, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 1203.4 Under-floor ventilation.

Crawlspaces shall be provided with a continuously operated mechanical ventilation system that runs a rate of 1.0 cubic foot per minute (CFM) for each 50 square feet (1.02 L/s for each 10 m²) of crawl- space floor area. The ground surface shall be covered with a Class I vapor retarder. Joints of the vapor retarder shall overlap by 6 inches (152 mm) and shall be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (152mm) up the stem wall and shall be attached and sealed to the stem wall. The crawlspace perimeter walls shall be insulated and air-sealed in accordance with the 2015 International Energy and Conservation Code.

Section 1203.4.1, Openings for under-floor ventilation, of the International Building Code adopted in this article is hereby deleted in its entirety.

Sec. 6-31 Ice Barriers for Roofs

Section 1507.2.8.2 Roof Assemblies and Rooftop Structures, Ice Barrier, of the International Building Code, adopted in this article, is hereby amended in its entirety to read as follows:

Section 1507.2.8.2 Ice Barrier..

An ice barrier shall be installed for all roofs. The ice barrier shall consist of a self-adhering polymer-modified bitumen sheet and shall be used in place of normal underlayment and extend from the lowest edges of all roof surfaces to a point not less than 36 inches (914 mm) inside the exterior wall line of the building measured along the roof slope. The ice barrier shall also be placed in all roof valleys and shall extend a minimum of six (6) feet on each side as measured from the center of the valley.

Sec. 6-32 Design Snow Loads.

Section 1608.1, Snow Loads, General, of the International Building Code, adopted in this article, is hereby amended to read as follows:

Section 1608.1 Snow Loads,

Legals

continued from previous page

General. Design snow load shall be determined in accordance with Colorado Design Snow Loads 2016 prepared by the Structural Engineers Association of Colorado (SEAC) Snow Load Committee which sets the design ground snow load for Mt Crested Butte at 155 psf.

Sec. 6-33 Footings.

Section 1808, Foundations, of the International Building Code, adopted in this article, is hereby amended by the addition of the following subsection:

Section 1808.10 Depth of footings.

Footings and foundations shall be constructed of concrete and in all cases shall extend no less than 3 feet (36 inches) below finished grade unless an alternative depth is recommended by a geotechnical engineer licensed as a Professional Engineer in the State of Colorado. Footing depths may be reduced if accompanied by rigid insulation that will reduce frost penetration, designed by a registered professional engineer in the State of Colorado and subject to approval by the building official. Foundations supporting wood shall extend at least 6 inches above the adjacent finished grade.

Sec. 6-34 Minimum slab provisions.

Section 1907.1, Minimum Slab Provisions, General, of the International Building Code, adopted in this article, is hereby amended by the addition of the following at the end of the text before the Exception:

Section 1907.1, Construction and insulation of slab on grade. Concrete slabs on grade shall be damp proofed and insulated in accordance with the 2015 IECC.

1. Slabs shall be provided with a base course of at least 6 inches of graded gravel, crushed rock or other material approved by the building official.

2. Slabs on grade shall be reinforced with not less than number 6, 10 inch by 10 inch wire mesh elevated into the approximate center of the pour.

3. A continuous vapor barrier membrane with all seams or laps sealed shall be provided between the above base course and the concrete slab, and such membranes shall be turned upward at the edge to the top of the slab.

4. Slabs shall be provided with insulation in accordance with the 2015 IECC.

Sec. 6-35 Excavation and grading -- Permits required.

Appendix Chapter J, Grading, Section J103.1, Permits required, of the International Building Code adopted in this article, is hereby amended in its entirety to read as follows:

Section J103.1, Permits required.

No person shall do any excavation, grading or earth work construction without first having obtained an excavation permit from the building official except for the following:

1. All work related to an approved subdivision for which a subdivision improvement agreement with the town is in effect.

Failure to acquire the required permit prior to commencing any non-emergency excavation shall result in a fine of \$500.

No person shall commence or engage in any excavation or digging prior to notifying the Utility Notification Center of Colorado (UNCC) and all underground utilities, vaults and structures have been properly located. It shall be the responsibility of the contractor performing such excavation or digging to locate any underground utilities, vaults and structures not identified by the UNCC. Contractors shall comply with the "no dig" dates set forth by the appropriate utility companies.

Sec. 6-36 Excavation and grading— Completion and cleanup deposit.

Appendix Chapter J, Grading, Section J103.2, Exemptions, of the International Building Code, adopted in this article, is hereby amended in its entirety to read as follows:

Section. J103.2, Completion and cleanup deposit.

All persons who obtain an excavation permit shall pay a completion and cleanup deposit in accordance with the following table:

1. No excavation permits may be applied for in advance of new construction.

2. The required deposit shall be

Type of Excavation or Grading	Deposit
Exploratory excavation	\$250.00
Excavations in association with underground repair work	\$500.00
All other excavations:	
(1) 1 to 5,000 cubic yards plus per cu. yd. over 150 cu. yds.	\$750.00 \$5.00
(2) 5,000 to 15,000 cu. yds. plus per cu. yd over 5,000 cu. yds	\$25,000.00 \$3.50
(3) 15,000 and more cu. yds. plus per cu. yd. over 15,000 cu. yds.	\$52,500.00 \$2.00

paid before obtaining an excavation permit. Refund will be made after the grading or excavation is complete in the opinion of the building official. Completion shall include re-vegetation of all disturbed areas. The deposit may be transferred in whole or part towards other building permit fees. No interest will be paid on these funds. Refund of the deposit shall be made to the applicant at the address shown upon the application for the excavation permit unless a different address has been supplied by the applicant in writing. Failure to notify the Town of a change of address may result in forfeiture of the deposit to the Town if the applicant cannot be located.

3. Amounts due may be paid by posting a bond in the appropriate amount with the town, issued by a qualified underwriting or bonding company, conditional upon performance herewith, forfeitable to the town upon default hereunder. The required deposit shall be paid before obtaining an excavation permit.

4. The required deposit shall be over and above any amount required by Appendix Chapter J, Grading.

5. Arrangements may be made with the town to post a suitable bond to allow for 1 or more excavation projects to occur during a specified period.

6. In the event that the required completion and cleanup is not accomplished in a timely manner, after reasonable notice by the town to the owner of the subject property of such failure, then the town may cause such cleanup and/or compliance to be performed, or may cause such excavation to be abated, utilizing such deposit or bond to offset any costs incurred, and, in the event such costs exceed the deposit or bond, the town shall have a lien upon the subject property in such amount, which lien, along with all costs and attorney's fees incurred, may be enforced and foreclosed in the same manner as general mechanic's liens in the State of Colorado.

7. Should no inspection be requested by the original permittee who paid the deposit within three (3) years of the date the certificate of occupancy or temporary certificate of occupancy is issued, and if in the opinion of the zoning administrator, no cleanup or design review compliance mitigation is necessary to be performed by the Town, the Town shall notify the original permittee who paid the deposit, in writing, at the address stated on the permit application, or such other address provided in writing, that they must request an inspection within thirty (30) days of the date of the notice, or they shall forfeit their deposit to the Town. It is the responsibility of the person or entity paying the deposit to notify the Town of any changes in their mailing address in writing.

Sec. 6-37 Utility installation.

The International Building Code adopted in this article is hereby amended by the addition of the following Appendix Chapter N, Utility Installation:

Appendix Chapter L. Utility Installation.

SECTION N101 - UTILITY INSTALLATION (UNDERGROUND)

Any remodeling of any existing building or structure which requires the replacement of an existing utility or installation or a new utility system shall require that such utility installation be placed underground as is required for new buildings or new structures.

Secs. 6-38 — 6-45 Reserved.

ARTICLE III. RESIDENTIAL CODE

Sec. 6-46 Adoption.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there are hereby adopted by reference the following International Codes:

(1) International Residential Code 2015 edition, Chapters 1 through 24 and Chapter 42, and Appendix Chap-

ters A through H, Appendix Chapters J through O, and Appendix Chapters Q through U published by the International Code Council Inc, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, subject to such additions, deletions, and amendments as are set forth in this article.

Sec. 6-47 Title.

Section R101.1, Title, Title, Scope and Purpose of the International Residential Code adopted in this article is hereby amended by substitution of "Town of Mt. Crested Butte" for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-49 Permits Required

Section R105.1, Required is hereby amended with the addition of the following sentence:

International Residential Code provisions for Excavation and Grading shall refer to Sections 6-33 and 6-34 of this chapter.

Sec.6-48 Work exempt from permit.

Section R105.2 Work exempt from permit is hereby amended by the deletion of item 10 under Building in its entirety.

Section R105.2 Work Exempt from permit Building 1. is hereby amended in its entirety to read as follows:

Section R105.2 Work Exempt from Permit.

Building:
1. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 160 square feet.

Sec. 6-49 Application for permit.

Section R105.3, Permits, Application for permit, of the International Residential Code adopted in this article is hereby amended by the addition of the following subparagraphs:

Section R105.3

8. In the event land other than that specified in subparagraph (2) above is to be utilized by the contractor or applicant for storage of construction materials or for the parking of vehicles, office trailers or other equipment, applicant shall provide written authorization from the owner of such other land for such use, specifying the type and term of the use being authorized.

9. Be accompanied by a recent survey, plat, and legal description of the proposed building site or property, prepared by a registered land surveyor, licensed to practice in the state at the time of application for a building permit. The surveyor making the plat shall certify thereon that it is correct and that the perimeter monuments described therein have been placed as described, and affix his name and seal. Permanent reference monuments shall be set and marked and shall be made of #5 reinforcing bar with a metal cap at least 1 3/8 inches in diameter, and shall protrude no more than 4 inches from the ground. The plat submitted shall reflect the type of monument set on the property corners and the location and dimension of all easements or right-of-ways of record or known to exist, except when a building permit is sought to reconstruct or remodel totally within the limits of an existing building or structure.

10. Be accompanied by a letter from the Crested Butte Fire Protection District stating that the proposed project is in conformance with the provisions of Chapter 8, Article I of the Mt Crested Butte Code and that access roads, water supply and any other fire prevention and fire suppression requirements have been provided.

11. Be accompanied by a Construction Management Plan (CMP) demonstrating how the impacts of the proposed project to the community will be minimized. The requirements of the CMP are as follows:

(a) Parking: The site plan must show the location of all job site related vehicles, including number and location of requested street parking spaces, locations for material storage, and construction equipment. If parking is permitted in the right-of-way, all parking must be on the same side of the street and approved by the town. No parking will be allowed on driveways other than the project lot without the expressed written consent of said property owner. The plan must demonstrate parking for employees, equipment and delivery vehicles, and must also include the maximum number of vehicles expected to be on site at any given time. On street parking within the town's rights of way is prohibited

between the dates of November 15 and April 15.

(b) Staging of Materials: The plan shall specify construction staging area locations. All staging must be onsite unless expressed written consent is given to stage elsewhere. Loose job material storage is not permitted in public right-of-way under any circumstances.

(c) Cleaning of Roads: Mud tracking ramps and tire washout stations are required. Location and operation procedures shall be described in plans. At the end of the work day all public roads must be clear of dust, mud, water, etc..., which is due to construction. Failure to do so will result in the Town of Mt Crested Butte sweeping the roads at the contractor's expense.

(d) Trash, Toilet Facilities, and Temporary Office Trailer: All food related trash on site must be stored in a bear proof dumpster pursuant to Ordinance 6 Series 2007 in the Mt Crested Butte Town Code. All sites must be free of trash and refuse at all times. Construction trailers, portable restrooms, and dumpster locations shall be clearly designated on the project's site plan. All temporary structures must be stored on private property and not in the public right-of-way.

(e) Temporary Safety Fencing: The Town may require construction areas to have a non-removable construction fence of other approved device securely placed around the areas to be protected.

(f) Hours of Construction: A person commits the crime of disturbing the peace if in a public or private place he/she performs any construction work, including but not limited to pile drivers, chainsaws, and other loud equipment: between the hours of 7:00 p.m. and 7:00 a.m., Monday through Friday, 6:00 p.m. to 7:00 a.m. Saturday, and 5:00 p.m. to 10:00 a.m. on Sundays.

(g) Pets: All pets must be controlled and securely tied up at all times. Under no circumstances shall pets be allowed to move about freely on a site.

(h) Adjoining Properties: No person shall excavate on land close enough to a property line to endanger any adjacent public street, sidewalk, other public or private property, or easement, without supporting and protecting the property from any damage that might result from construction operations.

(i) Traffic Control: Any temporary blockage of traffic due to construction must be first approved by the Town of Mt Crested Butte's maintenance department. If traffic is to be blocked, certified flaggers must be used to control traffic.

(j) Concrete washout stations: On site concrete washout stations are required and locations and procedures shall be described in plan.

(k) Temporary Lighting Plan: Any temporary lighting used on site must be approved by Town staff.

(l) Snow storage and snow removal plan: Snow should be generally stored on site. If stored off site the general contractor is responsible for clean-up and drainage control.

(m) Dust Mitigation: Cover material shall be required for piles of dirt and areas where the groundcover has been disturbed and not yet re-vegetated unless such piles of dirt and disturbed areas are actively used in on going construction activities.

(n) Dust Control: Dust control for the project site and any staging or parking areas shall be required. On any disturbed areas determined by the building official to be causing significant fugitive dust to go into the atmosphere, the dust control procedures will be used to control fugitive dust from entering the atmosphere. Procedures may include, but not be limited to the application of water, magnesium chloride, or other dust inhibitor, and the cleaning of streets or paved surfaces where dirt and mud was deposited by vehicles or equipment from the project site or staging area.

(o) Sediment and Erosion Control: The main objective of the storm water management plan shall be to identify Best Management Practices which will minimize erosion and sediment transport. The following apply:

- i. Stock Piles must be protected with erosion control devices
- ii. City inlets, gutters, swales, and irrigation ditches shall be protected with erosion control devices and such protection shall be maintained for the duration of the project.
- iii. A description of procedures

used to protect and maintain in good and effective operating condition the erosion/sediment control measures until final stabilization is required.

iv. Temporary Drainage Plan- As site conditions change during the construction process, temporary drainage and erosion control will be required. The contractor is responsible for outlining what kind of drainage and erosion control is warranted for various stages of the work such as excavation, foundation, driveway access, grading, etc...

Sec. 6-50 Permit Expiration and Revocation.

Section R105.5, Permits, Expiration, of The International Residential Code adopted in this article is hereby amended by the addition of the following paragraphs:

Section R105.5 Permits Expiration Before work on an expired permit can be recommenced, a new permit shall be obtained to do so, and the fee shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded 270 days. In order to renew action on a permit after work has been suspended or abandoned for more than 270 days, the permittee shall pay a new full permit fee.

All buildings, structures or work whose permit has expired and for which no application for renewal has been made, are to be considered dangerous buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in this chapter providing for the abatement of dangerous buildings.

In consideration of the short building season and the resort aspect of the community in Mt. Crested Butte, contractors are encouraged to complete the exterior portion of buildings before the winter season.

Section R105.6, Permits, Suspension or revocation, of the International Residential Code adopted in this article is hereby amended in its entirety as follows:

Section R105.6, Permits, Suspension or revocation.

The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error, or on the basis of incorrect, inaccurate or incomplete information, or where the work being performed authorized under the permit is found to be in violation of any terms or conditions placed upon issuance of the permit by the building official, or in violation of any ordinance or regulation or any of the provisions of this code.

Sec. 6-51 Tap Fee Payment Required

Section R106 Construction Documents, Submittal Documents is hereby amended with the addition of the following subsection:

Section R106.1.5, Evidence of tap fee payment required.

The building official shall not issue any building permit which would approve a building project that requires new or additional facilities to be tapped into the Mt. Crested Butte Water and Sanitation District's water and/or sewage system without first receiving satisfactory evidence from the Mt. Crested Butte Water and Sanitation District that all required tap fees have been paid or a written waiver, signed by the district's superintendent or his duly authorized representative.

Sec. 6-52 Phased Approval.

Section R106.3.3, Phased Approval, Construction documents, of the International Residential Code adopted in this article is hereby deleted in its entirety.

Sec. 6-53 Fees.

Section R108.2, Fees, Schedule of permit fees, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R108.2, Fees, 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 Table R1-A.

Section R108.3, Fees, Building permit valuations, of the International

continued on next page

Legals

continued from previous page

TABLE R1-A – BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2000.00
\$2001.00 to \$25,000.00	\$69.25 for the first \$2000.00 plus \$14.00 for each additional \$1000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof.

Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R108.3, Fees, Building permit valuations.

The applicant for a permit for new construction, alteration, repair, moving an existing structure, or building demolition, or to change the occupancy of a building or structure, shall provide an estimated permit value at the time of application. Permit valuations shall include the total value of work for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and other permanent systems, including materials and labor. If, in the opinion of the Building Official, the valuation provided by the applicant is underestimated, a permit shall be denied until such time as the applicant

can provide additional evidence supporting the estimates of value which are approved by the Building Official. The final permit valuation shall be determined by the Building Official. The Building Official reserves the right to require a financial audit and to request any and all applicable records relating to the actual value of labor and materials for which a permit has been issued prior to the issuance of a Certificate of Occupancy or the date of approval of the final inspection, if the issuance of a Certificate of Occupancy is not required. In the event that the Building Official determines the actual value of the work performed pursuant to the permit is greater than as estimated on the application, the applicant shall pay any additional permit fees and deposits due on the additional value of

the work.

Section R108.4, Fees, Related fees, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R108.4, Fees, Related fees.

A Plan Check Fee shall be paid at the time of submitting the submittal documents for plan review. Said Plan Check Fee shall be 65 percent of the Building Permit Fee as shown in Table 1-A.

The Plan Check Fee specified in this section is a separate fee from the permit fee specified in Section 108.2 and are in addition to the permit fee.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal

items, an additional plan review fee shall be charged at the rate shown in Table 1-A.

In the event that plan check costs exceed said fee collected, a fee in the amount necessary to cover all costs incurred will be charged.

In the event that the building official determines that the use of outside consultants is necessary to perform required inspections, a fee in the amount necessary to cover all costs incurred will be charged.

Section R108.5, Refunds, Fees.

The building official may authorize refunding of not more than eighty (80) percent of the permit and plan check fees paid when no work has been done under a permit issued in accordance with this code. The building official shall not authorize refunding of

any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

Section R108, Fees, of the International Residential Code adopted in this article is hereby amended by the addition of the following subsection R108.6:

Section R108.7 Design Review Compliance and Cleanup Deposit Fees.

1. All persons who obtain a building permit with a valuation of \$1,000.00 or more shall pay a design review compliance fee and cleanup deposit prior to obtaining a building permit. Required deposits for new construction shall follow Table 1 and required deposits for all other construction permits shall be in accordance with Table 2.

TABLE 1

Total Valuation	Compliance Fee and Cleanup Deposit
\$ 0 - 999	-0-
1,000 - 4,999	\$250
5,000 - 9,999	\$500
10,000 - 49,999	\$ 750
50,000 -999,999	3% of total valuation (including all phases of project)
1,000,000 – 2,999,999	2% of total valuation (including all phases of project)
3,000,000 or more	1.5% of total valuation (including all phases of project)

If in the opinion of the zoning administrator the deposit is not in sufficient amount the zoning administrator may require additional deposit at his or her discretion.

2. Amounts due may be paid by cash payment held by the Town, or posting a bond or other security, in the appropriate amount, forfeitable to the Town upon default hereunder. Approval of the form of security shall be at the sole discretion of the Town. The Town may apply the security, or any portion thereof, to allow the Town to complete a project, reclaim the site, or undertake such other actions as may be necessary to protect the Town and inhabitants in the event the project is abandoned. A project shall be "abandoned" under this section upon expiration of the permit or extensions issued under the terms of Sections R105.3.2 and R105.5 of this chapter.

3. 50% of the Design Review Compliance and Cleanup Deposit will be refunded upon issuance of the Certificate of Occupancy. Design review completion shall include exterior finishes and installation of landscaping as required by design review and this code.

4. The job site shall be kept clean and orderly at all times, and if it becomes necessary for the Town of Mt. Crested Butte to clean and/or haul debris or material from the site during construction, the fee for such services shall be deducted from this deposit.

5. All construction debris shall be stored in one general location and shall be removed from the site weekly.

6. Open burning of construction debris is prohibited. Permits for open burning may be issued in accordance with Chapter 8, Article II, of the Mt. Crested Butte Code.

7. The remaining 50% of the Design Review Compliance and Cleanup Deposit will be refunded when, in the opinion of the zoning administrator, the landscaping required by design review and this code has been established. Landscaping establishment shall include the site being void of noxious weeds. In the event that the landscaping has not established itself within a 2 year period from the initial installation or in the event that the required design review compliance and cleanup is not accomplished in a timely manner, after reasonable notice by the town to the owner of the subject property of such failure, then the town may cause such cleanup and/or design review compliance to be performed, or may cause such project or building to be abated, utilizing such deposit or bond to offset any costs incurred, and, in the event such costs exceed the deposit or bond, the town shall have a lien upon the subject property in such amount, which

lien, along with all costs and attorney's fees incurred, may be enforced and foreclosed in the same manner as general mechanic's liens in the State of Colorado.

8. No final refund of the Design Review and Cleanup Deposit shall be given until an improvement location certificate or plat prepared by a registered land surveyor, licensed to practice in the state is submitted to the Town. The surveyor making the location certificate shall certify thereon that it is correct, and shall include the height and setbacks of the building as required in Chapter 21 of the Code of the Town of Mt. Crested Butte, Colorado, and that the improvements, as built, comply with the zoning requirements as detailed upon the design approval issued by the Town of Mt. Crested Butte, Colorado.

9. Should no inspection be requested by the original permittee who paid the deposit within three (3) years of the date the certificate of occupancy or temporary certificate of occupancy is issued, and if in the opinion of the zoning administrator, no cleanup or design review compliance mitigation is necessary to be performed by the Town, the Town shall notify the original permittee who paid the deposit, in writing, at the address stated on the permit application, or such other address provided in writing, that they must request an inspection within thirty (30) days of the date of the notice, or they shall forfeit their deposit to the Town. It is the responsibility of the person or entity paying the deposit to notify the Town of any changes in their mailing address in writing.

Sec. 6-54 Inspections.

Section R109.1.3, Inspections, Flood plain inspections, of the International Residential Code adopted in this article is hereby deleted in its entirety.

Section R109.3, Inspections, Inspection requests, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R109.3 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. Every request for inspection must be filed at least 2 working days before such inspection is desired. Such request may be in writing or by telephone.

It shall be the duty of the person requesting any inspections required by this code to provide access to, and means for, inspection of such work.

Section 109, Inspections, of the International Building Code adopted in this article is hereby amended by the addition of the following subsection:

Section 109.5, Inspections, After Hour Inspection and Reinspection Fees.

Fees for after hour inspections and regular inspections after the initial inspection and one (1) reinspection shall be in accordance with the Table R1-B:

Table R1-B Inspection Fees	
Inspections outside of normal business hours. (Minimum Charge – two hours)	\$47.00 per hour ¹
Re-inspection Fees. (Minimum Charge – One hour)	\$47.00 per hour ¹
Additional plan review required by changes, additions or revisions to plans. (Minimum charge – one-half hour)	\$47.00 per hour ¹
For use of outside consultants for plan checking, inspections and enforcement action.	Actual costs ²

(8) Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, attorney's fees, hourly wages and fringe benefits of the employees involved.

² Actual costs include administrative, attorney, and overhead costs.

Sec. 6-55 Certificate of Occupancy.

Section R110.4, Certificate of occupancy, Temporary occupancy, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R110.4, Certificate of occupancy, Temporary occupancy. If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, he may issue a Temporary Certificate of Occupancy for the use of such portion or portions of a building or structure prior to the completion of the entire building or structure. No Temporary Certificate of Occupancy shall be issued until all required fire and life safety inspections have been found to be compliant. Temporary Certificates shall have an expiration date to be set by the building official. Said expiration date may be extended by the building official upon good cause shown to such building official prior to the original expiration date.

Sec 6-56 Definitions.

Section R202, Definitions, of the International Residential Code adopted

Total Valuation	Compliance Fee and Cleanup Deposit
\$ 0 - 999	-0-
1,000 - 4,999	\$ 250
5,000 - 9,999	\$ 500
10,000 - 49,999	\$ 750
50,000 or more	2% of total valuation (including all phases of project)

If in the opinion of the zoning administrator the deposit is not in sufficient amount the zoning administrator may require additional deposit at his/her discretion.

in this article is hereby amended to include the following definitions:

Bottom Rail. Horizontal member of the framework running continuously along the bottom edge of a guard.

Crawl/space. Any unfinished non-habitable space between the ground and the first floor of a building or structure.

Noxious weed. Any plant that has been declared a local noxious weed by the Mt Crested Butte weed advisory board

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

Sec. 6-57. Ventilation

Section. R303.3 Light, Ventilation, and Heating, Bathrooms, of the International Residential Code is hereby deleted in its entirety and replaced with the following text:

Section R303.3 Bathrooms
Bathrooms which include a shower or a tub or other similar moisture producing equipment rooms shall be provided with artificial light and a local exhaust system. The local minimum exhaust rates shall be determined in accordance with Section M1507. Exhaust air from the space shall be exhausted directly to the outdoors.

Section R303.4 Light, Ventilation, and Heating, Mechanical ventilation of the International Residential Code is hereby deleted in its entirety and replaced with the following text:

Section R303.4 Mechanical Ventilation

All dwelling units shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3.

Sec. 6-58 Means of Egress.

Section R310.2, Emergency Escape and Rescue Openings, Window wells, of the International Residential Code adopted in this article is hereby amended by the addition of the following subsection:

Section R310.2.3.3, Roof snow shed.

No window well will be approved as a means of egress unless a roof section extends past the window well footprint (at a minimum one foot) sufficient to prevent snow from falling into or backing into the window well it covers. The section covering a window well egress must be high enough above grade to allow egress but should not be more than nine feet above the grade upon which the window well exits. A curb may be required around the sides of the window well used for egress above the adjacent grade to prevent snow

from backing into the window well and to prevent pedestrians from inadvertently falling into the window well.

Sec. 6-59 Guards.

Section R312.1.3, Guards and Fall Protection, Opening limitations, of the International Residential Code adopted in this article is hereby amended by the addition of the following exception as follows:

3. The bottom rail of exterior open guardrails shall not have an opening which allows passage of a sphere 6 inches in diameter.

Sec. 6-60 Automatic Fire Sprinkler Systems.

Section R313.2 Automatic Fire Sprinkler System, One- and two-family dwellings automatic fire systems is hereby deleted in its entirety and replaced with the following text:

Section R313.2, Automatic Fire Sprinkler System.

An automatic residential fire sprinkler system shall be installed in two-family dwellings. An automatic fire sprinkler shall be installed in single family dwellings where required fire flows, based on the design criteria for the central water system (fire hydrants), cannot be provided pursuant to Appendix B of the 2015 International Fire Code as adopted.

Sec. 6-61 Carbon Monoxide Alarms.

Section R315.3, Carbon Monoxide Alarms, Location of the International Residential Code adopted in this article is hereby deleted in its entirety and replaced with the following text:

Section R315.3, Location.

Carbon monoxide alarms in dwelling units shall be installed outside of each separate sleeping area. Such detection shall be located within 15 feet of an entrance to each room lawfully used for sleeping and audible within the sleeping room(s) it serves. Where a fuel burning appliance is located within a bedroom or its attached bathroom, carbon monoxide detection shall be installed within the bedroom. Carbon monoxide alarms shall be installed in mechanical/boiler rooms that are contained within its own room.

Exception: The carbon monoxide alarm is not required in the mechanical/boiler room when the equipment is in an open atmosphere within a garage.

Sec. 6-62 Lower Explosive Gas Alarm, Required

Chapter 3 Building Planning of the International Residential Code adopted in this article is hereby amended by the addition of the following Section and Subsection:

continued on next page

Legals

continued from previous page

Section 917.1 Lower Explosive Gas Alarms, Where required
For dwellings with propane gas service, an approved LEL (lower explosive level) gas detector shall be installed at the lowest point in the crawl space, basement or lowest floor of the structure. LEL notification devices (sounders) must provide 75db at the pillow. (Reference NFPA 72). LEL detector notification devices (sounders) must be located on a level to ensure 75 db at each pillow (bedroom). LEL detector sounder shall not be interlinked to the house hold building wiring's residential smoke detectors to ensure proper db's at the pillow. LEL detectors can be installed utilizing a "low voltage" system with interiors sounders to be installed in approved locations to ensure 75 db's at each pillow.

Sec. 6-63 Footings.

Section R403.1.4, Footings, Minimum depth, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R403.1.4 Minimum Depth. Footings and foundations shall be constructed of concrete and in all cases shall extend no less than 3 feet (36 inches) below finished grade unless an alternative depth is recommended by a geotechnical engineer licensed as a Professional Engineer in the State of Colorado. Footing depths may be reduced if accompanied by rigid insulation that will reduce frost penetration, designed by a registered professional engineer in the State of Colorado and subject to approval by the building official. Foundations supporting wood shall extend at least 6 inches above the adjacent finished grade. Where applicable, the depth of footings shall also conform to Sections R403.1.4.1 through R403.1.4.2.

Sec. 6-64 Under-Floor Space

Section R408.1 Under-Floor Space, Ventilation of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R408.1 The under-floor space between the bottom of the floor joists and the earth under any building (except space occupied by a basement) shall be ventilated in conformance with Section R408.3 as amended in this article.

Section R408.2 Under-Floor Space, Openings for under-floor ventilation, of

the International Residential Code is hereby deleted in its entirety

Section R408.3 Under-Floor Space, Unvented crawl space, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R408.3 Unvented crawl space. The crawlspace under any building except spaces occupied by basements or cellars shall be equipped with mechanical ventilation that runs at a rate of 1.0 cubic foot per minute (cfm) for each 50 square feet of crawl space floor area. The mechanical ventilation shall be set to run continuously or on a humidistat set at not more than 35%. The ground surface shall be covered with a Class I vapor retarder. Joints of the vapor retarder shall overlap by 6 inches (152 mm) and shall be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (152mm) up the stem wall and shall be attached and sealed to the stem wall. The crawlspace perimeter walls shall be insulated and air-sealed in accordance with the 2015 International Energy and Conservation Code.

Sec. 6-65 Minimum Slab Provisions.

Section R506.2.2, Concrete Floors (On Ground), Base, of the International Residential Code adopted in this article is hereby amended by the addition of the following subsection:

Section R506.2.2.1 Construction of slab on grade.

Concrete slabs on grade shall be provided with a base course and reinforced in the following manner:

1. Slabs shall be provided with a base course of at least 6 inches of graded gravel, crushed rock or other material approved by the building official.

2. Slabs on grade shall be reinforced with not less than number 6, 10 inch by 10 inch wire mesh pulled up into the approximate center of the pour.

Section R506.2.3, Concrete Floors (On Ground), Vapor retarder, of the International Residential Code adopted in this article is hereby amended by the deletion of the first paragraph and replaced with the following text:

Section R506.2.3, Insulation of slab on grade.

Concrete slabs on grade shall be damp proofed and insulated in the following manner:

1. A continuous 6 mil vapor barrier membrane with all seams lapped 6

inches and sealed shall be provided between the above base course and the concrete slab, and such membranes shall be turned upward at the edge to the top of the slab.

2. The foundation surrounding all such slabs which constitute the floor of a habitable area shall be provided with R-10 insulation to reduce loss from heated and unheated area. Such insulation shall be placed so as to seal the joint between the slab, ground and foundation wall.

Sec. 6-66 Ice Barrier for Roofs

Section R905.1, Requirements for Roof Coverings, Ice Barrier, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R905.1, Ice Barrier.

An ice barrier shall be installed for all roofs. The ice barrier shall consist of a self-adhering polymer-modified bitumen sheet and shall be used in place of normal underlayment and extend from the lowest edges of all roof surfaces to a point not less than 36 inches (914 mm) inside the exterior wall line of the building measured along the roof slope. The ice barrier shall also be placed in all roof valleys and shall extend a minimum of six (6) feet on each side as measured from the center of the valley.

Exception: Detached accessory structures not containing conditioned floor area.

Sec. 6-67 Energy Efficiency.

Chapter 11, Energy Efficiency, Subsections N1101.1 thru N1111.2 of the International Residential Code are hereby deleted in their entirety and replaced with the following text:

Sec.N1101.1, Scope. Residential energy shall meet the requirements of the 2015 International Energy Conservation Code.

Sec. 6-68 Prohibited devices.

Section G2406.2, Appliance Location, Prohibited locations, of the International Residential Code adopted in this article is hereby amended by the deletion of the third and fourth exceptions in their entirety.

Sec. 6-69 Location of Natural Gas Meters, Propane Service Lines, and Service Regulators

Section G2412, General, of the International Residential Code adopted in this article shall be amended by the addition of the following sections.

Section G2412.11, General, Review and Approval of Gas Service Locations
Sec. G2412.11 The Crested Butte

Fire Protection District (CBFPD) shall approve all natural gas meter/riser, propane riser, and propane tank locations prior to installation. All installations shall have on file at the CBFPD offices a copy of the approved plan and a signed agreement for the meter location(s) prior to the installation of any natural gas service. The following requirements shall be used in determining the best location for gas meters and propane risers:

1) All gas meters and/or propane gas risers shall be installed per the manufactures design specifications and all applicable codes and standards and

2) Shall be installed on a gable end (non-shed side) to avoid snow shedding onto the natural gas meter and or propane gas riser (Crickets, roof shelters, or enclosures do not substitute the requirement for the natural gas meter or propane riser to be on a gable end of a building structure) and,

3) Shall be installed 3-5 feet above finished grade and,

4) Shall be permanently attached to a structure and,

5) Shall not have any exposed horizontal runs and

6) Shall maintain 36 inches clearance from the gas meter and pressure relief valve to any electric meters, cable and telephone junction boxes, other ignition sources, operable windows and doors, exhaust vents or their penetrations.

7) If the applicant desires a location of the gas meter other than on the building or structure, the riser location at the building or structure shall meet the requirements of this section.

8) Underground propane tanks shall be installed below the level of the lowest gas-fired appliance in any given structure.

The Crested Butte Fire Protection District (CBFPD) and the appropriate propane vendor shall review and approve the location of all gas meters, propane tanks prior to installation. The CBFPD shall approve the locations of all propane service lines, riser and pressure regulator/relief valves prior to installation. All proposed installations shall be approved prior to the issuance of any building permit. A copy of the approved plans shall be on file with the CBFPD Fire Prevention Offices.

Sec. G2412.12 Protection of Meters, Pressure Regulator/Relief Valves, Service Lines, and liquid fuel tanks and their appurtenances. All gas me-

ters, pressure regulator/relief valves, service lines and gas and liquid fuel storage tanks and their appurtenances shall be adequately protected from vehicular traffic, snow and ice damage. See section G2412.11 and 2015 IFC Section 312.

Sec. 6-70 Equipment not required to be vented.

Section G2425.8, General, Equipment not required to be vented, of the International Residential Code adopted in this article is hereby amended by the deletion of the seventh exception in its entirety.

Sec. 6-71 Un-Vented room heaters.

Section G2445, Un-Vented Room Heaters, and all subsequent subsections under Sec. G2445, of the International Residential Code adopted in this article is hereby amended by their deletion in their entirety.

Sec. 6-72 Reserved.

ARTICLE IV. MECHANICAL CODE

Sec. 6-73 Adoption.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the International Mechanical Code, 2015 edition, published by the International Code Council Inc, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, subject to such additions, deletions and amendments as are set forth in this article.

(b) One (1) copy of such code is available for inspection in the office of the town clerk during regular business hours.

Sec. 6-74 Title.

Section 101.1, Title, Title, Scope and Purpose of the International Mechanical Code adopted in this article is hereby amended by substitution of "Town of Mt. Crested Butte" for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-75 Mechanical Fees.

Section 106.2, Permits, Permits not required, of the International Mechanical Code adopted in this article is hereby amended by the addition of an exemption as follows:

9. A mechanical installation where a building permit has been acquired.

Section 106.5.2, Permits, Fee schedule of the International Mechanical Code adopted in this article is hereby amended in its entirety to read as follows:

Section 106.5.2, Fee schedule.

The fee for each permit shall be as set forth in Table 1-AM. Design Review fees do not apply to mechanical permits.

TABLE 1-AM – MECHANICAL PERMIT FEES

Permit Issuance and Heaters*	Fee
1. For the issuance of each mechanical permit.	\$23.50
2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finished.	\$7.25
Unit Fee Schedule (Note: The following do not include permit-issuing fee.)	
1. Repairs or Additions	
• For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	\$13.70
2. Air Handlers	
• For each air-handling unit to and including 10,000 cubic feet per minute (cfm), including ducts attached thereto.	\$13.70*
• For each air-handling unit over 10,000 cfm	\$18.10
3. Evaporative Coolers	
• For each evaporative cooler other than a portable type.	\$13.70
4. Ventilation and Exhaust	
• For each ventilation fan connected to a single duct	\$13.70
• For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit.	\$13.70
• For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood.	\$13.70
5. Miscellaneous	
• For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table.	\$13.70
*Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.	

Section 106.5.3, Fee Refunds, of the International Mechanical Code adopted in this article is hereby amended in its entirety to read as follows

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.

2. Not more than eighty (80) percent of the permit and plan check fees where work has not been done under a permit issued in accordance with the code.

The Code Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 after the date of fee payment.

Sec. 6-76 Violation Penalties and Stop work orders.

Section 108.4 Violations, Violation Penalties, of the International Mechanical Code adopted in this article is hereby amended in its entirety and

replaced with the following text:

Persons who violate a provision of this code or fail to comply with any of the requirements thereof who erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issue under the provisions of this code, shall be guilty of a civil offense, punishable by a fine of not more than \$2,650 dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5, Violations, Stop work orders, of the International Mechanical Code adopted in this article is hereby amended so that the last sentence reads as follows:

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

condition, shall be liable for a fine of not more than \$2,650.

Sec. 6-77 Ventilation in group R occupancies.

Section 403.1 Ventilation System, of the International Mechanical Code and adopted in this article is hereby amended with the addition of the following paragraph as follows:

Bathrooms containing showers and/or baths and other similar rooms shall have a mechanical ventilation system connected directly to the outside capable of providing eight air changes per hour. The point of exterior discharge shall be at least 3 feet from any opening which allows air entry into occupied portions of the building.

Sec. 6-78 Solid fuel burning.

Section 905 Fireplaces, Stoves, and Room Heaters of the International Mechanical Code adopted in this article shall be amended by the addition of the following section and sub-sections:

Section 905.3 Solid fuel burning,

Definitions.

Approved shall mean a solid fuel burning device which meets the requirements of regulation No. 4 of the Colorado Air Quality Control Commission revised and adopted Feb. 16, 1995, as subsequently revised, and/or is an EPA Phase 2 Qualified Fireplace or Fireplace Retrofit Device.

Floor Area shall mean the sum of the gross horizontal areas of all floors of a structure as defined in the zoning chapter of the code of the Town of Mt. Crested Butte, Colorado.

Non-Approved shall mean a solid fuel burning device which does not meet the requirements of regulation No. 4 of the Colorado Air Quality Control Commission revised and adopted Feb. 16, 1995 and as subsequently revised, and/or is not an EPA Phase 2 Qualified Fireplace or Fireplace Retrofit Device.

Public Areas shall mean areas in a structure open to the general public.

Solid Fuel Burning Device shall mean a device which is designated to burn any form of solid fuel and includes all of the following:

Factory-built Fireplace is a listed assembly of a fire chamber, its chimney and related factory made parts designed for unit assembly without requiring field construction and contained within an enclosure.

Masonry Heater means an appliance designed for or capable of burning wood, capable of and intended for domestic space heating which meets the following criteria:

(1) a factory-built or site-built wood burning appliance whose core is constructed primarily of manufacturer-built, supplied or specified masonry materials (i.e., stone, cemented aggregate, clay, tile or other non-combustible non-metallic solid materials) which weighs at least 800 kilograms;

continued on next page

Legals

continued from previous page

(2) the firebox effluent of the masonry heater travels horizontally and/or downward through one or more heat absorbing masonry duct(s) for a distance at least the length of the largest single internal firebox dimension before leaving the masonry heater;

(3) the appliance has one or more air-controlling door(s) for fuel-loading which are designed to be closed during the combustion of fuel loads, and which control the entry of combustion air (beyond simple spark arresting screen(s)) to one or more inlet(s) as prescribed by the masonry heater manufacturer;

(4) the appliance is assembled in conformance with the Underwriters' Laboratories-listed and/or manufacturer's specifications for its assembly and, if the core is constructed with a substantial proportion of materials not supplied by the manufacturer, is certified by a representative of the manufacturer to be substantially in conformance with those specifications;

(5) the appliance has a label permanently affixed to the appliance identifying its manufacturer and model.

For the purposes of this definition,

- i. Horizontal or downward travel distance is defined as the net horizontal and/or downward internal duct length, measured from the top of the uppermost firebox door opening(s) to the exit of the masonry heater as traveled by any effluent on a single pathway through duct channel(s) within the heater (or average of net internal duct lengths for multiple pathways of different lengths, if applicable). Net internal duct length is measured from center of the internal side or top surface of a duct, horizontally or vertically to

the center of the opposite side or the bottom surface of the same duct and summed for multiple ducts or directions on a single pathway, if applicable. For duct channel(s) traversing horizontal angles of less than ninety degrees from vertical, only the net actual horizontal distance traveled is included in the total duct length.

ii. The largest single internal firebox dimension is defined as the longest of either the length or the width of the firebox, measured from the hearth to the top of the uppermost firebox door opening(s).

Outdoor Fireplace shall mean an open solid fuel burning device that is manufactured for outdoor use.

Pellet Stove means a wood heater which meets the following criteria:

(1) the manufacturer makes no reference to burning cordwood in advertising or other literature,

(2) the unit is safety listed for pellet fuel only,

(3) the unit's operating and instruction manual must state the use of cordwood is prohibited by federal law, and

(4) the unit must be manufactured and sold including a hopper and auger combination as integral parts.

Site-Built Fireplace means a fire chamber, its chimney and related parts, assembled on-site.

Wood stove is a wood-fired appliance with a closed fire chamber which maintains an air to-fuel ratio of less than 30 during the burning of 90 percent or more of the fuel mass consumed in the low-firing cycle. The low-firing cycle is less than or equal to 25 percent of the maximum burn rate achieved with doors closed or the minimum burn rate achievable that is

designed to be free standing. **Structure** shall mean an enclosed habitable building in which one or more than one dwelling or commercial units is present as defined in the Zoning chapter of the Code of the Town of Mt. Crested Butte, Colorado.

Section 905.3.1, Solid fuel burning devices.

A person may install the following solid fuel burning devices and pay the appropriate fees. The solid fuel burning license fee is \$2,000.00, if applicable, per installed device, paid to the Town of Mt. Crested Butte. The building official shall have the authority to approve alternative solid fuel burning devices if they determine the alternative device is in compliance with the intent and purpose of this code.

1. New Construction/Additions.

(a) A person may install one approved solid fuel burning device in any structure with no solid fuel burning license fee due.

(b) A person may install additional approved solid fuel burning devices in a structure and be subject to the \$2,000.00 solid fuel burning license fee for each additional device.

(c) A person may install two non-approved open, wood burning fireplaces per structure, in public areas, in multi-family developments in excess of 50,000 square feet of floor area and be subject to two, \$2,000.00 solid fuel burning license fees. In no case shall there be more than two non-approved wood burning fireplaces allowed in any new construction.

(d) A person may install one outdoor fireplace per structure with no solid fuel burning license fee due.

2. Fireplace Renovation/Stove Retrofit.

(a) A person may replace an approved solid fuel burning device with an approved solid fuel burning device, with no solid fuel burning license fee due.

(b) A person shall replace any non-approved solid fuel burning devices with an approved solid fuel burning device during any fireplace renovation or wood stove retrofit with no solid fuel burning license fee due.

Sec. 6-79 Incinerators and crematories.

Section 907.1 Incinerators and Crematories, General, of Chapter 9, Specific Appliances, Fireplaces and Solid Fuel-Burning Equipment, of the International Mechanical Code adopted in this article is hereby deleted in its entirety.

Secs. 6-80 – 6-85 Reserved.

ARTICLE V. INTERNATIONAL ENERGY CONSERVATION CODE

Sec. 6-86 Adoption.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the International Energy Conservation Code, 2015 edition published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL, 60478-5795.

(b) One (1) copy of such code is available for inspection in the office of the building inspector during regular business hours.

Sec. 6-87 Title.

Section 101.1, Title, Title, Scope and Purpose of the International Energy Conservation Code adopted in this article is hereby amended by substitution of "Town of Mt. Crested Butte" for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-88 Air Sealing and Insulation

Section R402.4.1.2 Building Thermal Envelope, Testing of the International Energy and Conservation Code adopted in this article is hereby deleted in its entirety.

Sec. 6-89 Scope. Section 405.1 Simulated Performance Alternative, Scope is hereby amended by the addition of the following sentence:

Simulated performance alternatives will be used only with prior written consent from the Building Official.

Secs. 6-90 – 6-97 Reserved.

ARTICLE VII. INTERNATIONAL FUEL GAS CODE

Sec. 6-98 Adoption.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the International Fuel Gas Code, 2015 edition published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL, 60478-5795.

(b) One (1) copy of such code is available for inspection in the office of the building inspector during regular business hours.

Sec. 6-99 Title.

Section 101.1, Title, Title, Scope and Purpose of the International Mechanical Code adopted in this article is hereby amended by substitution of "Town of Mt. Crested Butte" for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-100 Fees.

Section 106.6.2, Fees, Fee Schedule of the International Fuel Gas Code adopted in this article is hereby amended in its entirety to read as follows:

Section 106.6.2, Fee Schedule. The fee for each permit shall be as set forth in Table 1-AFG.

TABLE 1-AFG – FUEL GAS PERMIT FEES

	Fee
1. Permit Issuance and Heaters	
• For the issuance of each fuel gas permit	\$23.50
• For issuing each supplemental permit for which the original permit has not expired, been canceled or finished	\$ 7.25
Unit Fee Schedule (Note: The following do not include permit-issuing fee.)	
2. Furnaces	
• For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h	\$14.80
• For the installation or relocation of each forced-air gravity-type furnace or burner, including ducts and bents attached to such appliance over 100,000Btu/hr	\$18.20
• For the installation or relocation of each floor furnace, including vent	\$14.80
• For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater	\$14.80
3. Appliance Vents	
• For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	\$7.25
4. Repairs or Additions	
• For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Fuel Gas Code	\$13.70
5. Boilers, Compressors and Absorption Systems	
• For the installation or relocation of each boiler or compressor to and including 3 horsepower, or each absorption system to and including 100,000 Btu/h	\$14.70
• For the installation or relocation of each boiler or compressor over three horsepower to and including 15 horsepower or each absorption system over 100,000 Btu/h to and including 500,000 Btu/h	\$27.15
• For the installation or relocation of each boiler or compressor over 15 horsepower to and including 30 horsepower or each absorption system over 500,000 Btu/h to and including 1,000,000 Btu/h	\$37.25
• For the installation or relocation of each boiler or compressor over 30 horsepower to and including 50 horsepower or each absorption system over 1,000,000 Btu/h to and including 1,750,000Btu/h	\$55.45
• For the installation or relocation of each boiler or compressor over 50 horsepower, or each absorption system over 1,750,000 Btu/h	\$92.65
6. Miscellaneous	
• For each appliance or piece of equipment regulated by the Fuel Gas Code but not classed in other appliance categories, or for which no other fee is listed in the table	\$10.65

Sec. 6-102 Violation Penalties and Stop Work Orders.

Section 108.4 Violations, Violation Penalties, of the International Fuel Gas Code adopted in this article is hereby deleted in its entirety and replaced with the following text:

Persons who violate a provision of this code or fail to comply with any of the requirements thereof of who erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a civil offense, punishable by a fine of not more than \$2,650 dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5, Violations, Stop work orders of the International Fuel Gas Code adopted in this article is hereby amended so that the last sentence reads as follows:

Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not more than \$2,650.

Sec. 6-103 Point of delivery.

Section 202, Point of Delivery, General definitions, of the International Fuel Gas Code adopted in this article is hereby amended in its entirety to read as follows:

Section 202, Point of Delivery. For natural gas systems, the point

of delivery is where the service line penetrates finish grade. For undiluted liquefied petroleum gas systems the point of delivery shall be considered the storage tank.

Sec. 6-104 Prohibited devices.

Section 303.3, Appliance Location, Prohibited locations, of the International Fuel Gas Code adopted in this article is hereby amended by the deletion of the third and fourth exceptions in their entirety.

Sec. 6-105 Location of natural gas meters, propane service lines, and service regulators.

Section 401, General, of the International Fuel Gas Code adopted in this article shall be amended by the addition of the following sections.

Section 401.11 General, Review and Approval of Gas Service Locations

Sec. 401.11 The Crested Butte Fire Protection District (CBFPD) shall approve all natural gas meter/riser, propane riser, and propane tank locations prior to installation. All installations shall have on file at the CBFPD offices a copy of the approved plan and a signed agreement for the meter location(s) prior to the installation of any natural gas service. The following requirements shall be used in determining the best location for gas meters and propane risers:

1) All gas meters and/or propane gas risers shall be installed per the manufacturer design specifications and all applicable codes and standards and

2) Shall be installed on a gable end (non-shed side) to avoid snow shedding onto the natural gas meter and

or propane gas riser (Crickets, roof shelters, or enclosures do not substitute the requirement for the natural gas meter or propane riser to be on a gable end of a building structure) and,

3) Shall be installed 3-5 feet above finished grade and,

4) Shall be permanently attached to a structure and,

5) Shall not have any exposed horizontal runs and

6) Shall maintain 36 inches clearance from the gas meter and pressure relief valve to any electric meters, cable and telephone junction boxes, other ignition sources, operable windows and doors, exhaust vents or their penetrations.

7) If the applicant desires a location of the gas meter other than on the building or structure, the riser location at the building or structure shall meet the requirements of this section.

8) Underground propane tanks shall be installed below the level of the lowest gas-fired appliance in any given structure.

The Crested Butte Fire Protection District (CBFPD) and the appropriate propane vendor shall review and approve the location of all propane tanks prior to installation. The CBFPD shall approve the locations of all propane service lines, riser and pressure regulator/relief valves prior to installation. All proposed installations shall be approved prior to the issuance of any building permit and shall be on file with the CBFPD Fire Prevention Offices.

Section 401.12. Protection of Meters, Pressure Regulator/Relief Valves,

Service Lines, and liquid fuel tanks and their appurtenances. All gas meters, pressure regulator/relief valves, service lines and gas and liquid fuel storage tanks and their appurtenances shall be adequately protected from vehicular traffic, snow and ice damage. See section 401.11 and 2015 IFC Section 312.

Sec. 6-106 Equipment not required to be vented.

Section 501.8, General, Equipment not required to be vented, of the International Fuel Gas Code adopted in this article is hereby amended by the deletion of the eighth and tenth exceptions in their entirety.

Sec. 6-107 Un-vented room heaters.

Section 621, Un-Vented Room Heaters, and all subsequent subsections under Sec. 621, of the International Fuel Gas Code adopted in this article are hereby amended by their deletion in their entirety.

Secs. 6-108 – 6-115 Reserved.

ARTICLE VIII. INTERNATIONAL PROPERTY MAINTENANCE CODE

Sec. 6-116 Adoption.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the International Property Maintenance Code, 2015 edition published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL, 60478-5795 subject to such additions, deletions and amendments as are set forth in this article.

(b) One (1) copy of such code is available for inspection in the office of the town building inspector during regular business hours.

Sec. 6-117 Title.

Section 101.1, Title, Title, Scope and Purpose of the International Property Maintenance Code adopted in this article is hereby amended by substitution of "Town of Mt. Crested Butte" for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-118 Fees.

Section 103.5, Fees, Fee schedule of the International Property Maintenance Code adopted in this article is hereby amended by the addition of the following Table 103.5 Inspections and Fees:

Table 103.5 Inspections and Fees	
Inspections outside of normal business hours.	\$47.00 per hour ¹
Re-inspection Fees.	\$47.00 per hour ¹
Additional plan review required by changes, additions or revisions to plans.	\$47.00 per hour ¹
(Minimum charge – one-half hour)	
For use of outside consultants for plan checking, inspections and enforcement action.	Actual costs ²
Condemnation Fee	\$47.00 per hour ¹

¹Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, attorney's fees, hourly wages and fringe benefits of the employees involved.

² Actual costs include administrative, attorney, and overhead costs.

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Legals

continued from previous page

Sec. 6-119 Dangerous buildings.

Section 110.1, Demolition, General, of the International Property Maintenance Code adopted in this article is hereby amended in its entirety to read as follows:

Section 110.1, Demolition, General. The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, or whenever, in accordance with Section 105.5 of the International Building Code, 2015 Edition, or in accordance with Section R105.5 of the International Residential Code, 2015 Edition, a partially completed building or structure's permit has expired and for which no application for renewal has been made, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

Secs. 6-120 – 6-125 Reserved.

ARTICLE IX. INTERNATIONAL EXISTING BUILDINGS CODE

Sec. 6-126 Adoption.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the International Existing Buildings Code, 2015 edition published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL, 60478-5795 subject to such additions, deletions and amendments as are set forth in this article.

(b) One (1) copy of such code is available for inspection in the office of the town building inspector during regular business hours.

Sec. 6-127 Title.

Section 101.1, Title, Scope and Purpose of the International Existing Buildings Code adopted in this article is hereby amended by the substitution of "Town of Mt. Crested Butte" for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-128 Definitions

Section 202, General Definitions, of the International Existing Buildings Code adopted in this article is hereby amended to include the following definition:

Egress Roof and Access Window. A skylight or roof window designed and installed to satisfy the emergency escape and rescue opening requirements in Section R310.2

Landing Platform A landing platform provided at the top step of a stairway accessing a loft.

Loft. Any floor level located above a main floor and open to it on at least one side complying with the area, access, and guard requirements of this section as adopted in this article, and used as a living or sleeping space

Sec. 6-129 Lofts in Existing Buildings

Section 812.1 Lofts in existing buildings of the International Existing Buildings Code adopted in this article is hereby amended by the addition of the following subsections:

Section 812.1 Scope

The requirements of this section shall be limited to lofts in dwelling units in detached one- and two-family dwellings, townhouses, and Groups R-1, R-2, and R-3 occupancies that were originally constructed prior to the year 2020.

Section 812.2 Minimum Area and Dimensions

Lofts shall have a floor area of not less than 35 square feet and shall not be less than 5 feet in any horizontal direction.

Section 812.2.1 Height Effect on Loft Area

Portions of a loft with a sloped ceiling measuring less than 3 feet from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area of the loft.

Exception: Under gable roofs with a minimum slope of 6 units vertical to 12 units horizontal (50 percent slope), portions of a loft with a sloped ceiling measuring less than 16 inches from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the

loft.

Section 812.3 Loft Access

The access to and primary egress from lofts shall be of any type described in Sections 812.3.1 through 812.3.4.

Section 812.3.1 Stairways

Stairways accessing lofts shall comply with the International Residential Code, as adopted, or with Sections 812.3.1.1 through 812.3.1.6.

Section 812.3.1.1 Width

Stairways accessing a loft shall not be less than 17 inches in clear width at all points at or above the permitted handrail height. The minimum width below the handrail shall not be less than 20 inches.

Section 812.3.1.2 Headroom

The headroom in stairways accessing a loft shall not be less than 6 feet 2 inches (1880 mm) measured vertically from the sloped line connecting the tread nosings in the middle of the tread width.

Exception: The headroom for landing platforms shall not be less than 4 feet 6 inches.

Section 812.3.1.3 Treads and Risers

Risers for stairs accessing a loft shall be a minimum of 7 inches and a maximum of 12 inches. Tread depth and riser height shall be calculated with the following formulas:

Tread depth = 20 inches (508 mm) minus 4/3 riser height

Riser height = 15 inches (381 mm) minus ¾ tread depth

Section 812.3.1.4 Land Platforms

The top tread and riser of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than 6 feet 2 inches where the stairway meets the loft. The landing platform shall be 18 inches to 22 inches in depth measured from the nosing of the landing platform to the edge of the lost, and 16 to 18 inches in height measured from the landing platform to the lost floor.

Section 812.3.1.5 Handrails

Handrails shall comply with the 2015 International Residential Code Section R311.7.8.

Section 812.3.1.6 Stairway Guards

Guards at open sides of stairways shall comply with the 2015 International Residential Code Section R312.1.

Section 812.3.2 Ladder Size, Capacity, and Incline.

Ladders accessing lofts are permitted. Ladders shall have 12 inches minimum rung width and 10 inches to 14 inch spacing between rungs. Ladders shall be capable of supporting a 200 pound load on any rung. Rung spacing shall be uniform within 3/8-inch. Ladders shall be installed at 70 to 80 degrees from horizontal.

Section 812.3.3 Alternating Tread Devices

Alternating tread devices accessing lofts shall comply with the 2015 International Residential Code Sections R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails shall be not less than 20 inches.

Section 812.3.4 Ships ladders

Ships ladders accessing lofts shall comply with the 2015 International Residential Code Sections R311.7.12.1 and R311.7.12.2. The clear width at and below the handrails shall be not less than 20 inches.

Section 812.3.5 Loft Guards

Loft guards shall be located along the open side(s) of lofts located more than 30 inches (762 mm) above the main floor. Loft guards shall be not less than 36 inches (914 mm) in height or one-half the clear height to the ceiling, whichever is less.

Section 812.4 Emergency Escape and Rescue Openings

Lofts used as sleeping rooms shall meet the applicable requirements of the 2015 International Residential Code Section R310 and 2015 International Building Code Section 1030 for emergency escape and rescue openings.

Section 812.4.1 Emergency Escape and Rescue Openings

Exception: Egress roof access windows in lofts used as sleeping rooms shall be deemed to meet the requirements of Sections R310 (IRC) and 1030 (IBC) where installed with the bottom of their opening no more than 44 inches (1118 mm) above the loft floor.

Section 909.1 Lofts in Existing Buildings of the International Existing Buildings Code adopted in this article is hereby amended by the addition of the following subsections:

Section 909.1 Scope

The requirements of this section shall be limited to lofts in dwelling units in detached one- and two-family dwellings, townhouses, and Groups R-1,

R-2, and R-3 occupancies that were originally constructed prior to the year 2020.

Section 909.1 Lofts

Lofts as part of level 3 alterations shall comply with the provisions of Section 812 of the 2015 International Existing Building Code as adopted in this article.

Secs. 6-130 – 6-139 Reserved.

CHAPTER 8 FIRE PREVENTION AND PROTECTION

ARTICLE I. IN GENERAL

Sec. 8-1 Fire code adopted.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there are hereby adopted by reference the following International Codes:

(1) The International Fire Code Chapters 1 through 80 and Appendix Chapters A through C and Appendix Chapters E through G, 2015 edition, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795 subject to such additions, deletions and modifications as are set forth in this article.

(b) One (1) copy of such International Codes are available for inspection in the office of the building inspector of the town during regular business hours.

Sec. 8-2 Title.

Section 101.1, Title, of the International Fire Code adopted in this article is hereby amended by substituting "Town of Mt. Crested Butte" for (NAME OF JURISDICTION) in the first sentence.

Sec. 8-3 Referenced codes and standards.

Section 102.7, Applicability, Referenced Codes and Standards, of the International Fire Code adopted in this article is hereby amended by the addition of the following sentence:

The most current National Fire Protection Association standards may also be utilized.

Sec. 8-4 Appointment of the Fire Code Official.

Section 103.2 Department of Fire Prevention, Appointment-, of the International Fire Code adopted in this article is hereby amended in its entirety to read as follows:

Section 103.2, Fire Code Official.

The Town Council of the Town of Mt. Crested Butte hereby appoints the Fire Marshal appointed by the Board of Directors of The Crested Butte Fire Protection District to serve as the Fire Code Official of the Department of Fire Prevention for the Town of Mt. Crested Butte.

Sec. 8-5 Permits.

Section 105.1.1 Permits, Permits required, of the International Fire Code adopted in this article is hereby amended by its deletion and replacement with the following text:

Section 105.1.1 Permits, Plan Review Required

A property owner or owner's authorized agent who intends to conduct a business operation or install or modify systems and equipment that are regulated by this code, or to cause any such work to be performed, shall first make application with the Crested Butte Fire Protection District and obtain plan review approval.

Section 105.7, Permits, Required construction permits, of the International Fire Code adopted in this article is hereby amended by the addition of the following sentence.

Automatic fire suppression system contractors or persons working on such systems shall be registered with the State of Colorado Department of Fire Prevention and Control.

Sec. 8-6 Requests for inspection.

Section 106.2, Inspections, of the International Fire Code, adopted in this article is hereby amended in its entirety to read as follows:

Section 106.2.1, Inspection requests. It shall be the duty of the person doing the work authorized by a permit to notify the Fire Code Official that such work is ready for inspection. Every request for inspection must be filed at least 5 working days before such inspection is desired. Such request may be in writing or by telephone.

It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work. Absence from a scheduled inspection and/or failure to permit access for an inspection may result in additional inspection fees.

Sec. 8-7 Violations; penalties.

Section 109.4 Violation penalties, of the International Fire Code adopted

in this article is hereby amended in its entirety to read as follows:

Section 109.4 Violation penalties.

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than 2,650 dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec. 8-8 Stop work orders.

Section 111.4, Failure to comply with the International Fire Code adopted in this article is hereby amended in its entirety to read as follows:

Section 111.4, Failure to comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalties outlined in Sec. 109.4 of this article.

Sec. 8-9 Fire Apparatus Access Roads.

Section 503, Fire Apparatus Access Roads, and all subsequent subsections under Sec. 503, of the International Fire Code adopted in this article are hereby amended in their entirety to read as follows:

Section 503.1 Where required.

Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1, 503.1.2 and 503.1.3.

Section 503.1.1, Buildings and facilities.

An approved fire apparatus access road shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall be on the lot upon which the facility, building or portion of a building is located and shall be within 150 feet (45720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Section 503.1.2, Additional access.

The building official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

Section 503.1.3, High-piled storage.

Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

Section 503.2, Specifications.

Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.6.

Section 503.2.1, Dimensions.

Fire apparatus access roads shall have an unobstructed width and vertical clearance as specified in Table 21-913 (1) of The Code of The Town of Mt. Crested Butte, Colorado as adopted when the fire apparatus access roads received design review approval except for approved security gates in accordance with Section 503.6.

Section 503.2.2, Authority.

The building official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

Section 503.2.3, Surface.

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

Section 503.2.4, Turning radius.

The required turning radius of a fire apparatus access road shall be as defined by Table 21-913 (1) of The Code of The Town of Mt. Crested Butte, Colorado, as adopted.

Section 503.2.5, Dead ends.

Dead-end fire apparatus access roads in excess of 150 feet (45720 mm) in length shall be provided with an approved area for turning around fire apparatus as defined in Sec. 18-131 Cul-de-sacs; hammer sacs; dead-end streets of The Code of The Town of Mt. Crested Butte, Colorado, as adopted when the fire apparatus access road received design review approval.

Section 503.2.6, Bridges and

elevated surfaces.

Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

Section 503.2.7, Grade.

The grade of the fire apparatus access road shall be within the limits established by Table 21-913 (1) of The Code of the Town of Mt. Crested Butte when the fire apparatus access road received design review approval.

Section 503.3 Marking.

Where required by the fire code official, signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

Section 503.3.1, Signs.

Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING – FIRE LANE signs complying with Figure F-503.1. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road.

Figure F-503.1



Section 503.4, Obstruction of fire apparatus access roads.

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

Section 503.5, Required gates or barricades.

The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other access ways. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

continued on next page

Legals

continued from previous page

Section 503.5.1, Secured gates and barricades. When required, gates and barricades shall be secured in an approved manner. Roads, trails and other access ways that have been closed and obstructed in the manner prescribed by Sec. 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

Section 503.6, Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

An access road approach that has a security gate shall be designed so that the longest vehicle using it can completely clear the traveled way when the gate is closed. In no event shall such distance be less than 35 feet. All security gates should open inward or upward. No elements of a security gate assembly shall encroach on the required width of the access road. The required width of the access road shall be maintained through the clear opening of the security gate. An approved radio operated opening device or a Knox Gate & Key Switch shall be installed to on all electronically operated gates to enable responding emergency units immediate passage through the gate. The Crested Butte Fire Protection District shall be provided with an approved key box, key and/or access combination on manually operated gates. All security gates shall be installed with an alternative manual means of operation in a manner that allows emergency vehicle access. All security gated access roads shall, at a minimum, be provided with a KNOX box containing access keys, codes and emergency contact information.

Removable bollards designed to slide into the ground within the fire access way are not permitted.

Section 503.7.1 Aerial Fire Apparatus Access Roads, Where required.

Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

Section 503.7.2 Aerial Fire Apparatus Access Roads, Width

Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

Section 503.7.3 Aerial Fire Apparatus Access Roads, Proximity to building

At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144

mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

Section 503.7.4 Aerial Fire Apparatus Access Roads, Obstructions

Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

Sec. 8-10 Private underground fire service mains.

Section 507.2.1, Fire Protection Water Supplies, Private fire service mains, of the International Fire Code adopted in this article shall be amended by the addition of the following section:

Section 507.2.1.1, Underground fire service mains.

Projects which include private underground fire service mains will be reviewed and approved by the Crested Butte Fire Protection District pursuant to section 24-33.5-1202, C.R.S. Construction documents shall be submitted to the Crested Butte Fire Protection District detailing the location, size, components and anticipated fire flows of all proposed private underground fire service mains. The contractor shall be responsible for demonstrating that they are registered as an Underground Fire Line Contractor by providing the Crested Butte Fire Protection District certification of the contractor's registration as an Underground Fire Line Contractor by the Colorado Department of Fire Prevention and Control. A copy of the certification shall be kept on file in the offices of the Crested Butte Fire Protection District. Prior to a request for inspection and acceptance of a project that includes a private underground fire main; the registered Underground Fire Line Contractor shall complete a contractor's Material and Test Certificate for Private Fire Service Mains form.

Sec. 8-11 Obstruction.

Section 507.5.4, Fire protection water supplies, Obstruction, of the International Fire Code adopted in this article shall be amended by the addition of the following sentence at the end of the existing text:

Snow and/or snow removal operations shall not prevent fire hydrants from being immediately discernable or hinder gaining immediate access.

Sec. 8-12 Clear space around fire hydrants.

Section 507.5.5, Clear space around hydrants, of the International Fire Code adopted in this article is hereby amended to read as follows:

Section 507.5.5, Clear space around hydrants.

Minimum clearances must be maintained around fire hydrants to facilitate their use. It shall be the responsibility of property owners to maintain a seven foot (7') clearance on either side where 2 1/2" connectors are located; ten foot (10') clearance in front where the 4 1/2" connection is located; four foot (4') clearance in back, to include retaining walls and landscaping; 25 foot (25') clearance above all fire hydrants. The breakaway fitting must be 6 inches (6") above finish grade

Sec. 8-13 Portable un-vented heaters.

Section 603.4 Fuel-Fired Appliances, Portable un-vented heaters and subsequent subsections and exceptions under Sec. 603.4, of the International Fire Code, 2015 edition adopted in this article is hereby amended by their deletion in their entirety and replaced with the following

section:

Section 603.4 Portable unvented heaters

Portable indoor unvented fuel-fired heating equipment shall be prohibited in all occupancies.

Section 603.6.3, Fuel Fired Appliances, Decorative shrouds, of the International Fire Code adopted in this article is hereby amended by the addition of the following sentence:

Approved decorative shrouds shall be designed to be easily removed to allow access for cleaning, inspection or emergency response. This requirement is for chimneys connected to solid fuel burning appliances or fireplaces.

Section 603, Fuel Fired Appliances, of the International Fire Code adopted in this article is hereby amended by the addition of the following subsection:

Section 603.6.6, Spark arrestors.

Chimneys serving fireplaces, barbecues, incinerators or decorative heating appliances in which solid or liquid fuel is used, shall be provided with a spark arrestor. Spark arrestors shall be constructed of woven or welded wire screening of 12 USA standard gage wire having openings not exceeding 1/2 inch.

Sec. 8-14 Fire protection systems.

Section 903.4, Automatic Sprinkler Systems, Sprinkler system supervision and alarms, Exception 1, of the International Fire Code adopted in this article is hereby amended by its deletion in its entirety and replacement with the following text:

Section 903.4.

Exception 1. The control valve for automatic sprinkler systems protecting one- and two-family dwellings may be locked or secured in an approved manner or the handle to such valve may be removed once the valve has been left in the open position.

Section 903.4.2, Automatic Sprinkler Systems, Alarms, of the International Fire Code adopted in this article is hereby amended by the addition of the following subsection:

Section 903.4.2.1, Audible Devices.

Automatic sprinkler systems protecting one- and two-family dwellings shall also have installed separate interior and exterior audible devices and an exterior strobe in approved locations.

Sec. 8-15 Additional fire protection devices required in R1, R2, R3 and R4 occupancies.

Section 906.1, Portable Fire Extinguishers, Where required, of the International Fire Code, adopted in this article, is hereby amended by the addition of the following requirement:

7. All R1, R-2, R-3, R-4, and I occupancies which do not now have fire extinguishers of minimum size and rating of 2.5 lb 1A5BC shall be installed in all accommodation or dwelling units and shall be required to be maintained in said units.

Sec. 8-16 Fire alarm and detection systems

Section 907.2.8.2, Fire Alarm and Detection Systems, Automatic smoke detection system, under Sec. 907.2.8.2, of the International Fire Code adopted in this article is hereby amended by its deletion in its entirety and with the replacement of the following text:

Section 907.2.8.2, Automatic smoke detection system.

An automatic fire alarm system shall be installed throughout all interior corridors serving sleeping units, laundry rooms, mechanical rooms and all common areas.

Section 907.2.11.5, Interconnection, of the International Fire Code adopted in this article is hereby amended by the addition

of the following sub-section:

Section 907.2.11.5, Alarm transmission.

Within an individual dwelling unit or sleeping unit in Group R-1, R-2, R-3, R-4, and I-1 at least one centrally located fire detection device shall transmit a trouble or supervisory signal to the building fire alarm control panel. Such device may be a combination smoke/heat detector.

Section 907.6.6 Exception 3 Monitoring of the International Fire Code adopted in this article is hereby amended by its deletion and replacement of the following text:

Exception 3. Automatic sprinkler systems in one and two-family community housing dwellings units as defined in Chapter 22 of the Code of the Town of Mt Crested Butte Colorado.

Section 907.6.6.1, Fire Alarm and Detection Systems, Automatic telephoning devices, of the International Fire Code adopted in this article is hereby amended by the addition of the following paragraph:

Any fire alarm system required by this code shall be wired to accommodate a signal which communicates an alarm to a central station monitoring service, approved by the Crested Butte Fire Protection District, indicating the address of the building or structure and the nature of the alarm.

Sec. 8-17 Carbon Monoxide Detector Required.

Sections 915.2.1, Carbon Monoxide Detection, Dwelling Units of the International Fire Code adopted in this article is hereby amended in its entirety to read as follows:

Section 915.2.1, Dwelling Units.

Carbon monoxide alarms Carbon monoxide alarms shall be installed on each floor in dwelling units and shall be installed outside of each separate sleeping area. Such detection shall be located within 15 feet of an entrance to each room lawfully used for sleeping and audible within the sleeping room(s) it serves. A minimum of one carbon monoxide detector per floor or level shall be required.

Section 915.2.2, Carbon Monoxide Detection, Sleeping units, of the International Fire Code adopted in this article is hereby amended in its entirety to read as follows:

Section 915.2.2, Sleeping Units

Carbon monoxide alarms in dwelling units shall be installed outside of each separate sleeping area. Such detection shall be located within 15 feet of an entrance to each room lawfully used for sleeping and audible within the sleeping room(s) it serves.

Sec. 8-18 Means of Egress.

Section 1030.5, Emergency escape and rescue, window wells, of the International Fire Code adopted in this article is hereby amended by the addition of the following subsection:

Section 1029.5.3, Roof snow shed.

No window well will be approved as a means of egress unless a roof section extends past the window well footprint (at a minimum one foot) sufficient to prevent snow from falling into or backing into the window well it covers. The section covering a window well egress must be high enough above grade to allow egress but should not be more than nine feet above the grade upon which the window well exits. A curb may be required around the sides of the window well used for egress above the adjacent grade to prevent snow from backing into the window well and to prevent pedestrians from inadvertently falling into the window well.

Sec. 8-19 Means of Egress for Existing Buildings.

Section 1104.5, Illumination emergency power (2.) of the International Fire Code

adopted in this article is hereby amended in its entirety to read as follows:

Section 1104.5 (2.), Illumination emergency power.

(2.) Group B buildings three or more stories in height or buildings with 100 or more total occupants.

Sec. 8-20 Outdoor Storage of Cryogenic Fluids.

Section 5504.3, Storage, outdoor storage of the International Fire adopted in this article is hereby amended by the addition of the following sentence and exception at the end of the existing text:

Section 5504.3.1.1., 3. Location. In the event of a conflict with Colorado State of Federal EPA regulations the more stringent regulations shall apply.

Exception: Tanks legally in existence at the time of the adoption of this resolution. Providing they do not pose undo fire or safety hazards.

Sec. 8-21 Outdoor Storage of Flammable and Combustible Liquids.

Section 5704.2.9.6.1, Locations where above ground tanks are prohibited, of the International Fire Code adopted in this article is hereby amended by the addition of the following sentence and exception at the end of the existing text:

Section 5704.2.9.6.1, Locations where above ground tanks are prohibited.

In the event of a conflict with Colorado State of Federal EPA regulations the more stringent regulations shall apply.

Exception: Tanks legally in existence at the time of the adoption of this resolution. Providing they do not pose undo fire or safety hazards.

Sec. 8-22 Special Operations Related to Storage of Flammable and Combustible Liquids.

Section 5706.2.4.4, Locations where above-ground tanks are prohibited, of the International Fire Code adopted in this article is hereby amended by the addition of the following sentence and exception at the end of the existing text:

Section 3406.2.4.4, Locations where above-ground tanks are prohibited.

In the event of a conflict with Colorado State of Federal EPA regulations the more stringent regulations shall apply.

Exception: Tanks legally in existence at the time of the adoption of this resolution. Providing they do not pose undo fire or safety hazards.

Sec. 8-23 Prohibitions of Above Ground Liquid Petroleum Gas Tanks.

Section 6104.3, Location of LP-Gas Containers, Container Location, of the International Fire Code adopted in this article is hereby amended by the addition of the following subsection:

Section 6104.3.3, Above Ground LP-Gas Containers.

The storage of liquefied petroleum gases in outside above ground tanks is prohibited throughout Mt. Crested Butte, Colorado, except that the building official may issue a temporary permit for up to six (6) months for a storage tank not to exceed five hundred (500) gallons. The permit shall cost twenty-five dollars (\$25.00). In the event of a conflict with Colorado State of Federal EPA regulations the more stringent regulations shall apply.

Exception: Tanks legally in existence at the time of the adoption of this resolution. Providing they do not pose undo fire or safety hazards.

Sec. 8-24 Fire Flow Requirements for Buildings

TABLE B105.1(1) Required Fire-Flow for One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses of the International Fire Code adopted in this article is hereby amended in its entirety to read as follow:

Fire Flow Calculation (Square Feet)	Automatic Sprinkler System Design Standard	Minimum Fire Flow (gallons/minute)	Flow Duration (hours)
0-3,600	No Automatic Sprinkler System	1,500	1
3,601 and greater	No Automatic Sprinkler System	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
0-3,600	Section 903.3.1.3 of the <i>International Fire Code</i> or Section P2904 of the <i>International Residential Code</i>	1,500	1/2
3,601 and greater B105.1(2)	Section 903.3.1.3 of the <i>International Fire Code</i> or Section P2904 of the <i>International Residential Code</i>	1/2 value in Table	1

Section B105.2 Buildings other than one- and two-family dwellings, Group R-3, and R-4 buildings and townhouses of the International Fire Code adopted in this article is hereby amended by the addition of the following exception:

Exception: A reduction in required fire-flow of up to 75 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed

duration as specified in Table B105.1(2). **Secs. 8-25 -- 8-30 Reserved.**

Section 3. The provisions of Ordinance No. 12, Series 2019, and of all other ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, insofar as the same are inconsistent, or cover the same matter as embraced in this ordinance, hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this

ordinance.

Section 4. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 5. Except as hereby amended, the Mt. Crested Butte Code shall remain valid, and in full force and effect. Any provision of any ordinance previously adopted by the Town of Mt. Crested Butte which is in conflict with this ordinance is hereby repealed. INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED on first reading at a regular meeting of the Town Council of the Town of Mt. Crested Butte, Colorado, held this 17th day of December 2019. PASSED, ADOPTED, AND APPROVED

ON SECOND READING at a regular meeting of the Town Council of the Town of Mt. Crested Butte, Colorado, held the 21st day of January 2020 TOWN OF MT. CRESTED BUTTE, COLORADO S:/ Lauren Koelliker Lauren Koelliker, Mayor Pro Tem ATTEST: S:/ Tiffany O'Connell Tiffany O'Connell, Town Clerk

Legals

—A CALL FOR NOMINATIONS—

TO WHOM IT MAY CONCERN, and, particularly, to the electors of the Crested Butte Fire Protection District of Gunnison County, Colorado. **NOTICE IS HEREBY GIVEN** that an election will be held on May 5, 2020, between the hours of 7:00 a.m. and 7:00 p.m. At that time, 3 directors will be elected to serve 3-year terms. Eligible electors of the Crested Butte Fire Protection District interested in serving on the board of directors may obtain a Self-Nomination and Acceptance form from the District Designated Election Official (DEO): Sean Caffrey
308 Third Street- 1st Floor Crested Butte, CO 81224
970.349.5333 x 1scaffrey@cbfpd.org
The Office of the DEO is open on the following days: Monday – Friday from 8:30 a.m. to 5:00 p.m.
If the DEO determines that a Self-Nomination and Acceptance form is not sufficient, the eligible elector

who submitted the form may amend the form once, at any time, prior to 3:00 p.m. on **Friday, February 28, 2020**, the deadline for submission of a signed and witnessed Self-Nomination and Acceptance form. Affidavit of Intent To Be A Write-In-Candidate forms must be submitted to the office of the designated election official by the close of business on **Monday, March 2, 2020** (the sixty-fourth day before the election). **NOTICE IS FURTHER GIVEN**, an application for absentee ballot shall be filed with the designated election official no later than the close of business on **Tuesday** immediately preceding the election, **April 28, 2020**. **CRESTED BUTTE FIRE PROTECTION DISTRICT**
Sean Caffrey

Published in the *Crested Butte News*. Issues of January 31 and February 7, 2020. #013104

—PLANNING COMMISSION MEETING—
WEDNESDAY, FEBRUARY 5, 2020 ~ 5:00 P.M.
MT. CRESTED BUTTE TOWN HALL
911 GOTHIC ROAD
MT. CRESTED BUTTE, COLORADO

5:00 P.M. – CALL TO ORDER
ROLL CALL
MINUTES
APPROVAL OF THE SEPTEMBER 25, 2019 PLANNING COMMISSION MEETING MINUTES.
CORRESPONDENCE
OTHER BUSINESS
ADJOURNMENT
WORKSESSION: PRE-APPLICATION CONFERENCE
PRE-APPLICATION CONFERENCE FOR AN IMPENDING CONDITIONAL USE PERMIT APPLICATION REGARDING THE EXPANSION OF THE MT CRESTED BUTTE WATER AND SANITATION DISTRICT'S WATER TREATMENT PLANT LOCATED AT THE EXISTING WATER TREATMENT PLANT AND BACKWASH POND LOCATED AT 2000 GOTHIC ROAD AND 2 PROSPECT DRIVE PRESENTED BY THE MT CRESTED BUTTE WATER AND SANITATION DISTRICT (LEAH DESPOSATO).
This preliminary agenda is placed in the newspaper to notify the public of tentative agenda items for the meeting date noted above. The official posting place for the agenda is the bulletin board in the Mt. Crested Butte Town Hall entry. Please refer to that official agenda for actual agenda items for the meeting date noted above. If you require any special accommodations in order to attend this meeting, please call the Town Hall at 349-6632 at least 48 hours in advance of the meeting. Plans for designs to be reviewed at the meeting are available for viewing in the Mt. Crested Butte Town Hall.

Published in the *Crested Butte News*. Issue of January 31, 2020. #013106

—TOWN OF CRESTED BUTTE—
REQUEST FOR PROPOSALS
FOR
SOLAR PHOTOVOLTAIC CONTRACTING SERVICES

The Town of Crested Butte (Town) is issuing a Request for Proposals for Solar Photovoltaic Installation Contracting Services. This project is being managed by Johnson Controls, Inc. as part of energy performance contracting services being conducted for the Town. The Town is seeking installation bids for roof top solar installation on 9 Town-owned facilities including the Fire Station, Marshals' Office, Center for the Arts, Wastewater Treatment Plant Buildings, Public Works Vehicle Storage Building, and Mountain Express Building. The full Request for Proposals can be viewed on the Town website www.townof-crestedbutte.com under Bids/Proposals. Mandatory site walk scheduled for **February 11, 2020 1:00 pm**, weather dependent. Contractors meet at Crested Butte Town Hall 507 Maroon Ave, Crested Butte, CO 81224
RFP Due Date: **February 25, 2020 4:00 pm** Mountain Time
Contact Information:
Johnson Controls, Inc
Carey Leonard
Carey.G.Leonard@jci.com
316-212-1249

crestedbutte.com under Bids/Proposals. Mandatory site walk scheduled for **February 11, 2020 1:00 pm**, weather dependent. Contractors meet at Crested Butte Town Hall 507 Maroon Ave, Crested Butte, CO 81224
RFP Due Date: **February 25, 2020 4:00 pm** Mountain Time
Contact Information:
Johnson Controls, Inc
Carey Leonard
Carey.G.Leonard@jci.com
316-212-1249

Published in the *Crested Butte News*. Issues of January 31 and February 7, 2020. #013107

legals@crestedbuttenews.com

—A CALL FOR NOMINATIONS FOR—
GUNNISON COUNTY METROPOLITAN RECREATION DISTRICT
§1-13.5-501, 1-13.5-1102(3), 32-1-905(2), C.R.S.

TO WHOM IT MAY CONCERN, and, particularly, to the electors of the Gunnison County Metropolitan Recreation District of Gunnison and Saguache Counties, Colorado. **NOTICE IS HEREBY GIVEN** that an election will be held on the 5th day of May, 2020, between the hours of 7:00 a.m. and 7:00 p.m. At that time, three directors will be elected to serve 3-year terms and two directors will be elected to serve 2-year terms. Eligible electors of the Gunnison County Metropolitan Recreation District interested in serving on the board of directors may obtain a Self-Nomination and Acceptance form from the District Designated Election Official (DEO): Sue Wallace
710 S. 9th Street
Gunnison, CO 81230
(970) 901-6851
DEO@gcmetrec.com

The Office of the DEO is open on the following days: Monday through Friday from 9:00 a.m. to 5:00 p.m. The deadline to submit a Self-Nomination and Acceptance is close of business on **Friday, February 28, 2020**. Affidavit of Intent To Be A Write-In Candidate forms must be submitted to the office of the designated election official by the close of business on **Monday, March 2, 2020**. **NOTICE IS FURTHER GIVEN**, an application for an absentee ballot shall be filed with the designated election official no later than the close of business on **Tuesday** preceding the election, **April 28, 2020**.
/s/ Sue Wallace
Designated Election Official Signature

Published in the *Crested Butte News*. Issues of January 31 and February 7, 2020. #013109

—A CALL FOR NOMINATIONS—
MT CRESTED BUTTE WATER & SANITATION DISTRICT
(NOTICE BY PUBLICATION OF)
§1-13.5-501, 1-13.5-1102(3), 32-1-905(2), C.R.S.

TO WHOM IT MAY CONCERN, and, particularly, to the electors of the MT CRESTED BUTTE WATER & SANITATION DISTRICT of Gunnison County, Colorado. **NOTICE IS HEREBY GIVEN** that an election will be held on the 5th day of May, 2020, between the hours of 7:00 a.m. and 7:00 p.m. At that time, three (3) directors will be elected to serve 3-year terms and one (1) director will be elected for a 2-year term. Eligible electors of the Mt Crested Butte Water & Sanitation District interested in serving on the board of directors may obtain a Self-Nomination and Acceptance form from the District Designated Election Official (DEO): Perry W. Solheim
Mt Crested Butte Water & Sanitation District
PO Box 5740, 100 Gothic Road
Mt Crested Butte, CO 81225-5740
970-349-7575
psolheim@mcbwsd.com
The Office of the DEO is open on the following days: Monday - Friday from 8:00 a.m. to 5:00 p.m.

The deadline to submit a Self-Nomination and Acceptance is close of business on **Friday, February 28, 2020**. If the DEO determines a Self-Nomination and Acceptance Form is not sufficient, the form may be amended once prior to 5:00 p.m. on February 28, 2020. Earlier submittal is encouraged as the deadline will not permit curing of an insufficient form after this date. Affidavit of Intent To Be A Write-In-Candidate forms must be submitted to the office of the designated election official by the close of business on **Monday, March 2, 2020**. **NOTICE IS FURTHER GIVEN**, an application for an absentee ballot shall be filed with the designated election official no later than the close of business on **Tuesday** preceding the election, **April 28, 2020**.
By /s/ Perry W Solheim
Designated Election Official
Published in the *Crested Butte News*. Issues of January 31, February 7, 14, 21 and 28, 2020. #013101

deadline tuesday at noon

—COMBINED NOTICE - PUBLICATION—
CRS §38-38-103 FORECLOSURE SALE NO. 2019-008

To Whom It May Concern: This Notice is given with regard to the following described Deed of Trust: On November 18, 2019, the undersigned Public Trustee caused the Notice of Election and Demand relating to the Deed of Trust described below to be recorded in the County of Gunnison records.
Original Grantor(s)
ERIC S HALL AND ANDREW D HALL
Original Beneficiary(ies)
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR BAY EQUITY LLC, ITS SUCCESSORS AND ASSIGNS
Current Holder of Evidence of Debt
COLORADO HOUSING AND FINANCE AUTHORITY
Date of Deed of Trust
February 28, 2019
County of Recording
Gunnison
Recording Date of Deed of Trust
March 01, 2019
Recording Information (Reception No. and/or Book/Page No.)
658903
Original Principal Amount
\$276,892.00
Outstanding Principal Balance
\$276,060.91
Pursuant to CRS §38-38-101(4)(i), you are hereby notified that the covenants of the deed of trust have been violated as follows: failure to pay principal and interest when due together with all other payments provided for in the evidence of debt secured by the deed of trust and other violations thereof.
THE LIEN FORECLOSED MAY NOT

BE A FIRST LIEN.
1997, CHAMPIION, SERIAL #05975392053A/B AND HUD LABEL #NEB-88253 & NEB-088252 "WHICH IS AFFIXED AND ATTACHED TO THE LAND AND IS PART OF THE REAL PROPERTY" LOT 44, SUNSPOT SUBDIVISION, ACCORDING TO THE PLAT RECORDED JULY 10, 1996 AS RECEPTION NO. 468973, CITY OF GUNNISON COUNTY OF GUNNISON, STATE OF COLORADO.
Also known by street and number as: 407 N 7th St, Gunnison, CO 81230.
THE PROPERTY DESCRIBED HEREIN IS ALL OF THE PROPERTY CURRENTLY ENCUMBERED BY THE LIEN OF THE DEED OF TRUST.
NOTICE OF SALE
The current holder of the Evidence of Debt secured by the Deed of Trust, described herein, has filed Notice of Election and Demand for sale as provided by law and in said Deed of Trust.
THEREFORE, Notice Is Hereby Given that I will at public auction, at 10:00 A.M. on Wednesday, 03/18/2020, at Treasurer's Office, 221 N. Wisconsin, Suite T, Gunnison, CO 81230, sell to the highest and best bidder for cash, the said real property and all interest of the said Grantor(s), Grantor(s)' heirs and assigns therein, for the purpose of paying the indebtedness provided in said Evidence of Debt secured by the Deed of Trust, plus attorneys' fees, the expenses of sale and other items allowed by law, and will issue to the

purchaser a Certificate of Purchase, all as provided by law.
First Publication 1/31/2020
Last Publication 2/28/2020
Name of Publication Crested Butte News
IF THE SALE DATE IS CONTINUED TO A LATER DATE, THE DEADLINE TO FILE A NOTICE OF INTENT TO CURE BY THOSE PARTIES ENTITLED TO CURE MAY ALSO BE EXTENDED;
DATE: 11/18/2019
Debbie Dunbar, Public Trustee in and for the County of Gunnison, State of Colorado
/s/ Teresa Brown
By: Teresa Brown, Deputy Public Trustee
The name, address, business telephone number and bar registration number of the attorney(s) representing the legal holder of the indebtedness is:
Lynn M. Janeway #15592
Alison L. Berry #34531
David R. Doughty #40042
Nicholas H. Santarelli #46592
Elizabeth S. Marcus #16092
Janeway Law Firm, P.C. 9800 S. MERIDIAN, SUITE 400, ENGLEWOOD, CO 80112 (303) 706-9990
Attorney File # 19-023105
The Attorney above is acting as a debt collector and is attempting to collect a debt. Any information provided may be used for that purpose.
Published in the *Crested Butte News*. Issues of January 31, February 7, 14, 21 and 28, 2020. #013103



—LEGAL—
NOTICE OF LIQUOR AND BEER LICENSE RENEWALS

PLEASE BE ADVISED that the following liquor and beer license renewals are pending. Complaints concerning the conduct of said licensee or employees of the same should be directed, in writing, to Town Clerk Lynelle Stanford, by mailing to Box 39; Crested Butte, CO 81224, or by delivery to the same at Town Offices, 507 Maroon Ave, Crested Butte, Colorado. Complaints should be received on or before the date noted next to the establishment.
Brick Oven LTD DBA Brick Oven Pizzeria located at 223 Elk Ave February 11, 2020
PDC Enterprises LLC DBA Acme Liquor Store located at 510 Bellevue Ave February 11, 2020
Montanya Distillers LLC located at 212 Elk Ave February 11, 2020
The Sunflower LLC DBA The Sunflower located at 214 Elk Ave February 11, 2020
429 Elk LLC located at 429 Elk Ave February 11, 2020

Published in the *Crested Butte News*. Issue of January 31, 2020. #013105

—NOTICE OF HEARING—
CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION, INC.
SPECIAL AREA ARCHITECTURAL REVIEW

PLEASE TAKE NOTICE THAT a CB South Design Review Committee hearing will be held on Thursday February 13th, 2020 for the purpose of considering the following:
A Certificate of Appropriateness for the application for a **Single-Family Residence**, Lot 27, Block 24, Filing #3, a.k.a. 708 Zeligman. A complete set of plans can be viewed at the Crested Butte South P.O.A. Office, 61 Teocalli Road.
CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION DESIGN REVIEW COMMITTEE.



Submitted by Dom Eymere, CB South Property Owners Association Manager
Published in the *Crested Butte News*. Issue of January 31, 2020. #013110

Legals

**—REGULAR TOWN COUNCIL MEETING—
FEBRUARY 4, 2020 ~ 6:00 P.M.
COUNCIL CHAMBERS
MT. CRESTED BUTTE, COLORADO
DRAFT AGENDA**

for the official agenda please go to www.mtcrestedbuttecolorado.us
WORK SESSIONS
4:00 P.M. —Concept Review for an impending Conditional Use Permit Application regarding the expansion of the Mt Crested Butte Water and Sanitation District's Water Treatment Plant located at the existing Water Treatment Plant and Backwash Pond located at 2000 Gothic Road and 2 Prospect Drive presented by the Mt Crested Butte Water and Sanitation District
5:00 P.M. - Mike McBride —Gunnison County Electric – Climate Action Options
CALL TO ODER
ROLL CALL
PUBLIC COMMENT - Citizens may make comments on items **NOT** scheduled on the agenda. Per Colorado Open Meetings Law, no Council discussion or action will take place until a later date, if neces-

sary. You must sign in with the Town Clerk before speaking. Comments are limited to three minutes.
MINUTES
 • Approval of the January 21, 2020 Regular Town Council Meeting Minutes
REPORTS
 • Town Manager's Report
 • Town Council Report
 • Waste Management – Ellie Reynolds
 • Comm Board – Nate Stepanek
 • Crested Butte Avalanche Center – Than Acuff
CORRESPONDENCE
OLD BUSINESS
NEW BUSINESS
 • Discussion and Possible Consideration of an Amended and

Restated Deed Restriction for the Homestead Subdivision – Carlos Velado
 • Discussion and Possible Consideration of Modifying the Town of Mt. Crested Butte's International Residential Code Sprinkler Requirements – Carlos Velado
 • Discussion Regarding the 2020 Town Council Municipal Election – Kathy Fogo and Tiffany O'Connell
OTHER BUSINESS
ADJOURN
 If you require any special accommodations in order to attend this meeting, please call the Town Hall at 349-6632 at least 48 hours in advance. Public comment on these agenda items is encouraged.
 Published in the *Crested Butte News*. Issue of January 31, 2020. #013108

**—AGENDA—
TOWN OF CRESTED BUTTE
REGULAR TOWN COUNCIL MEETING
MONDAY, FEBRUARY 3, 2020
COUNCIL CHAMBERS, CRESTED BUTTE TOWN HALL**

The times are approximate. The meeting may move faster or slower than expected.
6:00 WORK SESSION
 1) Presentation by Jen Stepleton from the Colorado Division of Housing.
7:00 REGULAR COUNCIL MEETING CALLED TO ORDER BY MAYOR OR MAYOR PRO-TEM
7:02 APPROVAL OF AGENDA
7:04 CONSENT AGENDA
 1) January 21, 2020 Regular Town Council Meeting Minutes.
 2) Letter of Support for GCEA Charge Ahead Grant Application for Installation of DC Fast Charger in the Town of Crested Butte.
The listing under Consent Agenda is a group of items to be acted on with a single motion. The Consent Agenda is designed to expedite Council business. The Mayor will ask if any citizen or council member wishes to have any specific

item discussed. You may request that an item be removed from Consent Agenda at that time, prior to the Council's vote. Items removed from the Consent Agenda will be considered under New Business.
7:06 PUBLIC COMMENT
Citizens may make comments on item not scheduled on the agenda. Those commenting should state their name and physical address for the record. Comments may be limited to five minutes.
7:12 STAFF UPDATES
7:20 Annual Update by Executive Director Chris Larsen from Mountain Express.
7:30 NEW BUSINESS
 1) GCSAPP Youth Mental Health and Substance Abuse Program Update and Funding Request.
7:50 EXECUTIVE SESSION
 For the purpose of determining positions

relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding The Center for the Arts Lease.
8:20 PUBLIC HEARING
 1) Ordinance No. 39, Series 2019 - An Ordinance of the Crested Butte Town Council Approving the Lease of a Portion of the Property at 606 Sixth Street to The Center for the Arts.
8:45 2) Ordinance No. 44, Series 2019 - An Ordinance of the Crested Butte Town Council Authorizing a Potable Water Agreement for Lot 8, Trapper's Crossing at Crested Butte, Gunnison County, Colorado.
8:55 3) Ordinance No. 4, Series 2020 - An Ordinance of the Crested Butte Town Council Approving the Lease of 902 Red Lady Ave Unit #3 to Andrew Crowley.
9:00 LEGAL MATTERS

9:05 COUNCIL REPORTS AND COMMITTEE UPDATES
9:20 OTHER BUSINESS TO COME BEFORE THE COUNCIL
9:30 DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE
 • Monday, February 10, 2020 - 6:00PM Work Session to Discuss Empty House Tax
 • Tuesday, February 18, 2020 - 6:00PM Work Session - 7:00PM Regular Council
 • Tuesday, February 25, 2020 - 9:00AM Council Retreat
 • Monday, March 2, 2020 - 6:00PM Work Session - 7:00PM Regular Council
9:35 ADJOURNMENT
 Published in the *Crested Butte News*. Issue of January 31, 2020. #013111

**—GUNNISON WATERSHED SCHOOL DISTRICT RE1J—
FEBRUARY 3, 2020 ~ 5:30 P.M.
REGULAR MEETING
LAKE SCHOOL
GUNNISON, CO**

5:30 I. Call to Order
 II. Roll Call
 III. Pledge of Allegiance
 IV. Modifications/Approval of Agenda—**ACTION ITEM**
 V. Commendations and recognition of visitors
**Visitors who wish to address the Board, please complete the public participation form*
 VI. Administrative Action Summaries
 A. Site-Based Facility planning update
 B. School Year Calendar update
 C. Superintendent update- Dr. Nichols
 VII. **Action Items**
 A. Consent Grouping
Note: Items under the consent grouping are considered routine and will be enacted under one motion. There will not be separate discussion of these items prior to the time the board votes unless a Board Member requests an item be clarified or even removed from the grouping for separate consideration.
 The Superintendent recommends approval of the following:
 1. Board of Education Minutes
 a. January 13, 2020—Regular Meeting
 b. January 27, 2020—Regular Meeting/Amended Budget

2. Finance*
 Approve for payment, as presented by the Business Manager, warrants as indicated:
 a. General Account # 37897-37986
 b. Payroll Direct Deposit # 41958-42326
 3. Personnel*
 a. Kevin Mickelson-Head Boys' Golf coach-GHS
 b. Resignation of Stephanie Nasso-Math-GHS
 c. Resignation of Dave Uhrig-Assistant Principal/Athletic Director-GHS
 4. Correspondence
 B. New Business
 1. First reading of policy:
 KDBA- Parent Notification of Employee Criminal Charges
 JLCDB- Administration of Medical Marijuana to Qualified Students
 BCB-School Board Member Conflict of Interest
 KFA- Public Conduct on District Property
 C. Old Business
 1. Second reading of policies:
 BEC - Executive Sessions

DB - Annual Budget
 ADD - Safe Schools
 GBEB - Staff Conduct (and Responsibilities)
 VIII. Comments from the Public
**Visitors who wish to address the Board, please complete the public participation form*
 IX. Items introduced by Board Members
 X. Board Committee Reports
 XI. Forthcoming Agendas/Meeting Dates and Times
 A. Monday, February 3, 2020—Regular Meeting@5:30 Gunnison
 B. Monday, February 24, 2020—Work Session@5:30 Crested Butte
 C. February 26 -28, 2020— CASB Legislative Conference
 D. Monday, March 9, 2020—Regular Meeting@5:30 Crested Butte
 E. Monday, March 23, 2020—Work Session@5:30 Gunnison
 XIII. Adjournment
 Published in the *Crested Butte News*. Issue of January 31, 2020. #013112

**—NOTICE OF PUBLIC HEARING BEFORE THE—
PLANNING COMMISSION
TOWN OF MT. CRESTED BUTTE, COLORADO**

Please take notice that the Mt. Crested Butte Planning Commission will hold a public hearing on Wednesday, February 19, 2020 at 5:00 p.m. in the Council Chambers, Town Hall, Mt. Crested Butte, Colorado.
 The purpose of the hearing is for public input on a lot line vacation and replat application submitted by the Mt Crested Butte Water and Sanitation District to

vacate the lot line between an 8.13 acre tract and a .55 acre tract of land both located in the SW ¼ SW ¼ of Section 13 South, Township 13, Range 86 West of the 6th Principle Meridian Gunnison County, CO. The Tracts contain the Mt Crested Butte Water and Sanitation District's Water Treatment Plant and Backwash Pond.
 All interested persons are requested to

attend. Those who speak at the public hearing shall be allowed a maximum of 5 minutes to express their comments to the Planning Commission. Written comments are encouraged and should be received at the Town Offices, PO Box 5800, Mt. Crested Butte, CO 81225-5800 or by fax to (970) 349-6326, or by email at ldesposato@mtcrestedbuttecolorado.us by Thursday, February 13, 2020 at 5:00

PM, Mountain Time.
 The application is available for viewing at Mt. Crested Butte Town Hall during regular business hours. For a digital copy of the application please contact the Community Development Department at (970) 349-6632.
 No action or discussion shall take place by the Council until the public hearing is officially closed.

Dated this 28th day of January 2020.
 /s/ Tiffany O'Connell
 Town Clerk
 If you require any special accommodations in order to attend this meeting, please call the Town Hall at 349-6632 at least 48 hours in advance of the meeting.
 Published in the *Crested Butte News*. Issue of January 31, 2020. #013113

Classifieds

classifieds@crestedbuttenews.com • phone: (970)349.0500 • fax: (970)349.9876 • www.crestedbuttenews.com

FOR RENT

VERY SPACIOUS 1 BED/1 BATH unfurnished apartment in town. Located above Acme Liquor, next to Clark's Market, the movie theater, and bus stop, this unit includes a W/D, dishwasher, gas fireplace and 1 off-street parking place. Includes water, sewer and trash. Sorry, no pets! \$1500/mo. plus utilities. Available February 1st. Call Carolyn 970-349-6339. (1/31/56).

FOR RENT

INCREDIBLE VIEWS: Brush Creek, 2BD/1BA, furnished, W/D, NS/NP. Includes heated private garage w/ opener, trash & snow removal. \$1500/mo. 970-901-8323. (1/31/23).
2 BEDROOM/1 BATH AVAILABLE: First, last, deposit, \$1800/month plus electric. 1 parking space. Great spot downtown CB. 970-349-2773. (1/31/20).

FOR RENT

TOP OF ELK: 1BD/1BA private apartment with garage and W/D. Available 2/1/20. \$1350/month. 1st, last, security deposit. No smokers, 1 pet allowed. Contact 970-389-1181 to view. (2/7/29).
HOMES, APT. AND ROOMS for rent at Three Rivers Resort in Almont: Various sizes and leases from \$600-\$1650/mo. Call 641-1303. (1/31/22).

FOR RENT

BEAUTIFUL RIVERFRONT HOME: 3000 sq.ft., 3BD/3 bath, den, living room, kitchen/sitting nook, 2 car garage, quiet cul-de-sac, furnished, fishing access. Available now. No smoking. Txt 970-209-7058. (1/31/28).
APARTMENT FOR RENT in CB South. 2BD/1BA, pets ok. \$1600 + 1/3 utilities. Available 3/1/20. Call 970-209-3148. (1/31/17).

FOR RENT

MT. CB 3BD/2BA: Recently updated floors, kitchen, baths, etc, clean home. WD/DW, killer views of peak and town, close to bus stops and bike path, 5 min. walk to base area, off-street parking. Pet negotiable, no smoking of anything. References thoroughly checked. Avail. 11/1, \$2100 - \$2400/month. Scottie 808-741-2740. (1/31/51).