

Title 15

BUILDINGS AND CONSTRUCTION

Chapters:

- 15.04 Buildings and Construction - General Provisions.**
- 15.08 Building Code.**
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(Ord. 4207, 1996; Ord. 4208, 1996; Ord. 4260, 1997; Ord. 4267 § 1, 1997; Ord. 4268, 1997; Ord. 4347, 1998; Ord. 4348, 1998; Ord. 4353, 1998; Ord. 4354, 1998; Ord. 4448, 1998; Ord. 4531, 2000; Ord. 4607, 2001; Ord. 4681, 2001; Ord. 4724, 2002; Ord. 4759, 2002; Ord. 4814, 2003; Ord. 4822, 2003; Ord. 4950, 2004; Ord. 5018, 2005; Ord. 5026, 2005; Ord. 5027, 2005; Ord. 5028, 2005; Ord. 5029, 2005; Ord. 5030, 2005; Ord. 5031, 2005; Ord. 5037, 2005; Ord. 5189, 2006; Ord. 5223, 2007; Ord. 5234, 2007; Ord. 5235, 2007; Ord. 5236, 2007; Ord. 5237, 2007; Ord. 5238, 2007; Ord. 5239, 2007; Ord. 5240, 2007; Ord. 5241, 2007; Ord. 5242, 2007; Ord. 5247, 2007; Ord. 5390, 2009; Ord. 5455, 2009 repeal & reenacted 15.30; Ord. 5485, 2010)

Chapter 15.04

BUILDINGS AND CONSTRUCTION--GENERAL PROVISIONS*

Sections:

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* For statutory provisions authorizing cities and towns to regulate the construction of buildings, see CRS § 139-34-1(42).

15.04.010 Building official.

The position of building official is created. Unless otherwise provided, the building official shall be the chief enforcement officer for all building regulations contained in this title, including the various codes adopted by reference in this title and for Titles 16 and 18 of this code, including the various codes adopted therein by reference. The building official may appoint plans reviewers, building inspectors, other related technical officers and inspectors and assistants as authorized by the city manager. (Ord. 3481 § 1, 1988; Ord. 3091 § 1, 1984; Ord. 1355 § 1, 1974; prior code § 22-1)

15.04.020 General provisions.

The general provisions of this chapter shall apply to all building regulations set forth in this title. (Ord. 1981 § 1, 1981; Ord. 1347 § 1, 1974; Ord. 1234 § 1 (part), 1972; prior code § 22.2)

15.04.032 No permit issued--When.

No permit shall be issued to any person who is delinquent on the payment of any fees or other charges due the city in connection with such permit or any other permit previously issued to such person, until such fees or charges are paid. (Ord. 3335 § 16, 1986)

15.04.036 Finished grade.

As an integral part of the issuance of a building permit for new construction, the applicant must submit a finished grading plan for review and approval, by the city engineer. This grading plan must be in sufficient detail to insure positive drainage away from all structures and the method of disposal of all drainage runoff for the entire project site. The finished grading plan shall be subject to the review and approval of the city engineer, prior to the issuance of the building permit. (Ord. 1894 § 1, 1980)

15.04.050 Permits--Time limit for procuring.

All permits issued hereunder must be procured and all required building permit fees therefore paid within ninety days after notification by the building official's office that the building permit application has been processed. (Ord. 4354 § 2, 1998; Ord. 1347 § 1, 1974; Ord. 1234 § 1 (part), 1972; prior code § 22.2-1 (part))

15.04.060 Permits--Application--Approval.

Applications for building, plumbing, electrical, mechanical and sign permits shall be made to the building official. Such application shall be accompanied by plans which are sufficient to determine whether the proposed project complies with the provisions of these codes. In the event any changes, additions or amendments are made in said plans and specifications at any time before completion of the work, the changes shall be submitted to the building official for his approval. Such approval shall be noted on the records of the building official. Upon approval of the application by the building official, he shall forward the same with his approval to the city clerk. The city clerk, upon receipt of evidence that the applicant is duly licensed (if the nature of the work for which the permit is sought requires the applicant to be licensed) and that all conditions for the issuance of a permit have been met by the applicant, and that all necessary fees have been paid to the city, shall issue the permits required. (Ord. 4354 § 3, 1998; Ord. 1659 § 11, 1978; Ord. 1640 § 1, 1978; Ord. 1420 § 3c, 1975; Ord. 1347 § 1, 1974; Ord. 1234 § 1 (part), 1972; prior code § 22.2-2)

15.04.070 Exemption of Certain City Projects from Permit Fees

Notwithstanding any provision in this Title 15 to the contrary, the city shall not be required to pay any inspection, building, or any other fees required under this Title 15 with respect to the construction or development of any city-funded building, improvement or facility to be used for a city

purpose; provided that this exemption shall not apply to those buildings, improvements and facilities funded by, constructed for, and to be used by (i) the city's power, water, wastewater, stormwater, or solid waste utility; or (ii) the city's golf enterprise and all such utility and enterprise development shall continue to be subject to all applicable fees under this Title 15. (Ord. 5485 § 1, 2010)

15.04.090 Connections--Prohibited until work is approved.

It is unlawful for any person to make any electrical, gas, water or sewer connection to any building or structure until the work has been completed, inspected and approved as set forth in this code and in the codes herein adopted by reference. (Ord. 1420 § 3f, 1975; Ord. 1347 § 1, 1974; Ord. 1234 § 1 (part), 1972; prior code § 22.2-5)

15.04.120 Interpretation.

- A. When the building code or other codes adopted in this title contain a provision that an act or activity must be accomplished in order to secure an approval from, or that an act or activity is subject to the direction of, the inspecting agents or any other officer of the city, then such provision shall be construed to give such officer only the discretion of determining whether the rules and standards established by ordinance or the respective codes have been complied with. No such provision shall be construed as giving any officer or agent discretionary powers to make any ruling or determination concerning such conditions or things not prescribed by ordinance or code or to enforce ordinance provisions in an arbitrary or capricious manner.
- B. When any reference in this Title, or other codes adopted in this Title, is made to the "International Building Code" such reference shall refer to the building code adopted in this Title.
- C. When any reference in this Title, or other codes adopted in this Title, is made to the "ICC Electrical Code" such reference shall refer to the electrical code adopted in this Title.
- D. When any reference in this Title, or other codes adopted in this Title, is made to the "International Fire Code" such reference shall refer to the fire code adopted in this Title.
- E. When any reference in this Title, or other codes adopted in this Title, is made to the "International Private Sewage Disposal Code" such reference shall have no application.
- F. When any reference in this Title, or other codes adopted in this Title, is made to the "International Property Maintenance Code" such reference shall refer to the property maintenance code adopted in this Title. (Ord. 5026 § 1 (part), 2005; Ord. 4354 § 4, 1998; Ord. 1347 § 1, 1974; Ord. 1234 § 1 (part), 1972; prior code § 22.2-8)

15.04.140 Liability for damage.

This title shall not be construed to relieve from or lessen the responsibility or liability of any party owning, operating, controlling or installing any materials or equipment related to any permit issued by the city for damages to anyone injured or any property destroyed by reason of the performance of any inspection authorized therein or the issuance of any certificate of inspections as herein provided. (Ord. 1347 § 1, 1974; Ord. 1234 § 1 (part), 1972; prior code § 22.2-10)

15.04.150 Appeals.

The construction advisory board shall serve as the board of appeals in connection with all codes adopted in this Title 15 by reference with the exception of appeals arising out of the fire code adopted by this Title. The fire and rescue advisory commission shall serve as the board of appeals in connection with appeals arising out of said fire code. (Ord. 5234 § 1, 2007; Ord. 5026 § 2, 2005; Ord. 4354 § 5, 1998; Ord. 1956 § 2, 1981; Ord. 1420 § 3g, 1975; Ord. 1347 § 1, 1974; Ord. 1234 § 1 (part), 1972; prior code 22.2-11)

15.04.151 Appeals to the construction advisory board.

- A. Except as otherwise provided in Section 15.04.152, if under this Title 15 a person is denied any permit or certificate of occupancy, has a permit or certificate of occupancy revoked or suspended, is issued a notice of

abatement, or is issued a stop work order by the city's building official, such person may appeal the building official's action to the construction advisory board by filing a written notice appeal with the building official no later than fifteen days after the permit or certificate of occupancy is denied, revoked or suspended or fifteen days after the issuance of the stop work order, which notice shall state the appellant's grounds for appeal.

- B. If the construction advisory board determines that the denial of the permit or certificate of occupancy, the revocation or suspension of the permit or certificate of occupancy, the notice of abatement, or the issuance of a stop work order is not justified under the applicable provisions of this Title 15; the material or methods of construction required are not reasonable for the particular building; that the alternate materials and methods of construction proposed by the appellant are sufficient to insure public health and safety; or that the requirements of the applicable provisions of this Title 15 would work an undue hardship upon the appellant, the board may authorize issuance of the denied permit or certificate of occupancy, rescind the revocation or suspension of the permit or certificate of occupancy, rescind the notice of abatement, or rescind the stop work order and, when doing so, may designate and impose such conditions as it reasonably determine to be justified under the circumstances. (Ord. 5390 § 1, 2009; Ord. 5234 § 2, 2007; Ord. 4354 § 6, 1998)

15.04.152 Appeals to the fire and rescue advisory commission

- A. If under the fire code adopted by this Title 15 a person is denied a permit, has a permit revoked, or is issued a stop work order by the code official, such person may appeal the code official's action to the fire and rescue advisory board by filing with the code official a written notice of appeal to the code official not later than fifteen days after the permit has been denied or revoked or fifteen days after the issuance of a stop work order, which notice shall state the appellant's grounds for appeal.
- B. If the fire and rescue advisory commission determines that the denial of the permit, the revocation of the permit, or the issuance of a stop work order is not justified under the applicable provisions of the fire; that the alternative design, materials, or methods of construction proposed by the appellant are equivalent to those prescribed by the applicable fire code provisions concerning quality, strength, effectiveness, fire resistance, durability, safety and all other pertinent factors; or that the applicable requirements, of the fire code would work an undue hardship upon the appellant, the commission may authorize issuance of the denied permit, rescind the revocation of the permit, or rescind the stop work order and, when doing so, may designate and impose such conditions as it may reasonably determine to be justified under circumstances. (Ord. 5234 § 2, 2007; Ord. 4354 § 6, 1998)

15.04.153 Public hearings

Every appeal under Section 15.04.151 and Section 15.04.152 shall be heard by the construction advisory board and the fire and rescue advisory board, as applicable, at a public hearing. Notice of the public hearing shall be given at least fifteen days in advance by publication of a notice of the public hearing in a newspaper of general circulation in the city. At the appeal hearing, members of the public, the appellant and city staff shall be entitled to address the appeals board. The public hearing shall be recorded. (Ord. 5234 § 3, 2007; Ord. 4354 § 7, 1998)

15.04.155 Review by City Council

The appellant or the city official whose decision was appealed under Section 15.04.151 to the construction advisory board or under Section 15.04.152 to the fire and rescue advisory commission, and who is aggrieved by the decision of the applicable appeal board, may appeal that decision to the city council. In addition, any member of the fire and rescue advisory commission may appeal a decision of the construction advisory board reasonably related to a fire related issue. A person appealing a decision of the construction advisory board shall file a written notice of appeal with the city's building official no later than fifteen days after the board's decision and shall in the notice the grounds for appeal. A person appealing a decision of the fire and rescue advisory commission shall file a written notice of appeal with the city's code official not later than fifteen days after the commission's decision and shall state in the notice the grounds for appeal. In the

event of such appeal to the city council, the powers and duties set forth in Section 15.04.151 and Section 15.04.152, as applicable, shall be exercised by the city council, which shall conduct a new public hearing on the matter. (Ord. 5234 § 3, 2007; Ord. 4354 § 8, 1998; Ord. 1956 § 3, 1981)

15.04.170 Conflicts Between codes.

Whenever the provisions of the building regulations conflict with the provisions of any other section of the Municipal Code or any codes adopted by reference therein, the provisions which provide the most restrictive requirements shall supersede all other provisions. (Ord. 1347 § 1, 1974; Ord. 1234 § 1 (part), 1972; prior code § 22.2-13)

15.04.190 Penalties.

- A. It is unlawful for any person to violate any of the provisions of this title or the codes adopted by reference in this title or to violate or fail to comply with any order made thereunder, or to build in violation of any detailed statement or specifications or plans submitted or approved thereunder or any certificate or permit issued thereunder. Any such violation constitutes a violation of this title.
- B. Every person convicted of a violation of any provision stated or adopted in this title or any provision of the codes adopted in this title by reference shall be punished as provided in Section 1.12.010 of this code. This penalty provision shall supersede all penalty provisions set forth in the codes adopted in this title by reference, whether or not said penalty provisions are specifically deleted or repealed. (Ord. 4354 § 9, 1998; Ord. 3845 § 1 (part), 1992; Ord. 1981 § 4, 1981; Ord. 1420 § 3h, 1975; Ord. 1412 § 5(a) (part), 1975; Ord. 1347 § 1, 1974; Ord. 1234 § 1 (part), 1972; prior code § 22.2-14)

15.04.200 Conflict in standards.

Nothing in this chapter shall be construed to conflict with applicable state statutes where such statutes provide for standards more restrictive than those provided herein. Exceptions to applicable state standards shall be considered as provided by state statutes, and the city council shall act as the body responsible for the granting of exceptions, modifications and exemptions to such applicable state standards, as authorized by and pursuant to the provisions of the laws of the state of Colorado. (Ord. 1636 § 4, 1978)

Chapter 15.08

BUILDING CODE

Sections:	15.08.010	International Building Code (IBC) – Adopted
	15.08.020	Modifications to the IBC 2006 Edition
	15.08.030	Violations and Penalties

15.08.010 International Building Code – Adopted.

The International Building Code, 2006 Edition, issued and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, including appendices C, E, I, and J, is hereby adopted by reference as the building code of the city. This code is a complete code covering all buildings hereafter constructed, erected, enlarged, altered or moved into the city, and its purpose is to provide minimum standards to safeguard life and limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the city and certain equipment specifically regulated therein for the purpose of protecting the public health, safety and general welfare. At least one copy of the International Building Code, 2006 Edition, which has been certified by the mayor and city clerk, shall be on file in the office of the city clerk and may be inspected during regular business hours.

15.08.020 Modifications to International Building Code, 2006 Edition.

The International Building Code, 2006 Edition, adopted in this chapter, is modified as follows:

A. Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Building Code of the City of Loveland, hereinafter referred to as “this code” or “building code.”

B. Section 103 is deleted in its entirety.

C. Section 105.2 is amended by adding the following to the first paragraph as follows:

1. Item #4 under “Building” is amended to read as follows:

4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of wall, unless supporting a surcharge. Specific manufacturer’s instruction of retaining wall products may be more restrictive regardless of the height of the retaining wall, thereby the most restrictive provision will apply.

2. The following numbered paragraph shall be added under “Building” to read as follows:

14. Structures or work performed on properties of the government of the United States of America, State of Colorado, and the County of Larimer.

Unless otherwise exempted in this code, separate plumbing, electrical and mechanical permits may be required in accordance with the requirements of this subsection.

D. Section 105 is amended by modifying subsection 105.5 to read as follows:

105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. All permits issued shall become null and void regardless of the provisions of this section within eighteen (18) months of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

E. Section 105 is amended by the addition of a new subsection 105.8 to read as follows:

105.8 Transfer of permits. A building permit or application may be transferred from one party to the other upon written request to the building official, provided there are no changes to the plans and specifications. Additionally, the party to which the permit is transferred must be licensed in the appropriate license category and in good standing.

F. Section 106.3.4 is amended by the addition of a new subsection 106.3.4.3 to read as follows:

106.3.4.3 Responsibility for preparation of plans and specifications. In accordance with Section 106.3.4.1 the building official *may* require plans, computations, and specifications to be prepared, designed, and stamped by an engineer or architect licensed in the State of Colorado in certain instances, including but not limited to:

1. Foundations are constructed on caissons or other than spread footings conforming to the requirements of Chapter 18.
2. Roof framing or wall framing is other than standard construction not conforming to the requirements of Chapter 16 and 23.
3. Conformation of beam sizes and spans, loading, or any structural element affecting the integrity of the building.

G. Section 108.2 is amended to read as follows:

108.2 Schedule of permit fees. Fees for any permit, plan review or inspection required by this code shall be established from time to time by resolution of the City Council.

H. Section 108.2 is amended by the addition of a new subsection 108.2.1 to read as follows:

108.2.1 Plan Review Fee. When submittal documents are required by Section 105.1 and 106.1, a plan review fee shall be paid. The plan review fees specified in this section are separate fees from the permit fees specified as established by resolution in Section 108.2 and are in addition to the permit fees.

I. Section 108.2 is amended by the addition of a new subsection 108.2.2 to read as follows:

108.2.2 Expiration of plan review. Applications for which no permit is issued within ninety (90) days following the date of last action of review without any response or additional information submitted by the applicant shall expire. Plans submitted for checking may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding sixty (60) days upon written request by the applicant demonstrating that circumstances beyond control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and review fee.

J. Section 108.4 is amended to read as follows:

108.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. This fee shall be equal to the amount of the permit fee required by this code. The payment of such fee shall not exempt an applicant from compliance with all other provisions of either this code or other requirements nor from the penalty prescribed by law.

K. Section 108.6 is amended to read as follows:

108.6 Refunds. The building official shall be permitted to authorize refunding of not more than 50 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official shall be permitted to authorize refunding of not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled provided that no examination time has been expended.

The building official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than 60 days after the date of fee payment.

L. Section 108 is amended by the addition of new subsections 108.7 and 108.8 to read as follows:

108.7 Investigative fees Work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same fee as the minimum set forth and adopted by the City Council. The payment of such

investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

108.8 Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring re-inspection fees the first time the job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the inspection card is not posted or otherwise not available on the work site; the approved plan is not readily available to the inspector; failure to provide access on the date for which an inspection is requested; or for deviating from the plans requiring the approval of the building official.

M. Section 109 is amended by the addition of a new subsection 109.1.1 to read as follows:

109.1.1 Inspection record card. Work requiring a building permit shall not be commenced until the permit holder or his agent shall have posted an inspection record card in a conspicuous place on the premises and in a position as to allow the building official to make the required entries conveniently thereon regarding inspection of the work. The address of the building site must be posted in a conspicuous place readily visible from the public road. This card shall be maintained in such a position by the permit holder until all inspections have been made and final approvals have been granted by the building official. No permanent electric meters will be released until the card has all the required signatures which have been verified by the Building Division.

N. Section 109 is amended by the addition of a new subsection 109.3.1.1 to read as follows:

109.3.1.1 Drilled pier inspection. Inspection will be made while the piers are being drilled. The Engineer of record or his authorized representative shall be present during the drilling operations and be available to the City inspector during required inspections.

O. Section 109.3.3 is amended to read as follows:

109.3.3 Lowest floor elevation. The elevation certificate required in Section 1612.5 shall be submitted when required by the building official or as required by Chapter 15.14 of the City of Loveland Municipal Code.

P. Section 109.3.7 is amended by adding the following sentence to the paragraph:

Energy efficiency inspections, if required, shall be provided by and at the owner's expense to verify compliance with the provisions of this section.

Q. Section 110 is amended by the addition of a new subsection 110.1.1 to read as follows:

110.1.1 Exception. No certificate of occupancy shall be required for Private U Occupancies and permits not establishing a use.

R. Section 110.3 is deleted in its entirety.

S. Section 112 is deleted in its entirety.

T. Section 202 is amended by the addition of the following definitions of "Room, Sleeping (Bedroom)," and "Utility Space (Room)" to read as follows:

Room, Sleeping (Bedroom). A habitable room within a dwelling unit designated primarily for the purpose of sleeping. Built in features such as closets and similar storage facilities shall not be considered as relevant factors in determining whether or not a room is a sleeping room.

Utility Space (Room). A room designed or used to house heating and general maintenance equipment.

U. Section 901.1 is amended to read as follows:

901.1 Scope. The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation and operation of fire protection systems. When the requirements of this code and the adopted fire code are in conflict the most restrictive shall apply.

V. Section 901.2 is amended to read as follows:

901.2 Fire protection systems. Fire protection systems shall be installed, repaired, operated and maintained in accordance with this code and the adopted fire code.

Any fire protection system for which an exception or reduction to the provisions of this code has been granted shall be considered to be a required system.

Exception: Any fire protection system or portion thereof not required by this code shall be permitted to be installed for partial or complete protection provided that such system meets the requirements of this code and the adopted fire code.

W. Section 903.1.1 is amended to read as follows:

903.1.1 Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the building official and fire code official.

X. Section 903.3.5 is amended by the addition of a new subsection 903.3.5.3 to read as follows:

903.3.5.3 Backflow protection. All fire sprinkler systems undergoing modification, unless exempt by the Director of the City of Loveland Water and Power Department, shall be isolated from the public water system by a backflow prevention device meeting the requirements of the Loveland Municipal Code.

Y. Section 903.2 is amended by the addition of the following new subsection:

Section 903.2.14 Dead-end Roadways. An automatic fire sprinkler system shall be installed in all Group R fire areas, other than single family detached residences, on a dead-end roadway when the dead-end is in excess of 400 feet.

Z. Section 903.4.3 is amended to read as follows:

Section 903.4.3 Floor Control Valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in all multi-story structures.

AA. Section 907.2.10.1.2 is amended by the addition of the following numbered paragraph 4 to read as follows:

907.2.10.1.2 Groups R-2, R-3, R-4 and I-1.

4. In all attached garages, an interconnected heat detector shall be installed.

BB. A new subsection 907.2.10.5 is hereby enacted to read as follows:

907.2.10.5 Exterior Strobe. An exterior strobe shall be provided on the exterior of all R-3 and R-4 occupancies in a location readily visible from the roadway fronting the structure. This strobe shall alarm upon activation of any smoke or heat detection.

CC. Section 1101.2 is amended to read as follows:

1101.2 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC A117.1, most current edition, and Colorado Revised Statutes Title 9 Article 5, § 9-5-101, et seq., as amended.

DD. Section 1301 is amended by the addition of a new subsection 1301.1.2 to read as follows:

1301.1.2 Design values. The exterior design values shall be as follows:

Winter Design Dry-bulb	4 degrees F
Summer Design Dry-bulb	94 degrees F
Summer Design Wet-bulb	63 degrees F
Degree Days Heating	6600 degrees F
Degrees North Latitude	40 degrees 35 minutes

EE. Section 1403.6 is amended to read as follows:

1403.5 Flood Resistance. For buildings in flood hazard areas as established in Section 1612.3, all construction shall comply with the provisions of Chapter 15.14, Floodplain Building Code of the Loveland Municipal Code and any Floodplain Overlay Areas established by the City of Loveland.

FF. Section 1505.1 is amended by the addition of the following footnotes d & e to Table 1505.1 Minimum Roof Covering Classification for Types of Construction to read as follows:

- d. The roof covering on any new structure or on the re-roofing of 50 percent or more during a one year period of any existing structure located west of the following described line shall be upgraded from a Class C to a Class B: Starting at the intersection of the Wyoming border line and Range 69 West, then South nine miles to S.W. Corner of Section 31, Township 11, Range 69, then West three miles to N.W. Corner of Section 3, Township 10, Range 70 then South five miles to S.W. corner of Section 27, Township 10, Range 70, then East three miles to S.W. corner of Section 30, Township 10, Range 69, then South nine miles to S.W. corner of Section 7, Township 9, Range 69, then West one mile to N.W. corner of Section 13, Township 8, Range 70, then South four miles to S.W. corner of Section 36, Township 8, Range 70, then East two miles, to N.W. corner of Section 6, Township 7, Range 69, then South three miles to S.W. corner of Section 17, Township 7, Range 69, then East one mile to S.W. corner of Section 17, Township 7, Range 69, then South four miles to S.W. Corner of Section 4, Township 6, Range 69, then East one mile to S.W. corner of Section 4, Township 6, Range 69, then South four miles to S.W. corner of Section 27, Township 6, Range 69, then West one mile to S.W. corner of Section 28. Township 6, Range 69, then South three miles to intersection of U.S. Hwy. 34 then West following Hwy. 34 two miles to intersection with Range 69 West, then South seven and three quarter miles to S.W. corner of Section 18, Township 4, Range 69, then West one mile to S.W. corner of Section 13, Township 4, Range 70, then South three miles to where the S.W. corner of Section 36, Township 9, Range 70 meets the Boulder County Line.
- e. For the purpose of using Table 1507.8, the City of Loveland shall be considered to be within the temperate climate classification. Underlayment in temperate climate: shakes shall be applied over solid sheathing with an underlayment of type 15 felt and with not less than 18 wide strips of type 30 felt applied shingle fashion between each course with no felt exposed below the butt of the shingle. Alternatively, shakes may be applied over solid sheathing with an underlayment of not less than two type 30 felts applied single fashion.

GG. Section 1608.2. is amended to read as follows:

1608.2 Ground snow loads. The ground snow loads to be used in determining the design snow loads for roofs are given in Figure 1608.2 for the contiguous United States and Table 1608.2 for Alaska. Site-specific case studies shall be made in areas designated CS in Figure 1608.2. Ground snow loads for sites at elevations above the limits indicated in Figure 1608.2 and for all sites within the CS areas shall be approved. Ground snow load determination for such sites shall be based on an extreme value statistical analysis of data available in the vicinity of the site using a value with a 2-percent annual probability of being exceeded (50-year mean recurrence interval). Snow loads are zero for Hawaii, except in mountainous regions as approved by the building official. Minimum design ground snow load for the City of Loveland shall be thirty (30) pounds per square foot.

HH. Section 1609.3 is amended to read as follows:

1609.3 Basic wind speed. The Special Wind Region, as indicated in Figure 1609 of the 2006 Edition of the International Building Code, shall apply. Additional Wind Design Speed for any given project area shall reference the Colorado Front Range Basic Wind Speed Study Map. Refer to Colorado Front Range Gust Map dated October 15, 2005.

Minimum design wind speed is 100 mph (3-second gust), exposure C

Note: Exposure B may be allowed if the site plan and Colorado registered engineer's calculations show that exposure B is acceptable for the project location due to site conditions and it is approved by the Building Official.

II. Section 1612.3 is amended to read as follows:

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the City of Loveland," as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway

Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

JJ. Section 1611.1 is amended by adding the following after the first paragraph:

1611.1 Design rain loads.

60 minute duration, 100 year event is 2.66 inches/hour; 0.0275 gpm/square foot

KK. Section 1802.6 is amended by the addition of a new subparagraph 10 to read as follows:

10. An investigation of the potential for subsurface water and, if necessary, designs for the control of subsurface water.

LL. Section 1805.2.1 is amended by the addition of the following sentence at the end of the section to read as follows:

The frost line, for footing/foundation design, shall be a minimum of 30 inches below finished grade line.

MM. Section 3001.2 is amended to read as follows:

3001.2 Referenced standards. Except as otherwise provided for in this code, the design, construction, installation, alteration, repair and maintenance of elevators and conveying systems and their components shall conform to ASME A17.1, ASME A18.1 (Platform Lifts & Stairway chairlifts), ASME A90.1, ASME B20.1, ALI ALCTV, and ASCE 24 for construction in flood hazard areas established in Section 1612.3.

NN. Section 3109.1 “Swimming Pool Enclosures and Safety Devices” General, is hereby amended to read as follows:

Swimming Pools shall comply with the requirements of this section and other applicable sections of this code and per Colorado Revised Statutes Title 25, Article 5, Part 8.

OO. Appendix A, “Employee Qualifications”, is hereby deleted in its entirety.

PP. Appendix B, “Board of Appeals”, is hereby deleted in its entirety.

QQ. Appendix D, “Fire Districts”, is hereby deleted in its entirety.

RR. Appendix F, “Rodent Proofing”, is hereby deleted in its entirety.

SS. Appendix G, “Flood Resistant Construction”, is hereby deleted in its entirety.

TT. Appendix H, “Signs,” is hereby deleted in its entirety.

UU. Appendix K, “ICC Electrical Code” is hereby deleted in its entirety.

15.08.030 Violations and penalties.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city or cause the same to be done contrary to or in violation of any of the provisions of the building code, as adopted and modified by the city. Any person, firm or corporation violating any of the provisions of the building code, as adopted and modified by the city, shall be deemed guilty of a misdemeanor, and subject to penalties as set forth in Section 1.12.010 of the code of the city of Loveland. (Ord. 5234 § 4, 2007)

Chapter 15.10

RESIDENTIAL CODE

Sections:

15.10.010 International Residential Code – Adopted.

15.10.020 Modifications to the International Residential Code, 2006 Edition.

15.10.030 Violations and penalties.

15.10.010 International Residential Code – Adopted.

The International Residential Code, 2006 Edition, issued and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, including appendices A, B, C, D, H, J, K, and O is hereby adopted by reference as the residential code of the city. This code is a complete code covering certain buildings hereafter constructed, erected, enlarged, altered or moved into the city and its purpose is to provide minimum standards to safeguard life and limb, health, property and public welfare by regulating and controlling the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress and their accessory structures, and providing for issuance of permits and collection of fees therefore. At least one copy of the International Residential Code, 2006 Edition, which has been certified by the mayor and city clerk, shall be on file in the office of the city clerk and may be inspected during regular business hours.

15.10.020 Modifications to International Residential Code, 2006 Edition.

The International Residential Code, 2006 Edition, adopted in this chapter, is modified as follows:

A. Section R101.1 is amended to read as follows:

R101.1 Title. These provisions shall be known as the Residential Code of the City of Loveland, hereinafter referred to as “this code” or “residential code.”

B. Section R103 is deleted in its entirety.

C. Section R105.2 is amended as follows:

(1) Item #7 under “Building:” is amended to read as follows:

7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (19,000 L), and are installed entirely above ground.

(2) The following paragraphs shall be added under “Building” to read as follows:

10. Replacement and repair of roofing of like materials on buildings classified as Group R-3 and U Occupancies, when such work is determined not to be historical as defined otherwise in this code.

11. Replacement and repair of nonstructural siding or siding which is not part of a required fire rated assembly on buildings classified as Group R-3 and U Occupancies.

12. Gutters, downspouts and storm windows (unless specified through design).

13. Window replacement provided the opening remains the same. Egress windows and glazing in areas required to be safety glazing shall require a permit.

14. Cabinetry in Group R-3 and U Occupancies.

15. Pergola** (unenclosed, no roof decking or covering) which are not placed in any required setback or connected to a deck.

**a structure of parallel colonnades supporting an open roof of beams and crossing rafters or trellis work, over which climbing plants are trained to grow.

Unless otherwise exempt by this code, separate plumbing, electrical, and mechanical permits will be required for the above exempted items.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in a manner in violation of the provisions of this code or any other laws or resolutions of the City of Loveland.

D. Section R105.3.1.1 is deleted in its entirety.

E. Section R105 is amended by modifying Section 105.5 to read as follows:

105.5 Expiration

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandon for a period of 180 days after the time the work is commenced. All permits shall become null and void regardless of the provisions of this section within twelve (12) months of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extensions shall be requested in writing and justifiable cause demonstrated.

F. Section R105.8 is amended by the addition of two new subsections, R105.8.1 and R105.8.2, to read as follows:

R105.8.1. Transfer of permit. A building permit or application may be transferred from one party to the other upon written request to the building official, provided there are no changes to the plans and specifications. Additionally, the party to which the permit is transferred must be licensed in the appropriate license category and in good standing.

R105.8.2. Owner assuming role as contractor. Provided that no change in ownership has occurred since the permit was issued, the building official may allow the property owner to assume the role of contractor at any time on an active building permit provided the building official is in receipt of a written request from the application holder stating that the applicant is no longer the contractor of record on the permit application. Additionally, the letter shall list the permit number, the address of the project and stating that the original contractor is no longer in the employ of the owner. This change may be done at no charge. No change will be made in the expiration date of the original building permit.

G. Section R106 is amended by the addition of new subsections R106.3.4 and R106.3.5 to read as follows:

R106.3.4. Responsibility for preparation of plans and specifications. In accordance with this section of the building code, the building official shall require plans, computations, and specifications to be prepared, designed, and stamped by an engineer or architect licensed in the State of Colorado in certain circumstances, including but not limited to the following:

1. Foundations are constructed on caissons or any other method. The building official may exempt this provision on additions to existing residential and accessory structures constructed on spread footing conforming to the requirements of Chapter 4.
2. Roof framing or wall framing is construction not conforming to the requirements of Chapter 8 and 9.
3. Confirmation of beam sizes and spans, loading, or any structural element affecting the integrity of the building.

R106.3.5. Deferred submittals. For the purpose this section R106, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge (if required), shall list the deferred submittals on the construction documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the design professional in responsible charge (if required), who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in conformance with the design of the building or structure. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

H. Section R108.2 is amended to read as follows and by the addition of subsections R108.2.1 and R108.2.2 to read as follows:

R108.2. Schedule of permit and inspection fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit, or inspection,

shall be paid as required in accordance with the schedule established from time to time by resolution of the City Council.

R108.2.1. Plan Review Fee. When submittal of documents are required by Section R105, a plan review fee shall be paid. The plan review fees specified in this section are separate fees from the permit fees specified as established by resolution in Section 108.2 and are in addition to the permit fees.

R108.2.2 Expiration of plan review. Applications for which no permit is issued within ninety (90) days following the date of last action of review without any response or additional information submitted by the applicant shall expire. Such plans submitted for checking may therefore be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not to exceed sixty (60) days upon written request by the applicant showing circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and review fee.

I. Section R108.4 is amended by the addition of new subsections R108.4.1, R108.4.2, R108.4.3 to read as follows:

R108.4.1. Fee for commencing work without a permit. The fee for commencing work without a permit shall be equal to the amount of the permit fee required by this code. The payment of such fee shall not exempt an applicant from compliance with all other provisions of either this code or other requirements nor from penalty prescribed by law.

R108.4.2. Investigative fees - work without permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigative fee, in addition to the permit fee, shall be collected whether or not a permit is then subsequently issued. The investigative fee shall be equal to the amount of the permit fee required by this code. The minimum investigative fee shall be the same fee as the minimum set forth and adopted by the City Council. The payment of such investigative fee shall not exempt any person from compliance with all other provisions of either this code or other requirements nor from any penalty prescribed by law.

R108.4.3. Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which a permit is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection. Re-inspection fees may be assessed when the inspection card is not posted or otherwise not available on the work site, the approved plans are not readily available to the inspector, failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official. The re-inspection fees specified in this section are separate fees from the permit fees specified in Section 108.2 and are in addition to the permit fees.

J. Section R108.5 is amended to read as follows:

R108.5. Refunds. The building official is authorized to establish a refund policy in accordance with the following criteria:

1. The building official shall be permitted to authorize refunding of not more than 50 percent of the permit fee paid when no work has been done under the permit issued in accordance with this code; and
2. The building official shall be permitted to authorize refunding of not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled provided that no examination time has been expended; and
3. The building official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than sixty (60) days after the date of fee payment.

K. Section R109.1 is amended to read as follows:

R109.1. Types of inspections – inspection card. For onsite construction, from time to time the building official, upon notification from the permit holder or his agent, shall make or cause to be made

any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with this code. Work requiring a building permit shall not be commenced until the permit holder or his agent shall have posted an inspection record card in a conspicuous place on the premises and in a position to allow the building official to make the required entries conveniently thereon regarding inspection of the work. The address of the building site must be posted in a conspicuous place readily visible from the public road. This card shall be maintained in such a position by the permit holder until all inspections have been made and final approvals have been granted by the building official. No permanent electric meters will be released until the card has all the required signatures and verified by the building official.

- L. Section R109.1 is amended by the addition of a new subsection R109.1.1.1 to read as follows:
R109.1.1.1. Drilled pier inspection. Drilled pier inspections will be made while the piers are being drilled. The design engineer of record or his authorized representative shall be present during the drilling operations and shall be available to the City inspector during required inspections.
- M. Section R109.1.3 is amended by the addition of a new subsection R109.1.3.1 to read as follows:
R109.1.3.1. Lowest floor elevation. The elevation certificate required in Section R109.1.3 shall be submitted when required by the building official or as required by Chapter 15.14 of the Loveland Municipal Code.
- N. Section R109.1.5 is amended by the addition of the following exception to R109.1.5.1 to read as follows:
R109.1.5.1. Fire-resistance-rated construction inspection. Lath or gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.
Exception: Gypsum board that is not part of a fire-resistive assembly or a shear assembly.
- O. Section R109.1.5 shall be amended by the addition of new subsections R109.1.5.2 and R109.1.5.3 to read as follows:
R109.1.5.2. Fire-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.
R109.1.5.3. Special inspections. For special inspections, Section 1704 of the building code shall apply. The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability as set forth in the building code.
- P. Section R110.4 is deleted in its entirety.
- Q. Section R112 is deleted in its entirety.
- R. Section R202 is amended by the addition of the following definitions of “Room, Sleeping (Bedroom),” “Townhouse,” and “Utility Space (Room)” to read as follows:

Room, Sleeping (Bedroom). A habitable room within a dwelling unit designated primarily for the purpose of sleeping. Built in features such as closets and similar storage facilities shall not be considered as relevant factors in determining whether or not a room is a sleeping room.

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

Utility Space (Room). A room designed or used to house heating, general maintenance equipment.

- S. Section R301.2 is amended by the addition of the following criteria to Table R301.2(1):

Table R301.2(1), insert the following:

Ground Snow Load: 30 psf (1436.4 pa)*

*designed in accordance with Table 1608.1, 2003 International Building Code

Wind speed: Minimum design 100 mph (3 second gust), exposure C**

**Exposure B may be allowed if site plan and Colorado licensed engineer’s calculations show that exposure B is acceptable for the project location due to site conditions and it is approved by the Building Official. Additional Wind Design Speed for any given project area shall reference the Colorado Front Range Wind Speed Study Map. See the attached map BWS-1.

Seismic Design Category: B

Weathering: SEVERE

Frost Line Depth: Minimum 30" (762 mm) below finished grade

Termite: SLIGHT TO MODERATE

Decay: NONE TO SLIGHT

Winter Design Temperature: -2 F (-18.9 C)

Flood Hazards: VARIES***

***Chapter 15.14 Floodplain Building Code of City of Loveland Municipal Code

- T. Section R301.5 is amended by the modification of the minimum uniformly distributed live loads for "attics with storage," and "sleeping rooms" set forth in Table R301.5 to read as follows:

TABLE R301.5
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS
(In pounds per square foot)

USE	LIVE LOAD
Attics with storage ^{b,e}	40 min.
Sleeping rooms	40

U. Section R302 is amended by modification of the minimum fire separation distance for “Walls” and “Projections” as set forth in Table R302.1 to read as follows:

TABLE R302.1
EXTERIOR WALLS

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour with exposure from both sides	0 feet
	(Not fire-resistance rated)	0 hours	3 feet
Projections	(Fire-resistance rated)	1 hour on the underside	2 feet
	(Not fire-resistance rated)	0 hours	3 feet
Openings	Not allowed	N/A	< 3 feet
	25% max. of wall area	0 hours	3 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R317.3	< 5 feet
		None required	5 feet

V. Section R303.1 is amended by the addition of exception #4 to read as follows:

4. Adequate artificial light shall be provided as approved by the building official upon documented information demonstrating practical difficulties providing additional natural light.

W. Section R305.1 is amended to read as follows:

R305.1 Minimum height. Habitable Rooms shall have a ceiling height of 7 feet 6 inches (2286 mm). Hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than 7 feet (2134 mm). The required height shall be measured from the finish floor to the lowest projection from the ceiling.

Exceptions:

X. Section R309.1 is amended to read as follows:

R309.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors. Doors providing opening protection shall be maintained self-closing and self-latching.

Y. Section R310.2.1 is amended by adding a second paragraph to read as follows:

R310.2.1 Ladder and steps.

. . . .

Window wells with a vertical depth greater than 44 inches (1118 mm) shall be equipped with a permanent affixed ladder or steps usable with the window in the fully open position. If the window well is stepped and has a horizontal dimension less than 36 inches, a ladder is required out of that said level complying with requirements for ladders or steps.

Z. Section R311.5.4 is amended by adding a fifth and sixth paragraph to read as follows:

R311.5.4 Landings for stairways.

. . . .

Where a stairway of two or fewer risers is located on the exterior side of a door, a landing is not required for the exterior side of the door, but a landing is required at the bottom of the risers.

Provided that the exterior doorway is not for the exit doorway required by Section 311, the step between the landing and an exterior doorway and top of the threshold shall have a rise not greater than permitted

in Section R311.5.3. The door, other than an exterior storm or screen door shall not swing over the landing.

AA. Section R311.5.6.1 is amended to read as follows:

R311.5.6.1 Height. Handrail height, measured vertically from the sloped plane adjoining the tread nosing, or finish surface of ramp slope, shall be not less than **32** inches (812.8 mm) and not more than 38 inches (965 mm).

BB. Section 324.1.4, **Lowest floor**, is amended by adding the following paragraph:

The elevation certificate required by this section shall be submitted when required by the building official or as required by Chapter 15.14 of the City of Loveland Municipal Code.

CC. Section R401.2 is amended by the addition of the following sentence at the end of the paragraph to read as follows:

R401.2 Requirements.

....

Investigation of the potential for subsurface water and, if necessary, designs for the control of subsurface water shall be required.

DD. Section R905.1 is amended by the addition of the following sentence at the end of the paragraph to read as follows:

R905.1 Roof covering application.

....

Table 1505.1 Minimum Roof Covering Classification for Types of Construction as adopted in the 2006 International Building Code shall be used for all roof coverings.

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

N1101.1 Scope. This chapter regulates the energy efficiency for the design and construction of buildings regulated by this code.

Exceptions:

1. Portions of the building envelope that do not enclose conditioned space.
2. Utility and miscellaneous group U occupancies and agricultural structures.

FF. Section N1101.2, first paragraph is amended with the addition to read as follows:

N1101.2 Compliance. Thermal design parameters for the City of Loveland is Zone 5, and shall be used for calculations required under this code. All ducted air-distribution heating and cooling systems shall be sized using cooling loads. All heating and cooling equipment shall be tested to ensure such equipment is operating within the manufacturers' recommended parameters and standards according to the applicable protocols established by the building code official and in accordance with the mechanical code adopted by City of Loveland.

GG. Table N1102.1 is amended to read as follows:

Table N1102.1
Single-Family Prescriptive Package^{(a)(h)(i)}

Max	Max	Max	Min	Min	Min	Min	Min	Min	Min	Min
Glazing area window to wall %	Fenestration U-Factor	Skylight U-factor (b)	Ceiling R-value	frame wall R-value	Mass Wall R-value (g)	Floor R-value over unheated space (e)	Basement Wall R-Value Continuous cavity	Slab perimeter R-value/Depth (d)	Crawl Space R value Cont./cavity(c)	Heating/Cooling efficiency Rating (AFUE)
NA	.35	.60	38	19 or 13+5 (f)	13	30	10/13	10, 2ft.	10/13	80/13
NA	.35	.60	38	13	8	30	10/13	10, 2ft.	10/13	90/13

- a. R-values are minimums. U-factors Solar Heat Gain Coefficient (SHGC) are maximums. R-19 shall be permitted to be compressed into a 2x6 cavity.
- b. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
- c. The first R-value applies to continuous insulation, the second to framing cavity insulation; either insulation meets the requirement.
- d. The R-5 shall be added to the required slab edge R-values for heated slabs.
- e. Or insulation sufficient to fill the framing cavity, R-19 minimum.
- f. 13+5 means R-13 cavity insulation plus R-5 insulated sheathing. If structural sheathing cover 25% or less of the exterior, R-5 sheathing is not required where structural sheathing is used. If structural cover more than 25% of exterior, structural sheathing shall be supplemented with insulated sheathing of at least R-2.
- g. Nominal log thickness of 6 inches has a mass wall R-Value (8.3), an 8 inch log is (11.3), a 10 inch log is (13.9), and a 12 inch log is (16.5).
- h. The thermal design parameters shall be used for calculations required under this code as listed in Design Value section.

Winter Outdoor, Design Dry-bulb (°F)	= 4
Winter Indoor, Design Dry-bulb (°F)	= 72
Summer, Outdoor Design Dry-bulb (°F)	= 94
Summer, Indoor Design Dry-bulb (°F)	= 75
Summer, Design Wet-bulb (°F)	= 63
Degree days heating	= 6600
Degree days cooling	= 479
Degrees North Latitude	= 40 degrees 35 minutes
- i. In addition City of Loveland will accept any Climate Zone 5 Single Family Prescriptive Packages in the 2006 International Energy Conservation Code (IECC) and ResCheck Compliance Report that passes using 2006 IECC and HDD = 6600, and any Home Energy Rating Score (HERS) less than 100 by an approved qualified energy rater. For additional information on energy codes or free software download of ResCheck go to www.energycodes.gov.

HH. Section M1307 is amended by the addition of a new subsection M1307.6 to read as follows:

M1307.6 Liquefied Petroleum Appliances. Equipment burning liquefied petroleum gas (LPG) shall not be located in a pit, basement, underfloor space, below grade, attic or similar location where vapors or fuel may unsafely collect. Liquefied petroleum gases, including construction and temporary heating,

shall only be installed per adopted fire code and per manufacturer's specifications and listing per appliances.

I I. Section M1410.1 is amended by the addition of the following sentence at the end of the paragraph to read as follows:

M1410.1 General.

.....

Un-vented gas appliance(s) and room heaters are prohibited, except for listed domestic gas range installations.

JJ. Section M2005.1 is amended to read as follows:

M2005.1 General. The minimum Energy Factor for water heaters shall be .60 for fuel-fired type, and .92 for electrical types.

15.10.030 Violations and penalties.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city or cause the same to be done contrary to or in violation of any of the provisions of the residential code, as adopted and modified by the city. Any person, firm or corporation violating any of the provisions of the residential code, as adopted and modified by the city, shall be deemed guilty of a misdemeanor, and subject to penalties as set forth in Section 1.12.010 of the code of the city of Loveland. (Ord 5235 § 1, 2007)

Chapter 15. 12

PROPERTY MAINTENANCE CODE

Sections:

- 15.12.010 International Property Maintenance Code – Adopted.**
- 15.12.020 Modifications to the International Property Maintenance Code, 2006 Edition.**
- 15.12.030 Violations and penalties.**

15.12.010 International Property Maintenance Code – Adopted.

The International Property Maintenance Code, 2006 Edition, issued and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the property maintenance code of the city. This code is a complete code to safeguard life and limb, health, property and public welfare by regulating and governing the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and providing for issuance of permits and collection of fees therefore. At least one copy of the International Property Maintenance Code, 2006 Edition, which has been certified by the mayor and city clerk, shall be on file in the office of the city clerk and may be inspected during regular business hours.

15.12.020 Modifications to International Property Maintenance Code, 2006 Edition.

The International Property Maintenance Code, 2006 Edition, adopted in this chapter, is modified as follows:

A. Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Loveland, hereinafter referred to as “this code” or “property maintenance code.”

B. Section 102.3 is amended to read as follows:

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the current adopted building code. Nothing in this code shall be construed to cancel, modify or set aside any provision of the adopted zoning code.

C. Section 103.2 is deleted in its entirety.

D. Section 103.5 is amended to read as follows:

103.5 Fees. Fees for the administration and enforcement of this code shall be established from time to time by resolution of the City Council.

E. Section 304.14 is amended by inserting the following dates into the brackets of the paragraph:

From: “January 1 to December 31.”

F. Section 602.3 is amended to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from January 1 to December 31 to maintain a temperature of not less than 68 degrees F (20 degrees C) in all habitable rooms, bathrooms, and toilet rooms.

G. Section 602.4 is amended by inserting the following dates into the brackets of the paragraph:

From: “January 1 to December 31.”

15.12.030 Violations and penalties.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city or cause the same to be done contrary to or in violation of any of the provisions of the property maintenance code, as adopted and modified by the city. Any person, firm or corporation violating any of the provisions of the

property maintenance code, as adopted and modified by the city, shall be deemed guilty of a misdemeanor, and subject to penalties as set forth in Section 1.12.010 of the code of the city of Loveland. (Ord. 5239 § 1, 2007)

Chapter 15.14

FLOODPLAIN BUILDING CODE

Sections:

15.14.005	Purpose.
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15.14.070	Administration.
15.14.072	Appeals.
15.14.074	Variances.
15.14.080	Floodproofing.

15.14.005 Purpose.

- A. It is the purpose of this chapter to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions to specific areas by provisions designed:
1. To protect human life and health;
 2. To minimize expenditure of public money for costly flood control projects;
 3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 4. To minimize prolonged business interruptions;
 5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazards;
 6. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazards so as to minimize future flood blight areas;
 7. To notify potential buyers that property is in an area of special flood hazard; and
 8. To ensure that those who occupy the areas of special flood hazards assume responsibility for their actions.
- B. In order to accomplish its purposes, this chapter includes methods and provisions for:
1. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
 2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
 3. Controlling the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel flood waters;
 4. Controlling filling, grading, dredging and other developments which may increase flood damage; and
 5. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas. (Ord. 3441 § 1, 1987)

15.14.010 Interpretation and application.

- A. In the interpretation and the application of this chapter, all provisions shall be construed as minimum requirements, liberally construed in favor of the city and deemed neither to limit nor repeal any other powers granted under state statutes. Such provisions shall be interpreted to apply together with and in conjunction with other provisions of this title.
- B. Except as specifically provided in this chapter, all other provisions of this title shall continue to be applied in addition to the requirements set forth in this chapter.

- C. The provisions of this chapter shall apply in those areas of the city zoned either FW floodway or FF flood fringe as provided in Chapter 18.45 of this code. (Ord. 3441 § 2, 1987; Ord. 1708 § 1 (part), 1978)

15.14.020 Definitions.

As used in this chapter and in Chapter 18.45 of this code, the following words and phrases shall have the meaning ascribed to them in this section:

- A. "Areas of special flood hazard" means that land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area of special flood hazard includes those areas designated as the floodway and flood fringe.
- B. "Base flood" means the one hundred-year return frequency flood, or the flood having a one percent chance of being equalled or exceeded in a given year.
- C. "Channel" means a natural or artificial watercourse or drainway of perceptible extent with definite bed and banks to confine and conduct continuously or periodically flowing water.
- D. "Development" means any man-made change to improved or unimproved real estate, including but not limited to, building or other structures, mining, dredging, filling grading, paving, excavation or drilling operations.
- E. "Drainway" means a natural or artificial land surface depression with or without perceptively defined beds and banks to which surface runoff gravitates and collectively forms a flow of water continuously or intermittently in a definite direction.
- F. "Existing mobile home park or mobile home subdivision" means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lots on which the mobile home is to be affixed (including, at a minimum, site grading or the pouring of concrete pads, and the construction of streets) was completed before the date of adoption of this regulation.
- G. "Expansion of an existing mobile home park or mobile home subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be placed (including the installation of utilities, either final site grading or pouring of concrete or the construction of streets).
- H. "Fill" means a deposit of materials of any kind placed by artificial means.
- I. "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation or runoff of surface waters from any source.
- J. "Flood fringe" means that portion of the floodplain inundated by the one hundred-year return frequency flood not within the floodway.
- K. "Flood insurance rate map" (FIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- L. "Flood insurance study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the flood boundary -- floodway map, and the water surface elevation of the base flood.
- M. "Floodplain" means the land adjacent to a body of water which has been or may hereafter be covered by floodwater.
- N. "Flood profile" means a graph or longitudinal profile showing the relationship of the water surface elevation of a flood event to location along a stream or river.
- O. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than six inches. (Ord. 4950 § 1, 2004)
- P. "Lowest floor" means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor.

- Q. "Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. "Manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than one hundred eighty consecutive days. Whenever the term "mobile home" is used in this chapter or in Chapter 18.45 of this code, such term shall be construed to mean "manufactured home."
- R. "New manufactured home park or subdivision" means a parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or for sale, for which the construction of facilities servicing the lot, including at a minimum the installation of utilities and the construction of streets, was completed on or after October 5, 1978. Whenever the term "new mobile home park or subdivision" is used in this chapter or in Chapter 18.45 of this code, such term shall be construed to mean "manufactured home park or subdivision."
- S. "Obstruction" means any dam, wall, wharf, embankment, levee, dike, pile abutment, projection, excavation, channel, rectification, bridge conduit, culvert, building, fence, rock, gravel, refuse, fill, structure or matter in, along, across or projecting into any channel, watercourse or regulatory flood hazard area which may impede, retard or change the direction of water flow, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to the damage of life and property elsewhere.
- T. "Regulatory flood datum" means the reference elevation above mean sea level which represents the peak elevation of the one hundred-year return frequency flood.
- U. "Regulatory flood protection elevation" means the elevation one and one-half feet above the regulatory flood datum.
- V. "Structure" means a walled and roofed building or manufactured home that is principally above ground.
- W. "Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:
1. Before the improvement or repair is started; or
 2. If the structure has been damaged and is being restored, before the damage occurred.
- For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
- The term does not, however, include either:
- a. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
 - b. Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.
- X. "Appeal" means a request for a review of the Public Works Department's interpretation of any provision of this chapter.
- Y. "Critical feature" means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
- AA. "Levee" means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.
- AB. "Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.
- AC. "Mean sea level" means, for purposes of the National Flood Insurance Program (NFIP), the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.
- AD. "New construction" means structures for which the "start of construction" commenced on or after October 5, 1978.

- AE. "Program deficiency" means a defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations or of the NFIP Standards in Section 60.3, 60.4, 60.5 or 60.6.
- AF. "Remedy a violation" means to bring the structure or other development into compliance with state or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this chapter or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.
- AG. "Start of construction" means and includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.
- AH. "Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.
- AI. "Violation" means the failure of a structure or other development to comply with the provisions of this chapter. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in NFIP Standards Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4) or (e)(5) is presumed to be in violation until such time as that documentation is provided.
- AJ. "Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas. (Ord. 4822 § 8, 2003; Ord. 3441 §§ 3 -- 9, 1987; Ord. 1708 § 1 (part), 1978)

15.14.030 Floodplain development permit required.

A floodplain development permit shall be obtained before construction or development begins within any area of special flood hazard. Application for a development permit shall be made on forms furnished by the Public Works Department Stormwater Division and may include, but not be limited to, information as listed in Section 15.14.070. (Ord. 4822 § 8, 2003; Ord. 1708 § 1 (part), 1978)

15.14.040 Regulations--Floodway district (FW).

- A. Use of fill. Fill shall not be permitted in the FW district except when such fill, acting alone or in combination with existing or future floodplain uses shall be shown to not increase flood heights during the base flood discharge and such fill shall be protected against erosion where erosive velocities may occur by the use of riprap, bulkheading or vegetative cover.
- B. Structures. Where structures are allowed by the provisions of Title 18, the following restrictions shall apply:
 1. Structures shall not be designed for human habitation. Structures shall be constructed so that the longitudinal axis of the structure is parallel to the direction of the flood flow.
 2. Whenever possible, placement of structures shall be upon the same flood flow lines as those of adjoining structures.
 3. Structures shall be firmly anchored.
 4. All utility services in connection with structures shall, whenever possible, be placed above the flood protection elevation or, where not practicable, shall be adequately floodproofed in a manner approved by the Public Works Department Stormwater Division.

- C. Uses. No use shall increase flood heights during the base flood discharge.
- D. All fill and structures allowed within the FW district shall be maintained so that the flood-carrying capacity of the watercourse is not diminished. (Ord. 4822 § 8, 2003; Ord. 3441 § 10, 1987; Ord. 1708 § 1 (part), 1978)

15.14.050 Regulations--Flood fringe district (FF).

- A. Fill. The use of fill in the FF district shall be the minimum necessary to comply with the provisions of this regulation. When required by the provisions of Title 18, fill in the FF district shall be to a point no lower than the regulatory flood protection elevation for the area in question. Such fill shall further extend at such elevation at least fifteen feet beyond the extremities of any structure erected on such fill. No fill shall be used in such a manner as to restrict the flow capacity of any tributary or other drainway to the main stream.
- B. Structures.
 - 1. Any structure may be placed in the FF district only if the lowest floor level is at or above the regulatory flood protection elevation. Nonresidential structures may be permitted without being placed on fill, provided the floodproofing requirements of Section 15.14.080 are met.
 - 2. All utility services, furnaces, water heaters and electrical wiring in connection with structures shall, wherever possible, be placed above the flood protection elevation or, where elevation is not practicable, shall be adequately floodproofed in a manner approved by the city building official.
 - 3. If any structure or portions of any nonresidential structure are not constructed upon fill, the portion not on fill shall be floodproofed in a manner consistent with requirements for placing a structure in the FW district to an elevation equal to the flood protection elevation.
 - 4. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters.
 - 5. Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (Ord. 3441 § 11, 1987; Ord. 1708 § 1 (part), 1978)

15.14.060 Regulations--Areas of special flood hazard.

In all areas of special flood hazards, the following provisions are required:

- A. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, above the base flood level, or, together with attendant utility and sanitary facilities, shall:
 - 1. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
 - 2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyance; and
 - 3. Be certified by a registered professional engineer or architect that the standards of this section are satisfied. Such certification shall be provided to the building official.
- B. All manufactured homes and those to be substantially improved shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and shall be securely anchored to an adequately anchored foundation system by providing over-the-top ties and frame ties to ground anchors. Specific requirements shall include (1) over-the-top ties at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations

(one additional tie per side at intermediate locations for manufactured homes less than fifty feet long); (2) frame ties at each corner of the home with five additional ties per side at intermediate points (four additional ties per side at intermediate points for manufactured homes less than fifty feet long). All additions to mobile homes shall be similarly anchored. All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred pounds.

- C. Located within areas of special flood hazard are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions apply:
1. All encroachments, including fill, new construction, substantial improvements and other development are prohibited unless certification by a registered professional engineer or architect is provided demonstrating that such encroachments will not result in any increase in flood levels during the occurrence of the base flood discharge; and
 2. All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions. (Ord. 3441 § 12, 1987; Ord. 1708 § 1 (part), 1978)

15.14.070 Administration.

- A. Application Requirements. Applications for building permits in the FF district and FW district shall be accompanied by surveys, plot plans, drawings, plans and other materials as necessary showing compliance of the proposed construction with the provisions of this chapter and the floodplain supplementary zoning resolution. Such submittals may include the following as necessary and shall be prepared by a registered professional engineer and land surveyor as appropriate:
1. Four sets of plans drawn to scale showing the nature, location, dimensions and elevation of the lot, existing or proposed structures, fill, storage of materials, drainage facilities, floodproofing measures, and the relationship of the above to the location of the channel, floodway and the flood protection elevation, and the following:
 - a. Elevation in relation to mean sea level, of the lowest floor, including basement, of all structures;
 - b. Elevation in relation to mean sea level to which any structure has been floodproofed;
 - c. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria of this chapter; and
 - d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
 2. A typical valley cross-section showing the channel of stream, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed development, and highwater information;
 3. Plans (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and spatial arrangement of all proposed and existing structures on the site; location and elevations of streets, water supply, sanitary facilities; photographs showing existing land uses and vegetation upstream and downstream, soil types, and other pertinent information;
 4. A profile showing the slope of the bottom of the channel or flow line of the stream;
 5. Specifications for building construction and materials, floodproofing, filling, dredging, grading, channel improvements, storage of materials, water supply and sanitary facilities;
 6. An additional fee in the amount of one-fourth times the normal permit fee;
 7. All required state and federal permits shall be obtained;
 8. As-built lowest floor elevations, lowest habitable floor elevations or floodproofing elevation shall be provided to the Public Works Department Stormwater Division prior to the occupancy of a structure in an area of special flood hazard.
- B. Administrator. The administrator of this chapter shall be the Public Works Department Stormwater Division Senior Civil Engineer for the city, who shall have the following duties:
1. To review all development permits to determine that the permit requirements of this chapter have been satisfied;

2. To review all development permits to determine that all necessary permits have been obtained from federal, state or local governmental agencies from which prior approval is required;
 3. To review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of this chapter are met;
 4. To obtain and maintain records of elevations and floodproofing levels for all new or substantially improved structures, and whether or not such structures contain basements, and of all other matters, including appeals and variances, pertaining to the administration of this chapter;
 5. To notify adjacent communities and the appropriate state offices prior to the alteration or relocation of a riverine watercourse. Copies of all such notifications shall be submitted to the Federal Emergency Management Agency;
 6. To make interpretations as to the exact locations of the boundaries of the areas of special flood hazard;
 7. To use all available floodplain information and data services to aid in the administration of this chapter; and
 8. To maintain the records of all appeal actions, including technical information, and to report any variances to the Federal Emergency Management Agency.
- C. Appeals. Appeals to the **Public Works Department** may be taken by any person aggrieved by his inability to obtain a building permit in the FW district or FF district or by any officer, department, board, or bureau of the city. Upon review, the Public Works Department shall have jurisdiction only over the following matters:
1. To review the exact zoning district boundary of the FW and FF districts as it relates to any specific piece of property;
 2. Determining the suitability and advisability of alternate methods shall not reduce the capacity of the structure involved to withstand flood damage, and which alternate methods shall not restrict the flow capacity of the main channel or any drainage relative thereto;
 3. In appropriate cases, the Public Works Department may issue a variance from the provisions of this regulation only after making a specific finding that the variance will not endanger health, welfare or prosperity and property of the applicant or any upstream or downstream owner or occupier or land.
 4. In granting any variance to the provisions of this chapter, the Public Works Department shall consider the recommendations and findings of the Public Works Department Stormwater Division Senior Civil Engineer and other comments from the city administration. (Ord. 4822 § 8, 2003; Ord. 3441 §§ 13, 14, 1987; Ord. 1708 § 1 (part), 1978)

15.14.072 Appeals.

The Public Works Department shall hear and decide appeals and requests for variances from the requirements of this chapter. Any person aggrieved by the decision of the Public Works Department Stormwater Division Senior Civil Engineer in the enforcement of administration of this chapter may appeal such decision to the Public Works Department. (Ord. 4822 § 8, 2003; Ord. 3441 § 15 (part), 1987)

15.14.074 Variances.

- A. Variances to the provisions of this chapter shall be granted only under the following circumstances:
1. A showing of good and sufficient cause;
 2. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, creation of nuisances, fraud on or victimization of the public or conflict with other existing laws and regulations.
- B. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of

flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

- C. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base level. As the lot size increases beyond one-half acre, the technical justifications required for issuing the variance increases.
- D. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in this section.
- E. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- F. No variances shall be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- G. In passing upon an application for a variance, the Public Works Department shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and shall give due consideration to the following:
 - 1. To danger to life and property due to flooding or erosion damage;
 - 2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - 3. The importance of the services provided by the proposed facility to the community;
 - 4. The necessity to the facility of a waterfront location, where applicable;
 - 5. The availability of alternative locations, for the proposed use which are not subject to flooding or erosion damage;
 - 6. The compatibility of the proposed use with the existing and anticipated development;
 - 7. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.
- H. The Public Works Department may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter. (Ord. 4822 § 8, 2003; Ord. 3441 § 15 (part), 1987)

15.14.080 Floodproofing.

Floodproofing measures taken for nonresidential structures pursuant to this chapter shall be designed consistent with the flood protection elevation for the particular area, flood velocities, durations, rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The building department shall require that the applicant submit a plan or document certified by a registered professional engineer or architect that the floodproofing measures are consistent with the regulatory flood protection elevation and associated flood factors for a particular area. The following floodproofing measures shall, as applicable, be required or taken in connection with specific construction. Such measures shall be undertaken in a manner consistent with requirements detailed by floodproofing regulations as published by the U.S. Army Corps of Engineers:

- A. Anchorage to resist flotation and lateral movement;
- B. Installation of watertight doors, bulkheads and shutters, or reinforcement of walls to resist water pressures;
- C. Use of paints, membranes or mortars to reduce seepage of water through walls;
- D. Addition of mass or weight to structures to resist flotation;
- E. Installation of pumps to lower water level in structures;
- F. Construction of water supply and waste treatment systems so as to prevent the entrance of floodwaters;
- G. Installation of pumping facilities or comparable practices for subsurface drainage systems for buildings to relieve external foundation wall and basement flood pressures;
- H. Construction to resist rupture or collapse caused by water pressure or floating debris;

- I. Installation of valves or controls on sanitary and storm drains which will permit the drain to be closed to prevent backup of sewage and storm waters into the building or structures;
- J. Location of all electrical equipment, lines, circuits and installed electrical appliances in a manner which will assure they are not subject to flooding;
- K. Construction of water, sewer and natural gas lines to resist rupture or collapse caused by water pressure;
- L. Location of any structural storage facilities for chemical explosives, buoyant materials, flammable liquids or other toxic materials which could be hazardous to public health, safety and welfare in a manner which will assure that the facilities are situated at elevations above the heights associated with the regulatory flood protection elevation or that the facilities are adequately floodproofed to prevent flotation of storage containers which could result in the escape of toxic materials into floodwaters. (Ord. 1708 § 1 (part), 1978)

Chapter 15.16

MECHANICAL CODE

Sections:

- 15.16.010 International Mechanical Code – Adopted.**
- 15.16.020 Modifications to the International Mechanical Code, 2006 Edition.**
- 15.16.030 Violations and penalties.**

15.16.010 International Mechanical Code – Adopted.

The International Mechanical Code, 2006 Edition, issued and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, including appendix A, is hereby adopted by reference as the mechanical code of the city. This code is a complete code covering all buildings hereafter constructed, erected, enlarged, altered or moved into the city and its purpose is to provide minimum standards to safeguard life and limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems, and providing for issuance of permits and collection of fees therefore. At least one copy of the International Mechanical Code, 2006 Edition, which has been certified by the mayor and city clerk, shall be on file in the office of the city clerk and may be inspected during regular business hours.

15.16.020 Modifications to International Mechanical Code, 2006 Edition.

The International Mechanical Code, 2006 Edition, adopted in this chapter, is modified as follows:

A. Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Mechanical Code of the City of Loveland, hereinafter referred to as “this code” or “mechanical code.”

B. Section 106.2 is amended by the addition of the following numbered paragraphs to read as follows:

106.2 Permits not required.

9. Replacement or repair of a category one (1) furnace or water heater of the same BTU rating in buildings classified R-3 occupancies provided the initial installation has been permitted, inspected and approved.

10. Replacement or repair of air conditioning equipment of the same size, energy source, and rating in buildings classified as R-3 occupancies provided the initial installation has been permitted, inspected and approved.

C. Section 106.5.2 is amended to read as follows:

106.5.2 Fee schedule. Fees for any permit, plan review or inspection required by this code shall be established from time to time by resolution of the City Council.

D. Section 106.5.3 is amended by inserting “fifty percent” into the brackets of paragraphs numbered 2 and 3. Additionally, the last paragraph of this section shall be deleted in its entirety and replaced with the following:

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 90 days after the date of fee payment.

E. Section 108.4 is deleted in its entirety.

F. Section 108.5 is amended by amending the last sentence to read as follows:

Any person who shall continue any work on the system after having been served by 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 as established by the City of Loveland.

G. Section 109 is deleted in its entirety.

H. Section 312.1 is amended by adding the following paragraph to read as follows:

312.1 Load calculations.

Residential heating and air conditioning equipment shall be sized based on building loads calculated in accordance with Air Conditioning Contractors of America (ACCA) Manual J, Load Calculations for Residential Winter and Summer Air Condition, or other approved heating and cooling methodologies

- I. Section 508.1 is amended by adding the following paragraph to read as follows:

508.1 Makeup air.

Mechanical makeup air systems shall be interconnected with an extinguishing system or detector device so that upon activation of either, the makeup system shall be shut off.

- J. Section 510.5.5 is amended by adding the following paragraph to read as follows:

510.5.5 Makeup air.

Makeup air systems serving a ventilation system provided for explosive or flammable vapors, fumes or dusts shall be interconnected with an extinguishing system or a detector so that upon activation of either, the makeup system shall be shut off.

- K. Section 702.1 is amended by adding the following exception to read as follows:

702.1 All air from indoors.

Exception: In all R Occupancies a minimum of a six-inch round duct or equivalent from the outside to the furnace and/or water heater shall be provided for combustion air or per manufacturer's specifications.

- L. Section 801.2 is amended by adding the following sentence at the end of the paragraph to read as follows:

801.2 General.

....

Un-vented gas appliance(s) and room heaters are prohibited, except for listed domestic gas range installations.

- M. Section 905.1 is amended by adding the following sentence at the end of the paragraph to read as follows:

905.1. General.

No permit shall be issued for the installation of a wood stove appliance, unless the wood stove appliance is listed and tested by an approved testing agency, fully complies with the manufacturer's listing and conforms to any emissions standards of the State of Colorado in effect at the time of permit application which may pertain to the City of Loveland.

- N. Section 1001 is amended by the addition of a new subsection 1001.2 to read as follows:

1001.2 Operations and maintenance of boilers and pressure vessels. Boilers and pressure vessels shall be operated and maintained in conformity with requirements for adequate protection of the public according to nationally recognized standards. The State Boiler Inspector shall notify the owner or the authorized representative of defects or deficiencies, which shall be properly and promptly corrected.

- O. Section 1002.1 is amended by adding the following sentence at the end of the paragraph to read as follows:

1002.1 General.

The minimum energy factor for water heaters shall be .60 for fuel type, and .92 for electrical types.

- P. Section 1011 is amended by the deletion of sections 1011.1 and 1011.2 and amended to read as follows:

1011. Tests. An installation for which a permit is required shall not be put into service until it has been inspected and approved. It is the duty of the owner or his or her authorized representative to notify the State of Colorado Boiler Inspector or an authorized alternate that the installation is ready for inspection and test. The results of such test shall be submitted to the building official for review and acceptance.

15.16.030 Violations and penalties.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city or cause the same to be done contrary to or in violation of any of the provisions of the mechanical code, as adopted and modified by the city. Any person, firm or corporation violating any of the provisions of the mechanical

code, as adopted and modified by the city, shall be deemed guilty of a misdemeanor, and subject to penalties as set forth in Section 1.12.010 of the code of the city of Loveland. (Ord. 5236 §1, 2007)

Chapter 15.18

FUEL GAS CODE

Sections:

- 15.18.010 International Fuel Gas Code – Adopted.**
- 15.18.020 Modifications to the International Fuel Gas Code, 2006 Edition.**
- 15.18.030 Violations and penalties.**

15.18.010 International Fuel Gas Code – Adopted.

The International Fuel Gas Code, 2006 Edition, issued and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, including appendices A and B, is hereby adopted by reference as the fuel gas code of the city. This code is a complete code and its purpose is to provide minimum standards to safeguard life and limb, health, property and public welfare by regulating and controlling fuel gas systems and gas-fired appliances, and providing for issuance of permits and collection of fees therefore. At least one copy of the International Fuel Gas Code, 2006 Edition, which has been certified by the mayor and city clerk, shall be on file in the office of the city clerk and may be inspected during regular business hours.

15.18.020 Modifications to International Fuel Gas Code, 2006 Edition.

The International Fuel Gas Code, 2006 Edition, adopted in this chapter, is modified as follows:

A. Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fuel Gas Code of the City of Loveland, hereinafter referred to as “this code” or “fuel gas code.”

B. Section 101.2 is amended by the addition of the following sentence to the first paragraph to read as follows:

101.2 Scope.

....

Liquefied petroleum gases, including construction and temporary heating, shall only be installed per the current adopted fire code and per manufacturer’s specifications and listing per appliances.

....

C. Section 106.5.2 is amended to read as follows:

106.5.2 Fee schedule. Fees for any permit, plan review or inspection required by this code shall be established from time to time by resolution of the City Council.

D. Section 106.5.3 is amended by inserting “fifty percent” into the brackets of paragraphs numbered 2 and 3. Additionally, the last paragraph of this section shall be deleted in its entirety and replaced with the following:

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 90 days after the date of fee payment.

E. Section 108.4 is deleted in its entirety.

F. Section 108.5 is amended by amending the last sentence to read as follows:

Any person who shall continue any work on the system after having been served by 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 as established by the City of Loveland.

G. Section 109 is deleted in its entirety.

H. Section 301.2 is amended by the addition of the following paragraph to read as follows:

301.2 Energy utilization.

....

Residential heating and air conditioning equipment shall be sized based on building loads calculated in accordance with Air Conditioning Contractors of American (ACCA) Manual J, Load Calculations for Residential Winter and Summer Air Condition, or other approved heating and cooling methodologies.

I. Section 303.3 is amended by the deletion of the following numbered paragraphs:

303.3 Prohibited Locations.

Paragraph 3.

Paragraph 4.

- J. Section 304.11 is amended by the addition of the following numbered paragraph to read as follows:

304.11 Combustion air ducts.

....

9. In all R Occupancies a minimum of a six inch round duct or equivalent from the furnace and/or water heater shall be provided for combustion air.

- K. Section 402.6.1 is amended by the addition of the following second paragraph to read as follows:

402.6.1 Liquefied petroleum gas systems.

....

Equipment burning liquefied petroleum gas (LPG) shall not be located in a pit, basement, under floor space, below grade, attic or similar location where vapors or fuel may unsafely collect. Liquid petroleum gases, including construction and temporary heating shall only be installed per the current adopted fire code, manufacturer's specifications and listing of the appliance(s).

Exceptions:

- L. Section 406.4 is amended by the amendment of the last sentence to read as follows:

Section 406.4. Test pressure measurement.

....

Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than three times the test pressure.

- M. Sections 406.4.1 and 406.4.2 are amended to read as follows:

406.4.1 Test pressure and duration. The inspections conducted pursuant to this section shall include a determination that the gas piping size, material, and installation meet the requirements of this code and shall be made after all piping authorized by the permit has been installed and before any portions thereof which are to be covered or concealed are so concealed and before any fixture, appliance, or shutoff valve has been attached thereto. Such inspections shall include an air, CO₂ or nitrogen pressure test, at which time the gas piping shall stand not less than ten (10) pounds per square inch (68.9 kPa) gauge pressure, or at the discretion of the building official, the piping and valves may be tested at a pressure of at least six (6) inches (152mm) of mercury, measured with a manometer or slope gauge. Test pressures shall be held for a length of time satisfactory to the building official, but in no case for less than fifteen (15) minutes, with no perceptible drop in pressure.

For welded piping, and for piping carrying gas at pressure in excess of fourteen (14) inches (356 mm) water column pressure, the test pressure shall not be less than sixty (60) pounds per square inch (413.4 kPa) and shall be continued for a length of time satisfactory to the building official, but in no case for less than thirty (30) minutes.

These tests shall be made using air, CO₂, or nitrogen pressure only and shall be made in the presence of the building official. All necessary apparatus for conducting tests shall be furnished by the permit holder. Test gauges used in conducting tests shall comply with Chapter 4 of this code.

- N. Section 501.8 shall be amended by deleting the following paragraphs.

501.8 Equipment not required to be vented.

....

Paragraph 8.

Paragraph 10.

- O. Section 624.1 is amended by the addition of the following sentence to read as follows:

624.1 General.

....

The minimum energy factor for water heaters shall be .60 for gas, and .92 for electric.

15.18.030 Violations and penalties.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city or cause the same to be done contrary to or in violation of any of the provisions of the fuel gas code, as adopted and modified by the city. Any person, firm or corporation violating any of the provisions of the fuel gas code, as adopted and modified by the city, shall be deemed guilty of a misdemeanor, and subject to penalties as set forth in Section 1.12.010 of the code of the city of Loveland. (Ord 5238 § 1, 2007)

Chapter 15.20

PLUMBING CODE

Sections:

- 15.20.010 International Plumbing Code – Adopted.**
- 15.20.020 Modifications to the International Plumbing Code, 2006 Edition.**
- 15.20.030 Violations and penalties.**

15.20.010 International Plumbing Code – Adopted.

The International Plumbing Code, 2006 Edition, issued and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, including appendices B, C, E, F, and G, is hereby adopted by reference as the plumbing code of the city. This code is a complete code covering all buildings hereafter constructed, erected, enlarged, altered or moved into the city and its purpose is to provide minimum standards to safeguard life and limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems, and providing for issuance of permits and collection of fees therefore. At least one copy of the International Plumbing Code, 2006 Edition, which has been certified by the mayor and city clerk, shall be on file in the office of the city clerk and may be inspected during regular business hours.

15.20.020 Modifications to International Plumbing Code, 2006 Edition.

The International Plumbing Code, 2006 Edition, adopted in this chapter, is modified as follows:

- A. Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Plumbing Code of the City of Loveland, hereinafter referred to as “this code” or “plumbing code.”

- B. Section 103 is deleted in its entirety.

- C. Section 106.6.2 is amended to read as follows:

106.6.2 Fee Schedule. Fees for any permit, plan review or inspection required by this code shall be established from time to time by resolution of the City Council.

- D. Section 106.6.3 is amended by inserting “fifty percent” into the brackets of paragraphs numbered 2 and 3. Additionally, the last paragraph of this section shall be deleted in its entirety and replaced with the following:

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 90 days after the date of fee payment.

- E. Section 108.4 is deleted in its entirety.

- F. Section 108.5 is amended by amending the last sentence to read as follows:

Any person who shall continue any work on the system after having been served by 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 as established by the City of Loveland.

- G. Section 109 is deleted in its entirety.

- H. Section 312.9 is deleted in its entirety.

- I. Section 708.3.3 is amended by the addition of a new paragraph to read as follows:

708.3.3 Changes in direction.

.....

An additional cleanout shall be provided in a drainage line for each aggregate horizontal change of direction exceeding one hundred thirty-five (135) degrees (2.36 rad).

- J. Section 904.1 is amended by inserting the numbers “6 inches (152.4 mm)” in the brackets.

- K. Section 904.6 is deleted in its entirety.

- L. Section 905.4 is amended to read as follows:

905.4 Vertical rise of vent. Every dry vent shall rise vertically to a minimum of 6 inches (152 mm) above the flood level rim of the highest trap or trapped fixture being vented, unless drainage fittings are used.

Exception: Vents for interceptors located outdoors.

M. Section 908.2 is amended to read as follows:

908.2 Connection at the same level. Where the fixture drains being common vented connect at the same level, the vent connection shall be at the interconnection of the fixture drains.

15.20.030 Violations and penalties.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city or cause the same to be done contrary to or in violation of any of the provisions of the plumbing code, as adopted and modified by the city. Any person, firm or corporation violating any of the provisions of the plumbing code, as adopted and modified by the city, shall be deemed guilty of a misdemeanor, and subject to penalties as set forth in Section 1.12.010 of the code of the city of Loveland. (Ord. 5237 § 1, 2007)

Chapter 15.24

ELECTRICAL CODE

Sections:

- 15.24.010 Electrical Code – Adopted.**
- 15.24.020 Permit Fees.**
- 15.24.030 Violations and penalties.**

15.24.010 Electrical Code – Adopted.

The National Electrical Code, most current edition, issued and published by the National Fire Protection Association, Batterymarch Park, Quincy, MA 02269, and Title 12, Article 23 of the Colorado State Electrical Laws and Rules and Regulations, are enacted and adopted by reference as secondary codes and incorporated herein. A copy of each said code, certified as a true copy by the mayor and city clerk, shall be on file in the office of the city clerk and may be inspected during regular business hours. These codes regulate and control all electrical wiring, fixture and appliances installed, altered or repaired in any buildings in the city as to design, construction, quality of material, workmanship and location. The purpose of secondary codes is to protect, health and safety of the citizens of the city.

15.24.020 Permit fees.

Permit fees shall be assessed as set forth by this code shall be established by city council from time to time as amended and adopted by the City of Loveland and shall be based on the valuation of the work to be done.

15.24.030 Violations and penalties.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain an electrical system or equipment or cause or same to be done contrary to or in violation of any of the provisions of the National Electrical Code. Any person, firm or corporation violating any of the provisions of the National Electrical Code shall be deemed guilty of a misdemeanor, and subject to penalties as set forth in Section 1.12.010 of the Code of the City of Loveland. (Ord. 5242 § 1, 2007)

Chapter 15.28

FIRE CODE

Sections:

- 15.28.010 International Fire Code - Adopted**
- 15.28.020 Modifications to International Fire Code – 2006 Edition**
- 15.28.030 Violations and Penalties.**

15.28.010 International Fire Code – Adopted.

The International Fire Code, Edition 2006, issued and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 6047-5795, including appendices B and C, is hereby adopted by reference as the fire code of the city, subject to the additions and modifications set forth in this chapter. The purpose of the fire code is to provide minimum standards to safeguard life and limb, health, property and the public welfare by regulating fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises; and to provide for the issuance of permits and collection of fees therefor. At least one copy of the International Fire Code, 2006 Edition, which has been certified by the mayor and city clerk, shall be on file in the office of the city clerk and may be inspected during regular business hours. (Ord. 5223 § 1, 2007; Ord. 5189 § 1, 2007; Ord. 4347 § 1, 1998)

15.28.020 Modifications to International Fire Code – 2006 Edition.

The International Fire Code, Edition 2006, adopted in this chapter, is modified as follows:

A. Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the City of Loveland Fire Code hereinafter referred to as “the fire code.”

B. Section 108.1 is amended to read as follows:

108.1 Appeals. Appeals arising from the application of the International Fire Code, 2006 edition shall be pursuant to Sections 15.04.150 and 15.04.152 of the Loveland Municipal Code.

C. Section 108.2 is deleted in its entirety.

D. Section 108.3 is deleted in its entirety.

E. Section 109.3 is deleted in its entirety.

F. Section 111.4 is deleted in its entirety.

G. Chapter 1 of the fire code is amended by the addition of a new Section 112 to read as follows:

SECTION 112 FEES

112.1 General. The fees for the permits, inspections, and services authorized by the fire code shall be assessed in accordance with the fee schedule established by resolution of the city council.

H. Section 315 is amended by the addition of a new subsection 315.4 to read as follows:

315.4 Storage under stairways. Storage is prohibited under exit stairways.

Exception: storage is allowed under interior stairways when such stairways are not within exit enclosures and such spaces are protected on the enclosed side by one-hour fire resistive construction as specified in the Building Code.

I. Section 503.2.5 is amended to read as follows:

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. Dead-ends in excess of 1000 feet are not allowed.

J. Section 503.6 is amended to read as follows:

- 503.6 Controlled access gates.** The installation of a controlled access gate or barrier in the path of a fire apparatus access road shall be approved by the fire code official and be designed and installed in accordance with the criteria established by the fire code official and this section.
Exception: Private driveways serving a single-family residence.
- K. Section 503.6.1 is amended to read as follows:
503.6.1 Permits. Permits shall be required to install, modify or operate controlled access gates and barriers.
- L. Section 503.6.2 is amended to read as follows:
503.6.2 Maintenance. All gates or barriers shall be maintained operable at all times and shall be inspected at least annually. Maintenance shall be the responsibility of the property owner, homeowners' association or the occupants of a gated community.
- M. Section 503.6.3 is amended to read as follows:
503.6.3 Inoperable gates and barriers. Gates or barriers that are inoperable shall be locked open or removed at the owner's expense.
- N. Section 503.6.4 is amended to read as follows:
503.6.4 Unpermitted gates and barriers. Gates or barriers that have been installed without a permit shall be chained open or removed at the owner's expense until a permit and final approval have been obtained from the fire department.
- O. Section 508.3 is amended to read as follows:
508.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined in accordance with Appendix B.
- P. Section 508.5 is amended to read as follows:
508.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.8.
- Q. Section 508.5 is amended by the addition of a new subsection 508.5.7 to read as follows:
508.5.7 Fire hydrant spacing. Fire hydrants shall be spaced 600-feet apart for Group R-3 occupancies and 350 feet apart for all other occupancies.
- R. Section 508.5 is amended by the addition of a new subsection 508.5.8 to read as follows:
508.5.8 Fire Department Connections. A fire hydrant shall be located within 150-feet of a fire department connection.
- S. Chapter 5 of the fire code is amended by the addition of a new Section 512 to read as follows:

SECTION 512 PUBLIC SAFETY RADIO AMPLIFICATION SYSTEMS

- 512.1 General.** Public safety radio amplification systems for the enhancement of emergency services communications within buildings shall be designed, installed and maintained in accordance with this section.
- 512.2 Where required.** Where adequate radio coverage cannot be established within a building, as defined by the fire code official, public safety radio amplification systems shall be installed in the following locations:
1. New buildings with a total building area greater than 50,000 square feet. For the purposes of this section, fire walls shall not be used to define separate buildings.
 2. All new basements over 10,000 square.
 3. Existing buildings meeting the criteria of Item #1 or 2 of this section undergoing alterations or additions exceeding 50% of the existing aggregate area of the building as of the date of this ordinance.
- Exceptions:
1. One- and two-family dwellings and townhouses.
 2. If approved by the fire code official, buildings that provide a documented engineering analysis indicating the building is in compliance with radio reception levels in accordance with Section 512.3 and final fire department testing.

- 512.3 Design and installation standard.** Public safety radio amplification systems shall be designed and installed in accordance with the criteria established by the fire code official based on the capabilities and communication features of emergency services.
- 512.4 Maintenance.** Public safety radio amplification systems shall be maintained in an operative condition at all times and shall be replaced or repaired where defective.
- T. Section 903.2 is amended by the addition of a new subsection 903.2.14 to read as follows:
- 903.2.14 Dead-end roadways.** An automatic fire sprinkler shall be installed in all residential units on a dead-end roadway when the dead-end is in excess of 400 feet.
- U. Section 903.4.3 is amended to read as follows:
- 903.4.3 Floor control valves.** Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in all multi-story structures.
- V. Section 907.2.10.1.2 is amended to read as follows:
- 907.2.10.1.2 Groups R-2, R-3, R-4 and I-1.**
4. In all attached garages, an interconnected heat detector shall be installed.
- W. Section 907.2.10 is amended by the addition of a new subsection 907.2.10.5 to read as follows:
- 907.2.10.5 Exterior Strobe.** An exterior strobe shall be provided on the exterior of all R-3 and R-4 occupancies in a location readily visible from the roadway fronting the structure. This strobe shall alarm upon activation of any smoke or heat detector.
- X. Section 2403.2 is amended to read as follows:
- 2403.2 Approval required.** Tents and membrane structures having an area in excess of 600 square feet and canopies in excess of 900 square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official.
- Y. Section 3301.1.3 is amended to read as follows:
- 3301.1.3 Fireworks.** The possession, manufacture, storage, sale, handling and use of fireworks are prohibited unless permitted by state or local laws.
- Z. Section 3301.1.1, Exception 4 is amended to read as follows:
4. The possession, storage, sale, handling and use of Permissible Fireworks in accordance with the criteria established by the fire code official.
- AA. Section 3302 is amended by the addition of a new definition to read as follows:
Permissible Fireworks. As defined in the Colorado Revised Statutes 12-28-101.
- BB. Chapter 33 of the fire code is amended by the addition of a new Section 3309 to read as follows:

SECTION 3309
PERMISSIBLE FIREWORKS

- 3309.1 General.** Permissible Fireworks use shall be as detailed in this section and in accordance with state and local laws.
- 3309.2 Use of Fireworks.** The use of permissible fireworks shall be in accordance with subsections 3309.2.1 through 3309.2.4:
- 3309.2.1** It shall be unlawful for any person to possess, store, offer for sale, expose for sale, sell at retail or use or discharge any fireworks, other than permissible fireworks.
- 3309.2.2** It shall be unlawful for any person to knowingly furnish to any person who is under sixteen years of age, by gift, sale, or any other means, any fireworks or permissible fireworks.
- 3309.2.3** It shall be unlawful for any person under sixteen years of age to purchase any fireworks including permissible fireworks.
- 3309.2.4** It shall be lawful for a person under the age of sixteen years to possess and discharge permissible fireworks if such person is under adult supervision throughout the act of possession and discharge.
- CC. Section 3404.2.13.1.4 is deleted in its entirety.
- DD. Section 3404.2.9.5.1 is amended to read as follows:
- 3404.2.9.5.1 Locations where above-ground tanks are prohibited.** Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the city limits.

Exceptions:

1. Aboveground tank storage of aviation fuels at the Fort Collins-Loveland Airport fuel farm.
2. Protected aboveground tank storage (UL 2085) not exceeding 1000 gallons in size per tank or more than 2000 gallons per site.
3. Aboveground storage tanks not exceeding 500 gallons for supply of emergency generators or fire pumps when approved by the fire code official.

EE. Section 3406.2.4 is amended to read as follows:

3406.2.4 Permanent and temporary tanks. The capacity of permanent above-ground tanks containing Class I or II liquids shall not exceed 500 gallons. The capacity of temporary above-ground tanks containing Class I or II liquids shall not exceed 2,000 gallons unless a larger amount is approved in writing by the fire code official. Tanks shall be of the single-compartment design.

FF. Section 3406.2.4.4 is deleted in its entirety.

GG. Section 3804.2 is amended to read as follows:

3804.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 500 gallons.
(Ord. 5189 § 1, 2007; Ord. 4347 § 2, 1998)

15.28.030 Violations and Penalties.

- A. No person who operates, occupies or maintains a premises or vehicle subject to the provisions of this chapter shall allow a fire hazard to exist nor shall fail to take immediate action to abate a fire hazard when ordered or notified to do so.
- B. Any person who shall violate any of the provisions of this chapter or who shall violate or fail to comply with any orders made hereunder or who shall act in any way in violation of any permits issued hereunder shall, severally and for each and every violation in noncompliance respectively, be guilty of a misdemeanor punishable by the penalty set forth in Section 1.12.010 of the Loveland Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all persons shall be required to correct or remedy the violations or defects within a reasonable time, and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense. The application of any penalty pursuant hereto shall not be held to prevent the forced removal of prohibited conditions nor the suspension or removal of a permit or license issued hereunder. (Ord. 5189 § 1, 2007)

Chapter 15.30

BUILDING CONTRACTORS LICENSE

Sections:

15.30.010	Legislative purpose.
15.30.020	Definitions.
15.30.030	License required.
15.30.040	License applications, qualifications and changes.
15.30.050	Renewal.
15.30.070	Registration and classification of licenses.
15.30.080	License examinations.
15.30.100	License fees.
15.30.110	Denial of license.
15.30.120	Contractor responsibilities.
15.30.130	Revocation and suspension of license.

15.30.010 Legislative purpose.

The purpose of this chapter is to promote the public health, safety and welfare by requiring that persons erecting, constructing, enlarging, altering, repairing, moving, removing or converting buildings and other structures in the city are licensed for such activities and have shown that they are qualified to perform such services by experience or examination. (Ord. 5455 § 1, 2009; Ord. 3690 § 1 (part), 1990, Ord. 4919§ 1 (part), 2004).

15.30.020 Definitions.

For the purpose of this chapter, the following terms shall have the meaning indicated:

- A. "Board" means the construction advisory board of the city of Loveland.
- B. "Chief building official" shall mean the chief enforcement officer as provided under Section 15.04.010, or his or her designee, who shall serve as the licensing official for all contractor licenses. The Fire Marshal is designated as the chief building official for licensing of S-4 and S-5 licenses.
- C. "Contractor" means any person or entity who undertakes, within the city of Loveland, to perform any work on any building or structure or any portion thereof for which a permit is required by this title of the Loveland Municipal Code.
- D. "License" means a license issued pursuant to this chapter.
- E. "Registration" means a registration issued to an electrician or plumber pursuant to this chapter who is also licensed as an electrician or a plumber by the state of Colorado.
- F. "Remodel" means to alter, enlarge, demolish or replace. (Ord. 5455 § 1, 2009; Ord. 3690 § 1 (part), 1990, Ord. 4919§ 1 (part), 2004).

15.30.030 License required.

- A. No contractor shall perform any work without having obtained a license to perform such work from the chief building official under this chapter.
- B. No contractor that is not a natural person shall perform any work without having in its employ a natural person licensed as a contractor under this chapter for the type of work performed. The name of such person shall be registered with the chief building official. If such person should leave the employ of the licensee, the license shall be deemed suspended until another licensed natural person is registered with the chief building official. Such person shall provide personal supervision at the work, job or project site adhering to reasonable attention to the job site to insure proper construction as determined by the chief building official.
- C. Each licensee under this chapter shall be issued an identification card and shall present such card upon request of any city representative.
- D. The following persons are exempt from the licensing requirements of this chapter:
 1. A person working under the supervision of any other person licensed under this chapter;

2. A homeowner who builds, constructs, alters, repairs, adds to or demolishes any building or structure or any portion thereof that constitutes the owner's residence, or a building or structure accessory thereto, and that is intended for the owner's personal use. This section shall not apply to the installation or repair of fire alarms and fire sprinklers;
3. A public utility company and its employees, when engaged in the installation, operation and maintenance of its equipment used for the production, generation or distribution of the utility, product or service through the facilities owned or operated by the utility company to the point of customer service. (Ord. 5455 § 1, 2009; Ord. 3690 § 1 (part), 1990)

15.30.040 License applications, qualifications and changes.

- A. An applicant may apply for a license on forms furnished by the chief building official, and shall provide information relating to the applicant's competence, experience and job references as required, and pay the fees as set forth herein.
- B. No license shall be issued to an applicant until the applicant has successfully passed an examination to test the applicant's qualifications for the category of license requested, as required by Section 15.30.080. In order to be eligible for exemption from the examination requirement, an applicant shall demonstrate competency in the licensing category applied for in Section 15.30.070 satisfactory to the chief building official.
- C. Every licensee shall report a change of name or address in writing to the chief building official not later than fourteen business days after the change.
- D. A licensee may elect to have his license become inactive by notifying the chief building official. No one shall perform work with an inactive license. Thereafter, no further fees shall be required until the licensee's license is reactivated.
- E. A licensee may upgrade a license to a broader classification by submitting a new application, successfully completing the examination if required, and paying the difference between the fees paid and the fee for the new license. (Ord. 5455 § 1, 2009; Ord. 3690 § 1 (part), 1990; Ord. 4919 § 1 (part), 2004)

15.30.050 Renewal.

A licensee under this chapter shall renew his or her license every two (2) years, unless otherwise required by the state, by filing a completed application for renewal with the chief building official and paying the fees required in Section 15.30.100. Approval of a renewal application designates the beginning of the renewal period. Licenses issued by the City of Loveland which have been expired or inactive for more than three (3) years may be renewed upon providing evidence of passing the examination in the appropriate category of licensure under Section 15.30.080. (Ord. 5455 § 1, 2009; Ord. 3690 § 1 (part), 1990; 4919 § 1 (part), 2004)

15.30.070 Registration and classification of licenses.

The following licenses or registrations are available pursuant to this chapter:

- A. Standard General Building Contractor (A)
This license entitles the licensee to construct, remodel or repair any structure or addition thereto for which a building permit is required. This license does not allow work that includes electrical, plumbing, mechanical, signs, fire and burglar alarms, fire protection, and trades outside the license holder's area of expertise.
- B. Standard Building Contractor (B)
This license entitles the licensee to construct, remodel or repair commercial buildings and single or multi-dwelling buildings not exceeding three stories in height for which a building permit is required. This license is limited to allow work on non-residential tenant finish as well as residential structures which contain fewer than sixteen dwelling units. This license does not allow work that includes electrical, plumbing, mechanical, signs, fire and burglar alarms, fire protection, and other trades outside the license holder's area of expertise.
- C. Standard Residential Building Contractor (C)
This license entitles the licensee to construct, remodel or repair any residential building not exceeding two stories in height, for which a building permit is required. This license does not allow work that includes electrical, plumbing, mechanical, signs, fire and burglar alarms, fire protection, and other trades outside the license holder's area of expertise.
- D. Class S, Specialty License. These licenses entitle the licensee to perform only the type or types of work described below:

1. S-1: Roofing Contractor/Subcontractor. Installation and replacement of roof coverings.
 2. S-2: Swimming Pools and Spas. Installation of swimming pools and spas.
 3. S-3: Signs. Fabrication, erection, installation, remodeling, repair and maintenance of all types of signs.
 4. S-4: Fire Alarms. Installation of fire and burglar alarms.
 5. S-5: Fire Suppression. Installation of fire extinguishing systems.
- E. Standard Master Mechanical. A mechanical license entitles the holder to install, maintain, alter, or repair mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related process within buildings. This shall include evaporative refrigeration systems and related appurtenances.
- F. Electrical Contractor Registration. In order to be registered as an electrical contractor as required herein, the applicant must also be licensed as a master electrician by the State of Colorado Electrical Board and possess an electrical contractors license issued by the State of Colorado Electrical Board. Registration as an electrical contractor under this chapter entitles the registrant to plan, layout, supervise and install, add to, alter and repair wiring apparatus and equipment for electric light, heat and power. A registered professional engineer who plans or designs electrical installation shall not be considered an electrical contractor.
- G. Plumbing Contractor Registration. In order to be registered as a plumbing contractor as required herein, the applicant must be licensed as a master plumber by the State Examining Board of Plumbers and possess a plumbing contractor license issued by the State of Colorado Examining Board of Plumbers. Registration as a plumbing contractor under this chapter entitles the registrant to plan, lay out, supervise, install, add to, alter and repair potable water supplies and distribution pipes and piping, plumbing fixtures and traps, drainage and vent pipes, and building drains, including their respective joints and connections, devices, receptacles and appurtenances. A registered professional engineer who plans or designs plumbing installations shall not be considered a plumbing contractor. (Ord. 5455 § 1, 2009; Ord. 3690 § 1 (part), 1990)

15.30.080 License examinations.

- A. The chief building official shall issue a license to contractors who have passed the International Code Council (ICC) examination or an examination which is equivalent to the ICC examination and that meet all other requirements of this Chapter.
- B. The chief building official shall have the discretion to accept the results of an examination given in another jurisdiction which is equivalent to the ICC examination. Before a license is issued, all other requirements of this Chapter must be met.
- C. Examinations are required for the following licenses:
 1. Standard General Building Contractor (A);
 2. Standard Building Contractor (B);
 3. Standard Residential Building Contractor (C);
 4. Standard Master Mechanical;
 5. S-1 Roofing Contractor/Subcontractor; and
 6. S-3 Signs. (Ord. 5455 § 1, 2009; Ord. 3690 § 1 (part), 1990)

15.30.100 License fees.

The following fee schedule is adopted:

- A. Standard General Building Contractor (A) – One hundred twenty five dollars (\$125.00) for initial license and every two (2) years for renewals.
- B. Standard Building Contractor (B) – One hundred twenty five dollars (\$125.00) for initial license and every two (2) years for renewals.
- C. Standard Residential Building Contractor (C) – One hundred twenty five dollars (\$125.00) for initial license and every two (2) years for renewals.
- D. Class S License - One hundred twenty five dollars (\$125.00) for initial license and every two (2) years for renewals.
- E. Mechanical License - One hundred twenty five dollars (\$125.00) for initial license and every two (2) years for renewal.
- F. Electrical Registration – No fee for initial registration or for renewal.
- G. Plumbing Registration - No fee for initial registration or for renewal.

- H. S-3: Signs - One hundred twenty five dollars (\$125.00) for initial license and every two (2) years for renewal.
- I. S-4: Fire Alarms - One hundred twenty five dollars (\$125.00) for initial license and every two (2) years for renewal.
- J. S-5: Fire Suppression - One hundred twenty five dollars (\$125.00) for initial license and every two (2) years for renewal. . (Ord. 5455 § 1, 2009; Ord. 3690 § 1 (part), 1990)

15.30.110 Denial of license.

- A. The chief building official may deny a license under this chapter upon a finding of any of the following:
 - 1. The applicant has failed to provide information requested on the application form;
 - 2. The applicant is not qualified by experience, training or education to engage in the activity authorized by the license;
 - 3. The applicant's license for the same or similar work is under suspension or revocation in this or another jurisdiction; or
 - 4. The applicant has been convicted of an offense relating to the conduct of the activity licensed by this chapter within three months prior to the application.
- B. If the chief building official denies a license application under this section, he shall notify the applicant in writing stating the specific grounds for the denial. The applicant may thereafter appeal the denial of the application to the Construction Advisory Board (CAB) and obtain a hearing as described in Section 15.30.130. Ord. 5455 § 1, 2009; Ord. 3690 § 1 (part), 1990)

15.30.120 Contractor responsibilities.

- A. A licensee is responsible for all work performed pursuant to such license.
- B. A licensee is responsible for obtaining permits prior to any work being performed on site.
- C. Every Class (A), (B), (C) & S licensee holder as described in Section 15.30.070, shall inform the chief building official at the time of application for a permit to be issued, of the major subcontractors working on the project, if any, including but not limited to, plumbing, electrical and mechanical subcontractors, and shall engage only subcontractors who are properly licensed under this chapter. (Ord. 5455 § 1, 2009; Ord. 3690 § 1 (part), 1990)

15.30.130 Revocation and suspension of license.

- A. The chief building official shall, upon the verified complaint in writing of any person, require the licensee to appear before the Board for hearing on the possible suspension or revocation of the licensee's license. The licensee shall be given a copy of the complaint and at least twenty days written notice of the time and place of the hearing. The notice shall be served personally, or shall be mailed by first class mail to the licensee's last known mailing address. At the hearing the licensee shall have the right to present his or her case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. The licensee shall be entitled at said hearing to have the benefit of legal counsel of his or her own choosing and own expense.
- B. The Board, after review of the evidence presented, shall have the power to suspend or revoke the license or take other disciplinary action on the license, including the issuance of a formal letter of reprimand; or order the licensee to pay unpaid permit fees and inspection or investigative costs incurred by the city; or impose a probationary period during which time any further violations would result in automatic suspension or revocation of the license. The Board may take any of the foregoing actions if the Board finds that the licensee committed one or more of the following acts related to work as a contractor:
 - 1. Violation of any provision of the Loveland Municipal Code, including any codes which are adopted by reference;
 - 2. Failure to comply with any lawful order of the chief building official or any other authorized representative of the city;
 - 3. Use of the license or registration to obtain permits required under the building codes for any other person;
 - 4. Misrepresentation of a material fact when applying for a license, or fraud in obtaining a license;

5. Gross negligence in the work done by the licensee;
 6. Failure to obtain a required permit;
 7. Failure to give written notice to the chief building official of any matter for which notice is required by this chapter; or
 8. Conviction of an offense involving misapplication of funds or property received from another.
- C. Emergency Suspension. If the chief building official finds that an emergency exists which justifies immediate suspension or revocation of a license, he may enter an order for immediate suspension of such license, pending further investigation and proceedings for suspension or revocation as provided in this chapter. The licensee may, upon notice of such suspension, request an immediate hearing before the chief building official.
- D. The chief building official may suspend licenses upon the written consent and approval of the licensee.
- E. If the license of any contractor is revoked, another such license shall not be granted to such contractor within twelve months after the effective date of the revocation. If a license is suspended, the board shall state the period and terms of the suspension. Unless otherwise ordered by the board, a license shall not be reinstated following a suspension or renewed following revocation unless the contractor has successfully passed an examination as specified in Section 15.30.080. (Ord. 5455 § 1, 2009; Ord. 3690 § 1 (part), 1990)

Chapter 15.48

INTERNATIONAL ENERGY CONSERVATION CODE

Sections:

- 15.48.010 International Energy Conservation Code – Adopted.**
- 15.48.020 Modifications to the International Energy Conservation Code, 2006 Edition.**
- 15.48.030 Violations and penalties.**

15.48.010 International Energy Conservation Code – Adopted.

The International Energy Conservation Code, 2006 Edition, issued and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the property maintenance code of the city. This code is a complete code to safeguard life and limb, health, property and public welfare by regulating and governing the conditions and maintenance of all property, relocation of existing buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and providing for issuance of permits and collection of fees therefore. At least one copy of the International Energy Conservation Code, 2006 Edition, which has been certified by the mayor and city clerk, shall be on file in the office of the city clerk and may be inspected during regular business hours.

15.48.020 Modifications to International Energy Conservation Code, 2006 Edition.

The International Energy Conservation Code, 2006 Edition, adopted in this chapter, is modified as follows:

A. Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the International Energy Conservation Code of the City of Loveland, hereinafter referred to as “this code”.

B. Section 101.2 is amended by adding the listed exceptions to read as follows:

101.2 Scope. This code applies to residential and commercial buildings.

Exception:

1. Energy conservation systems and components in existing buildings or structures undergoing repair, alterations or additions, and change of occupancy, shall be permitted to comply with the International Existing Building Code and Chapter 34 of the International Building Code.
2. Utility and miscellaneous group U occupancies and agricultural structures as defined by the International Building Code which are neither heated or cooled by fossil fuels or electricity.

C. Section 302.1 is deleted and amended to read as follows:

302.1 Interior design conditions. The interior design temperatures used for heating and cooling load calculations shall be as defined in Section 1301.1.2 of the 2006 International Building Code.

15.48.030 Violations and penalties.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city or cause the same to be done contrary to or in violation of any of the provisions of the property maintenance code, as adopted and modified by the city. Any person, firm or corporation violating any of the provisions of the property maintenance code, as adopted and modified by the city, shall be deemed guilty of a misdemeanor, and subject to penalties as set forth in Section 1.12.010 of the code of the city of Loveland. (Ord. 5241 § 1, 2007)

Chapter 15.52

INTERNATIONAL EXISTING BUILDING CODE

Sections:

- 15.52.010 International Existing Building Code – Adopted.**
- 15.52.020 Modifications to the International Existing Building Code, 2006 Edition.**
- 15.52.030 Violations and penalties.**

15.52.010 International Existing Building Code – Adopted.

The International Existing Building Code, 2006 Edition, issued and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the property maintenance code of the city. This code is a complete code to safeguard life and limb, health, property and public welfare by regulating and governing the conditions and maintenance of all property, relocation of existing buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and providing for issuance of permits and collection of fees therefore. At least one copy of the International Existing Building Code, 2006 Edition, which has been certified by the mayor and city clerk, shall be on file in the office of the city clerk and may be inspected during regular business hours.

15.52.020 Modifications to International Existing Building Code, 2006 Edition.

The International Existing Building Code, 2006 Edition, adopted in this chapter, is modified as follows:

A. Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Existing Building Code of the City of Loveland, hereinafter referred to as “this code”.

B. Section 103.1 is amended to read as follows:

103.1 Creation of enforcement agency. The Building Division is hereby created, and the official in charge thereof shall be known as the code official.

C. Section 105.3 is amended by amendment of the first sentence to read as follows:

105.3 Application for permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the Building Division for that purpose.

D. All references in the Loveland Municipal Code to “the ICC Electrical Code” shall be deleted and amended to read as follows:

“the National Electrical Code (NEC) as adopted and enforced by the State of Colorado”.

15.52.030 Violations and penalties.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city or cause the same to be done contrary to or in violation of any of the provisions of the property maintenance code, as adopted and modified by the city. Any person, firm or corporation violating any of the provisions of the property maintenance code, as adopted and modified by the city, shall be deemed guilty of a misdemeanor, and subject to penalties as set forth in Section 1.12.010 of the code of the city of Loveland. (Ord. 5240 § 1, 2007)

Chapter 15.56

HISTORIC PRESERVATION

Sections:

- 15.56.010 Purpose.**
- 15.56.020 Designation of historic structures, sites or districts.**
- 15.56.030 Procedure to amend or rescind designation of landmarks or historic districts.**
- 15.56.040 Landmark alteration certificate required.**
- 15.56.050 Landmark alteration certificate application and staff review.**
- 15.56.060 Landmark alteration certificate public hearing.**
- 15.56.070 Unsafe or dangerous conditions exempted from the alteration certificate requirement.**
- 15.56.080 Violations.**
- 15.56.090 Designation criteria.**
- 15.56.100 Criteria to review an alterations certificate.**
- 15.56.110 Criteria to review relocation of a structure.**
- 15.56.120 Criteria to review demolition of a structure.**
- 15.56.130 Exemptions from an alteration certificate.**
- 15.56.140 Maintenance of designated landmarks and structures within a historic district.**
- 15.56.150 Economic incentives for historic restoration.**
- 15.56.160 Demolition or relocation of historic buildings or structures not designated as local landmarks.**
- 15.56.170 Rehabilitation loan program.**

15.56.010 Purpose.

It is hereby declared as a matter of public policy that the protection, enhancement, perpetuation, and use of improvements of special character or special historical interest or value, located within the City, is a public necessity and is required in the interest of the health, safety and welfare of the people. The purposes of this Chapter are to promote the public health, safety, and welfare through:

- A. The protection, enhancement, and perpetuation of such improvements and of districts that represent or reflect elements of the City's cultural, social, economic, political, and architectural history;
- B. Promoting and encouraging continued private ownership and utilization of such improvements and historic districts;
- C. Safeguarding the City's historic and cultural heritage, as embodied and reflected in such landmarks and historic districts;
- D. The enhancement of property values, and the stabilization of historic neighborhoods;
- E. Fostering civic pride in the beauty and noble accomplishments of the past;
- F. Protecting and enhancing the City's attraction to residents, tourists, and visitors, and serving as a support and stimulus to business and industry;
- G. Strengthening the economy of the City;
- H. Promoting good urban design; and
- I. Promoting the use of historic districts and landmarks for the education, pleasure, and welfare of the public.

The intention of this Chapter is to create a method to draw a reasonable balance between private property rights and the public's interest in preserving Loveland's unique historic character by ensuring that demolition of, moving, or alterations to properties of historic value, or actions that impact the historic value of properties, shall be carefully considered for impact on the property's contribution to Loveland's heritage.

15.56.020 Designation of historic structures, sites or districts.

- A. Designation authorized. Pursuant to the procedures hereinafter set forth in this section, the City Council may, by ordinance:
 - 2. Designate as a historic landmark an individual structure, site, or other feature or an integrated group of structures and features on a single lot or site having a special historical or architectural value; and
 - 3. Designate as an historic district an area containing a number of structures having a special historical or architectural value.
- B. Each such designating ordinance shall include a description of the characteristics of the landmark or historic district that justify its designation and a description of the particular features that should be preserved, and shall include a legal description of the location and boundaries of the landmark or historic district. An ordinance designating a historic district shall identify the contributing structures located within the district.
- C. The property included in any such designation shall be subject to the controls and standards set forth in this Chapter and shall be eligible for such incentive programs as may be developed by the Commission and the City Council.
- D. Procedures for designating structures and districts for preservation:
 - 2. Nomination Process for Landmarks. Except as otherwise provided in section 15.56.160 of this Chapter, a nomination for designation as a landmark may be made by the Commission or City Council acting by majority vote of a quorum, or more, of the members, or by any person owning property proposed for designation, by filing an application with the City of Loveland Community Services Department. Once an application is received, the Community Services Department shall contact the owner or owners of such landmark and outline the privileges, obligations, and restrictions that apply to designated landmarks. The Community Services Department shall also attempt to secure the consent of the owner or owners to such designation before the nomination is accepted as complete for review.
 - 3. Nomination Process for Historic Districts. A nomination for designation as a historic district may be made by the Commission or City Council acting by majority vote of a quorum, or more, of the members, or by any person owning property within the proposed district, by filing an application with the City of Loveland Community Services Department. Once an application is received, the Community Services Department shall contact the owners of the properties within the proposed district and outline the privileges, obligations, and restrictions that apply to properties within historic districts.
 - 4. Commission Public Hearing on Landmark or Historic District Nominations. The Commission shall hold a public hearing on the designation application not more than sixty (60) days after the filing of a complete application. The Community Services Department shall provide notice of the time, date and place of such public hearing, and a brief summary or explanation of the subject matter of the hearing, by at least one (1) publication in a newspaper of general circulation within the City not less than fifteen (15) days prior to the date of the hearing. In addition, at least fifteen (15) days prior to the hearing date, the Department shall post the property in the application so as to indicate that a landmark or historic district designation has been applied for and mail written notice of the hearing to the record owners, as reflected by the records of the county assessor, of all property included in the proposed designation. Such written notice shall be sent by both first class regular mail and certified mail return receipt requested. Failure of the property owner to sign and return the certified mail receipt shall not invalidate any proceedings in connection with the proposed designation. Failure to send notice by mail to any such property owner where the address of such owner is unknown and not a matter of public record shall not invalidate any proceedings in connection with the proposed designation.
 - 5. Commission Review. The Commission shall review the application for conformance with the established criteria for designation and with the purposes of this Chapter. Due consideration shall also be given to the written view of owners of affected property. Within thirty (30) days after the conclusion of the public hearing, but in no event more than sixty (60) days after the hearing date first set, unless otherwise mutually agreed by the Commission and the applicant, the Commission shall

either recommend approval, modification and approval, or disapproval of the proposal. The Commission may recommend approval conditional upon the voluntary execution of certain easements, covenants, or licenses.

6. Commission Recommendation to City Council. The Commission shall forward to the City Council in writing any recommendation concerning a designation and further state any recommendations as to easement, covenants, or licenses that must be met by the property owner to receive and/or maintain the designation. The Commission shall also notify the City Council immediately of any decision disapproving a designation initiated by the City Council.
7. Owner Consent Required for Further Processing of Landmark Nominations. For applications for designation as a landmark that have gone to a public hearing before the Commission without the owner's consent, such consent shall be required, in writing, prior to review by the City Council of the application. If the owner(s) do not consent to the proposed designation, the application will not move forward.

E. City Council Review.

2. City Council Public Hearing on Landmark or Historic District Nominations. Within thirty (30) days after the date of any referral from the Commission, the City Council shall hold a public hearing on the designation application. The Community Services Department shall provide notice of the time, date and place of such public hearing, and a brief summary or explanation of the subject matter of the hearing, by at least one (1) publication in a newspaper of general circulation within the City not less than fifteen (15) days prior to the date of the hearing. In addition, at least fifteen (15) days prior to the hearing date, the Department shall post the property in the application so as to indicate that a landmark or historic district designation has been applied for and mail written notice of the hearing to the record owners, as reflected by the records of the county assessor, of all property included in the proposed designation. Such written notice shall be sent by both first class regular mail and certified mail return receipt requested. Failure of the property owner to sign and return the certified mail receipt shall not invalidate any proceedings in connection with the proposed designation. Failure to send notice by mail to any such property owner where the address of such owner is unknown and not a matter of public record shall not invalidate any proceedings in connection with the proposed designation.
3. City Council Review. The City Council shall review the application for conformance with the established criteria for designation and with the purposes of this Chapter. Due consideration shall also be given to the written view of owners of affected property. The City Council shall approve, modify and approve, or disapprove the proposed designation.
4. Owner Notification of Landmark or District Designation. When a historic landmark or district has been designated as provided herein, the City Clerk shall promptly notify the owners of the property included therein and shall cause a copy of the designating ordinance as described in subsection B of this section to be recorded with the County Clerk and Recorder.
5. Effect of Disapproval of Landmark or Historic District Designation. Whenever the City Council disapproves a proposed designation, no person shall submit an application that is the same or substantially the same for at least one (1) year from the effective date of the final action on the denied application.

15.56.030 Procedure to amend or rescind designation of landmarks or historic districts.

- A. A landmark or historic district designation may be amended or rescinded in the same manner as the original designation was made using the following criteria:
 1. The property or historic district no longer meets the criteria for designation set forth in section 15.56.090 of this Chapter.
 2. If the request is to revoke the designation of a portion of a historic district, the revocation will not impact the integrity of the remainder of the district.

15.56.040 Landmark alteration certificate required.

- A. Landmark Alteration Procedure. No person shall carry out or permit to be carried out on a designated landmark site or in a designated historic district any new construction, alteration, removal, or demolition of a building or other designated feature without first obtaining a landmark alteration certificate for the proposed work under this Section as well as any other permits required by this Code or other ordinances of the City.
- B. Building Division Referral. The Community Services Department shall maintain a current record of all designated landmark sites and historic districts and pending designations. If the Building Division receives an application for a permit to carry out any new construction, alteration, removal, or demolition of a building or other designated feature on a landmark site or in an historic district or in an area for which designation proceedings are pending, the City's Building Division shall promptly forward such permit application to the Community Services Department.
- C. Effect of Application for Landmark or Historic District Designation. No person shall receive a permit to construct, alter, remove, or demolish any structure or other feature on a proposed landmark site or in a proposed historic district after the date a complete application has been filed to initiate the designation of such landmark site or district. No such permit application filed after such date will be approved while proceedings are pending on such designation.

15.56.050 Landmark alteration certificate application and staff review.

- A. Application. An owner of property designated as a landmark or located in an historic district may apply for a landmark alteration certificate. The application shall contain all information that the Commission determines is necessary to consider the application, including, without limitation, plans and specifications showing the proposed exterior appearance with texture, materials, and architectural design and detail, and the names and addresses of the abutting property owners.
- B. Review of Impact. The Community Services Director, or designee, and two (2) designated members of the Commission shall review all applications for landmark alteration certificates for alterations to buildings or special features and shall determine within fifteen (15) days after a complete application is filed whether or not the proposed work would have a significant impact upon or be potentially detrimental to a landmark site or historic district.
- C. Determination of No Significant Impact. If it is determined by the Community Services Director, or designee, and the designated members of the Commission that there would be no significant impact or potential detriment, the Community Services Director shall issue a certificate to the applicant and shall notify the Commission of such issuance.
- D. Determination of Significant Impact. If either the Community Services Director, or designee, or one of the Commission designees determines that the proposed work would create a significant impact or potential detriment, they shall refer the application to the Commission for a public hearing and shall promptly notify the applicant of the referral. The Community Services Department shall provide notice of the time, date and place of such public hearing, and a brief summary or explanation of the subject matter of the hearing, by at least one (1) publication in a newspaper of general circulation within the City not less than fifteen (15) days prior to the date of the hearing. In addition, at least fifteen (15) days prior to the hearing date, the Department shall post the property in the application so as to indicate that a landmark alteration certificate has been applied for and mail written notice of the hearing to the record owners, as reflected by the records of the county assessor, of all property included in the landmark or district. Such written notice shall be sent by both first class regular mail and certified mail return receipt requested. Failure of the property owner to sign and return the certified mail receipt shall not invalidate any proceedings in connection with the landmark alteration certificate. Failure to send notice by mail to any such property owner where the address of such owner is unknown and not a matter of public record shall not invalidate any proceedings in connection with the landmark alteration certificate.

15.56.060 Landmark alteration certificate public hearing.

- A. Commission Public Hearing on Landmark Alteration Certificate Application. The Commission shall hold a public hearing on all referred applications for landmark alteration certificates for new

construction, removal, alteration or demolition of a designated landmark structure or a structure within an historic district within sixty (60) days after the completed application was filed.

- B. Commission Review Criteria. The Commission shall determine whether the application meets the standards in sections 15.56.100, 15.56.110 or 15.56.120, whichever applies. Within thirty (30) days after the hearing date first set, unless otherwise mutually agreed upon by the Commission and applicant, the Commission shall adopt written findings and conclusions.
- C. Extended Review Period. When reviewing alteration certificate applications involving moving or demolition of a resource, the Commission may extend the review period up to ninety (90) additional days if the Commission finds that the original application does not meet the standards in sections 15.56.110 or 15.56.120, whichever applies. The ninety-day extension period shall be used to encourage both the applicant and the Commission to explore acceptable alternative solutions to the original submittal.
- D. Commission Decision Final Unless Appealed. The decision of the Commission approving, disapproving, or suspending action on an application for a landmark alteration certificate is final unless appealed to the City Council. An appeal to the City Council must be filed with the Community Services Department within ten (10) days of the Commission's decision. Any property owner of a designated landmark or owner of property located within an historic district shall have standing to appeal the decision of the Commission on an application for a landmark alteration certificate.
- E. City Council Public Hearing on Appeal. The City Council shall hold a public hearing on the appeal within thirty (30) days of the date that it is filed with the Community Services Department. The Community Services Department shall provide notice of the time, date and place of such public hearing, and a brief summary or explanation of the subject matter of the hearing, by at least one (1) publication in a newspaper of general circulation within the City not less than fifteen (15) days prior to the date of the hearing. In addition, at least fifteen (15) days prior to the hearing date, the Department shall post the property in the application so as to indicate that a landmark alteration certificate has been applied for and mail written notice of the hearing to the record owners, as reflected by the records of the county assessor, of all property included in the landmark or district. Such written notice shall be sent by both first class regular mail and certified mail return receipt requested. Failure of the property owner to sign and return the certified mail receipt shall not invalidate any proceedings in connection with the landmark alteration certificate. Failure to send notice by mail to any such property owner where the address of such owner is unknown and not a matter of public record shall not invalidate any proceedings in connection with the landmark alteration certificate.
- F. Issuance of Landmark Alteration Certificate. The Community Services Department shall issue a landmark alteration certificate if an application has been approved by the Commission or City Council. When approving an application for a landmark alteration certificate, the Commission or City Council may impose a time limit for the applicant to apply for a building permit conforming to the certificate.
- G. Building Permit Required. Once an applicant has obtained a landmark alteration certificate, the applicant must apply for a building permit and comply with all other requirements under the City's building codes, fire code, all other ordinances of the City, and all applicable rules, regulations, and policies of the City. The Chief Building Official and Fire Chief shall have the discretion to modify the alteration certificate as necessary to mitigate health and safety issues pursuant to Section 15.56.070.
- H. Documentation of Structure Prior to Total Demolition. The Commission or City Council may, as a condition of its approval of a landmark alteration certificate allowing the total demolition of a historic structure, require the property owner to provide the City either with photographic documentation of such structure or right of access for the taking of such photographs.
- I. Removal of Artifacts from Structure Prior to Total Demolition. The Commission or City Council shall have the authority to enter into an agreement with the owner of any structure proposed to be totally demolished whereby the City, or certain designated third parties, may enter upon the property upon which such structure is situated for the purpose of removing and taking possession and ownership of any particular artifacts, and other items of historic interest or value, identified in such agreement.

- J. Effect of Disapproval of Landmark Alteration Certificate. If the Commission or City Council disapproves an application for a landmark alteration certificate, no person may submit a subsequent application for the same construction, alteration, removal, or demolition within six (6) months from the date of the final action upon the earlier application.

15.56.070 Unsafe or dangerous conditions exempted from the alteration certificate requirement.

Nothing in this Chapter shall be construed to prevent any measures of construction, alteration, removal, or demolition necessary to correct the unsafe or dangerous condition of any structure, other feature, or parts thereof where such condition is declared unsafe or dangerous by the City's Building Division or Fire Department and where the proposed measures have been declared necessary by the City's Chief Building Official or Fire Chief to correct the condition, as long as only such work that is absolutely necessary to correct the condition is performed. This Section shall be administered by the Chief Building Official or Fire Chief utilizing the relevant sections of the building code, fire code, or Uniform Code for Building Conservation, as adopted and amended by the City, regarding existing or historic structures. (Ord. 5189 § 2, 2007)

15.56.080 Violations.

Violations of this Chapter are punishable as provided in Chapter 1.12 of the Loveland Municipal Code and are subject to the following additional penalties:

- A. Unauthorized Alterations to Historic Structures. Alterations to a designated landmark or a structure within an historic district without an approved landmark alteration certificate will result in a one-year moratorium on all building permits for the subject property; and
- B. Unauthorized Moving or Demolition of Historic Structures. Moving or demolishing a designated landmark or a structure within an historic district without an approved landmark alteration certificate will result in a five-year moratorium on all moving, demolition, or building permits for the structure and for the property at the structure's original location.

15.56.090 Designation criteria.

The Commission and City Council shall consider the following criteria in reviewing nominations of properties for designation:

- A. Landmarks. Landmarks must be at least fifty (50) years old and meet one (1) or more of the criteria for architectural, social/cultural, or geographic/environmental significance. A landmark could be exempt from the age standard if it is found to be exceptionally important in other significant criteria.
 - 1. Historic sites shall meet one (1) or more of the following:
 - a. Architectural.
 - i. Exemplifies specific elements of an architectural style or period;
 - ii. Is an example of the work of an architect or builder who is recognized for expertise nationally, state-wide, regionally, or locally;
 - iii. Demonstrates superior craftsmanship or high artistic value;
 - iv. Represents an innovation in construction, materials, or design;
 - v. Represents a built environment of a group of people in an era of history;
 - vi. Exhibits a pattern or grouping of elements representing at least one of the above criteria; or
 - vii. Is a significant historic remodel.
 - b. Social/cultural.
 - i. Is a site of an historic event that had an effect upon society;
 - ii. Exemplifies the cultural, political, economic, or social heritage of the community; or
 - iii. Is associated with a notable person(s) or the work of a notable person(s).
 - c. Geographic/environmental.
 - i. Enhances sense of identity of the community; or
 - ii. Is an established and familiar natural setting or visual feature of the community.
 - 2. Prehistoric and historic archaeological sites shall meet one (1) or more of the following:

- a. Architectural.
 - i. Exhibits distinctive characteristics of a type, period, or manner of construction; or
 - ii. Is a unique example of structure.
 - b. Social/cultural.
 - i. Has the potential to make an important contribution to the knowledge of the area's history or prehistory;
 - ii. Is associated with an important event in the area's development;
 - iii. Is associated with a notable person(s) or the work of a notable person(s);
 - iv. Is a typical example/association with a particular ethnic or other community group; or
 - v. Is a unique example of an event in local history.
 - c. Geographic/Environmental.
 - i. Is geographically or regionally important.
3. Each property will also be evaluated based on physical integrity using the following criteria (a property need not meet all the following criteria):
- i. Shows character, interest, or value as part of the development, heritage or cultural characteristics of the community, region, state, or nation;
 - ii. Retains original design features, materials, and/or character;
 - iii. Is the original location or same historic context if it has been moved; or
 - iv. Has been accurately reconstructed or restored based on documentation.

B. Historic Districts.

1. For the purposes of this Section, a district is a geographically definable area including a concentration, linkage, or continuity of subsurface or surface sites, buildings, structures, and/or objects. The district is related by a pattern of either physical elements or social activities.
2. Significance is determined by applying criteria to the pattern(s) and unifying elements(s).
3. Properties that do not contribute to the significance of the historic district may be included within the boundaries as long as the noncontributing elements do not noticeably detract from the district's sense of time, place and historical development. Noncontributing elements will be evaluated for their magnitude of impact by considering their size, scale, design, location, and/or information potential. District boundaries will be defined by visual changes, historical documentation of different associations or patterns of development, or evidence of changes in site type or site density as established through testing or survey.
4. When districts are designated, applicable design guidelines and other appropriate restrictions may be included as part of the designation.
5. In addition to meeting at least one (1) of the criteria as outlined in subsection 6 of this subsection B, the designated contributing sites and structures within the district must be at least fifty (50) years old. The district could be exempt from the age standard if the resources are found to be exceptionally important in other significant criteria.
6. Historic districts shall meet one (1) or more of the following:
 - a. Architectural.
 - i. Exemplifies specific elements of an architectural style or period;
 - ii. Is an example of the work of an architect or builder who is recognized for expertise nationally, state-wide, regionally or locally;
 - iii. Demonstrates superior craftsmanship or high artistic value;
 - iv. Represents an innovation in construction, materials, or design;
 - v. Represents a built environment of a group of people in an era of history;
 - vi. Is a pattern or a group of elements representing at least one of the above criteria; or
 - vii. Is a significant historic remodel.
 - b. Social/cultural.
 - i. Is the site of an historical event that had an effect upon society;
 - ii. Exemplifies cultural, political, economic or social heritage of the community; or
 - iii. Is associated with a notable person(s) or the work of a notable person(s).

- c. Geographic/environmental.
 - i. Enhances sense of identity of the community; or
 - ii. Is an established and familiar natural setting or visual feature of the community.
- d. Archaeology/subsurface.
 - i. Has the potential to make an important contribution to the area's history or prehistory;
 - ii. Is associated with an important event in the area's development;
 - iii. Is associated with a notable person(s) or the work of a notable person(s);
 - iv. Has distinctive characteristics of a type, period or manner of construction;
 - v. Is of geographic importance;
 - vi. Is a typical example/association with a particular ethnic group;
 - vii. Is a typical example/association with a local cultural or economic activity; or
 - viii. Is a unique example of an event or structure.

15.56.100 Criteria to review an alterations certificate.

The Commission shall issue an alterations certificate for any proposed work on a designated historical site or district only if the Commission can determine that the proposed work would not detrimentally alter, destroy, or adversely affect any architectural or landscape feature which contributes to its original historical designation. The Commission must find a proposed development is visually compatible with designated historic structures located on the property in terms of design, finish, material, scale, mass, and height. When the subject site is in an historic district, the Commission must also find that the proposed development is visually compatible with the development on adjacent properties. For the purposes of this section, the term "compatible" shall mean consistent with, harmonious with, and/or enhances the mixture of complementary architectural styles either of the architecture of an individual structure or the character of the surrounding structures.

- A. The Commission shall use the following criteria to determine compatibility:
 - 1. The effect upon the general historical and architectural character of the structure and property;
 - 2. The architectural style, arrangement, texture, and material used on the existing and proposed structures and their relation and compatibility with other structures;
 - 3. The size of the structure, its setbacks, its site, location, and the appropriateness thereof, when compared to existing structures and the site;
 - 4. The compatibility of accessory structures and fences with the main structure on the site, and with other structures;
 - 5. The effects of the proposed work in creating, changing, destroying, or otherwise impacting the exterior architectural features of the structure upon which such work is done;
 - 6. The condition of existing improvements and whether they are a hazard to public health and safety;
 - 7. The effects of the proposed work upon the protection, enhancement, perpetuation and use of the property; and
 - 8. Compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties set forth in Title 36 of the Code of Federal Regulations, Part 68. This reference shall always refer to the current standards, as amended.

15.56.110 Criteria to review relocation of a structure.

In addition to the alterations criteria in Section 15.56.100, the Commission shall use the following criteria in considering alteration certificate applications for relocating a landmark, a structure on a landmark site, a building or structure within a historic district, a structure onto a landmark site, or a structure onto property in an historic district:

- A. Original Site Review Criteria. For consideration of the original site, the Commission shall review for compliance with all of the following criteria:
 - 1. Documentation showing the structure cannot be rehabilitated or reused on its original site to provide for any reasonable beneficial use of the property;
 - 2. The contribution the structure makes to its present setting;
 - 3. Whether plans are specifically defined for the site to be vacated;

4. If the structure can be moved without significant damage to its physical integrity and the applicant can show the relocation activity is the best preservation method for the character and integrity of the structure;
 5. Whether the structure has been demonstrated to be capable of withstanding the physical impacts of the relocation and re-sitting; and
 6. Whether a structural report submitted by a licensed structural engineer adequately demonstrates the soundness of the structure proposed for relocation.
- B. New Site Review Criteria. For consideration of the new location, the Commission shall review for compliance with all of the following criteria:
1. Whether the building or structure is compatible with its proposed site and adjacent properties and if the receiving site is compatible in nature with the structure or structures proposed to be moved;
 2. The structure's architectural integrity and its consistency with the character of the neighborhood; and
 3. Whether the relocation of the historic structure would diminish the integrity or character of the neighborhood of the receiving site.

15.56.120 Criteria to review demolition of a structure.

If a demolition approval is granted on any basis other than that of an imminent hazard or economic hardship, a certificate will not be issued until a replacement/reuse plan for the property has been approved by the City.

- A. Review Criteria for Total Demolition. Applicants requesting a certificate for demolition must provide data to clearly demonstrate that the situation meets all of the following criteria:
1. The structure proposed for demolition is not structurally sound despite evidence of the owner's efforts to properly maintain the structure;
 2. The structure cannot be rehabilitated or reused on site to provide for any reasonable beneficial use of the property;
 3. The structure cannot be practically moved to another site in Loveland;
 4. The applicant demonstrates that the proposal mitigates to the greatest extent practical the following:
 - a. Any impacts that occur to the visual character of the neighborhood where demolition is proposed to occur;
 - b. Any impact on the historic importance of the structure or structures located on the property and adjacent properties;
 - c. Any impact to the architectural integrity of the structure or structures located on the property and adjacent properties; and
 5. In the case of archaeological sites, consideration will be given to whether information can be recovered as part of the demolition process.
- B. Review Criteria for Partial Demolition. Applicants requesting a certificate for partial demolition must provide data to clearly demonstrate that the situation meets all of the following criteria:
1. The partial demolition is required for the renovation, restoration or rehabilitation of the structure; and
 2. The applicant has mitigated, to the greatest extent possible:
 - a. Impacts on the historic importance of the structure or structures located on the property; and
 - b. Impacts on the architectural integrity of the structure or structures located on the property.

15.56.130 Exemptions from an alteration certificate.

If an alteration certificate request does not conform to the applicable criteria set forth in this Chapter, the applicant may request an exemption from the certificate requirement. The applicant must provide adequate documentation and/or testimony to establish qualification for one (1) of the listed exemptions. The data provided by the applicant must be substantiated by either professionals in an applicable field, or by thorough documentation of how the information was obtained. The Commission may request additional information from the applicant as necessary to make informed decisions.

- A. Economic Hardship Exemption. An economic hardship exemption may be granted if:

1. For investment, or income producing properties, the owner is unable to obtain a reasonable return on investment in the property's present condition or in a rehabilitated condition;
 2. For non-income producing properties, the owner's inability to resell the property in its current condition or if rehabilitated;
 3. The economic hardship claimed is not self-imposed.
- B. Health/safety Hardship Exemption. An applicant requesting an exemption based on undue hardship must show that the application of the criteria creates a situation substantially inadequate to meet the applicant's needs because of specific health and/or safety issues.
- C. Inability to Use. Three (3) years after denial of a demolition permit approval, if no feasible use or ownership is found for the structure, the owner may request a waiver of all or a part of the restraint of demolition. The Commission shall include the following factors in their consideration of the request:
1. Documented evidence of applications and written correspondence, including written consultations, illustrating efforts made by the property owner to make necessary repairs, to find an appropriate user, or to find a purchaser for the property; and
 2. The adequacy of the property owner's efforts to locate available assistance for making the property functional without demolition.

15.56.140 Maintenance of designated landmarks and structures within a historic district.

- A. Normal Maintenance. Nothing in this Chapter shall be construed to prohibit the accomplishment of any work on any landmark or in any landmark district which will neither change the exterior appearance nor the exterior architectural features of improvements or structures, nor the character or appearance of the land itself and which is considered necessary as a part of normal maintenance and repair.
- B. Minimum Maintenance. All designated landmarks and all properties within designated districts shall be maintained in such fashion as to meet the requirements of the applicable building codes adopted by the City. The owner(s) of such properties shall also keep in good repair all structural elements thereof which, if not so maintained, may cause or tend to cause the exterior portions of such properties to deteriorate, decay, or become damaged or otherwise to fall into a state of disrepair which would have a detrimental effect upon the historic character of such designated landmark or district in which it is situated.

15.56.150 Economic incentives for historic restoration.

- A. An owner of a property that has been designated as a landmark or an owner of a contributing property in a historic district may apply for the following economic incentives for the restoration or rehabilitation of that property, and such additional incentives as may be developed by the Commission or City Council:
1. Refund of City building permit fees for exterior restoration, preservation, and rehabilitation. The Commission shall develop a format for establishing projected costs, rules of the restoration, preservation, or rehabilitation in order that such refund of fees is equitable;
 2. Receipt of loan funds from the zero-interest loan pool created by the City pursuant to section 15.56.170 of this Chapter; and
 3. Applicable state and federal income tax credits.
- B. The Commission shall attempt to identify and advise the City Council regarding the implementation of other economic incentives for historic properties. The Commission shall notify the owners of historic properties of economic incentive opportunities available.
- C. The Commission shall make the determination for each request regarding economic incentives.

15.56.160 Demolition or relocation of historic buildings or structures not designated as local landmarks.

- A. Demolition Procedure. With the exception of any building or structure determined to present a dangerous condition by the Fire Chief or Chief Building Official, or any building or structure governed by the provisions of section 15.56.040 of this Chapter, no building or structure identified in the Loveland Historic Preservation Survey ("Survey") as eligible for nomination to the State of Colorado

Register of Historic Places, which Survey is part of the Loveland Historic Preservation Plan, as amended, may be demolished or relocated nor shall any permit for such demolition or relocation be issued unless the owners of such building or structure have complied with the provisions of this section.

- B. Building Division Referral. The Community Services Department shall maintain a current record of all buildings and structures identified in the Survey as eligible for nomination to the State of Colorado Register of Historic Places located within the City. If the Building Division receives an application for a permit to carry out any demolition or relocation of such building or structure, the City's Building Division shall promptly forward such permit application to the Community Services Department.
- C. Review for Landmark Nomination. The Community Services Director, or designee, and two (2) designated members of the Commission shall review the building permit application and shall determine, within (15) days after an application for a building permit to demolish or relocate a historic building or structure, whether or not the building or structure should be nominated for designation as a landmark.
- D. Disapproval of Landmark Nomination. If it is determined, by the Community Services Director, or designee, and the designated members of the Commission, that the building or structure proposed to be demolished or relocated does not meet the criteria for designation as a landmark set forth in section 15.56.090(A) of this Chapter the Community Services Director shall notify the City's Building Division, in writing, that the permit has been reviewed and approved for further processing within the Building Division.
- E. Approval of Landmark Nomination. If either the Community Services Director, or designee, or one of the Commission designees determines that the historic building or structure does meet the criteria for designation as a landmark set forth in section 15.56.090(A) of this Chapter, the Commission designees shall submit an application for landmark designation of the building or structure to the Community Services Department. The Community Services Department shall process the application in accordance with the procedures set forth in section 15.56.020 of this Chapter. No permit for demolition or relocation of the historic building or structure shall be approved while proceedings are pending on such designation.
- F. Effect of Disapproval of Landmark Designation. If a historic building or structure nominated for landmark designation pursuant to this section is not designated as a landmark, it shall not be reconsidered for landmark designation pursuant to this section within one-hundred and eighty (180) days of the date the initial landmark application was submitted to the Community Services Department by the Commission designees.

15.56.170 Rehabilitation loan program.

- A. Purpose. There is hereby established a landmark rehabilitation loan program created for the valid public purpose of increasing the quality, integrity, and permanence of the City's stock of historic landmarks for the enjoyment and benefit of present and future generations of citizens of the City by making available to the owners of locally designated landmarks or contributing structures in local landmark districts a source of funding for exterior rehabilitation of such structures.
- B. Funding. The Commission shall administer the program for awarding zero-interest loans for the rehabilitation of local landmark structures and/or contributing structures in local landmark districts. The Commission may promulgate procedural rules and regulations for the efficient administration of the program. No such loan shall exceed the sum of five thousand dollars (\$5,000.00) for a residential property or ten thousand dollars (\$10,000.00) for a commercial property unless the City Council, by ordinance or resolution, authorizes a larger loan. All loans shall be funded solely from those funds held by the City for financial support of the program in the General Fund, and all loans shall be expressly contingent upon the availability of sufficient funds to support the loan. All loans shall be repaid in full upon sale or transfer of the property, or after five (5) years, whichever occurs earlier. All loan repayments shall be returned to the landmark rehabilitation loan program.
- C. Criteria. No landmark rehabilitation loan shall be awarded unless the following criteria and requirements have been met:

1. The subject structure must have been designated as a local landmark or be a contributing structure in a local landmark district pursuant to this Chapter before the landmark rehabilitation loan can be awarded;
 2. All loan recipients shall provide matching funds in an amount equal to or greater than the amount of the loan;
 3. The matching funds provided by the loan recipient may be utilized only for exterior rehabilitation of the subject property and/or the stabilization of the structure, the rehabilitation of electrical, heating or plumbing systems, and/or the rehabilitation or installation of fire sprinkling systems in commercial structures;
 4. Neither the loan nor the matching funds may be used for the installation of or rehabilitation of signage or interior rehabilitation or decoration, nor the installation of building additions or the addition of architectural or decorative elements which are not part of the landmark structure;
 5. Loan funds may be expended only for rehabilitation of the exterior of a locally designated landmark structure or contributing structure in a local landmark district;
 6. No interior improvements may be purchased utilizing City loan funds;
 7. The Secretary of the Interior's Standards for the Treatment of Historic Properties as forth in Title 36 of the Code of Federal Regulations, Part 68, as amended, shall serve as the standards by which all rehabilitation work must be performed;
 8. No loan funds shall be disbursed until after the recipient has completed the work, the work has been physically inspected by the City, and has been approved by the Commission and the loan recipient has documented the cost of the work by submitting to the City copies of all bills, invoices, work orders, and/or such other documentation showing, to the satisfaction of the City, that the funds requested are reasonable and are supported by the actual proof of expense;
 9. Loan recipients shall, as a condition of the loan, prominently place a sign upon the property being rehabilitated stating that such rehabilitation has been funded, in part, through the City's landmark rehabilitation loan program;
 10. Property owners who have previously received loans shall be eligible for subsequent loans;
 11. All rehabilitation work shall be completed within one (1) year from the date upon which the loan was awarded; provided, however, that upon application and a showing of good cause as to why the project cannot be timely completed, the Commission may authorize an extension of up to one (1) additional year for completion of the work;
 12. No landmark rehabilitation loan shall be awarded unless the Commission (or in cases of loans exceeding the maximum amounts established herein, the City Council) first determines that:
 - a. The applicant has demonstrated an effort to return the structure to its original appearance;
 - b. It is in the best interests of the public welfare that the structure proposed to be rehabilitated be preserved for future generations;
 - c. The amount proposed to be spent on exterior rehabilitation is reasonable under the circumstances; and
 - d. The applicant has demonstrated an effort or intent to seek investment tax credits or state-administered grants for which the property is eligible.
 13. No landmark rehabilitation loan shall be awarded unless the loan recipient has, as a condition of obtaining the loan, agreed to repay the loan in full upon sale or transfer of the property or after five (5) years, whichever occurs earlier.
 14. Loans not repaid when due shall accrue interest at an annual rate equal to the Wall Street Journal (WSJ) Prime Rate plus 3.5 percent.
- D. Application. The Commission shall establish the application deadline for each year that the program is administered, which deadline shall be no sooner than sixty (60) days from the date that it was established by the Commission. Applications received after the application deadline will not be considered. (Ord. 5247 § 1, 2007; Ord. 4724 § 1 (part), 2002.)