Title 8

Building & Building Regulations

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Chapter 8.04
GENERAL PROVISIONS

Sec. 8.04.020. Chief building official; appointment and removal.

There shall be a Chief Building Official who shall be appointed by and be responsible to the City Manager and shall serve at the pleasure of the City Manager.

Sec. 8.04.050. Same; duties.

The Chief Building Official shall be responsible for the enforcement of the International Building Code, International Residential Code, National Electrical Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, ,and all special hazard codes which may now or hereafter be adopted.

Sec. 8.04.060. Same; right of entry.

Upon presentation of his or her credentials, the Chief Building Official or his or her duly authorized representative may enter at any reasonable time any building, structure or premises in the City to perform any duty imposed upon him or her by this Code.

Sec. 8.04.070. Same; stop work orders.

Whenever any construction or other work pursuant to development or repair of property is being done contrary to the provisions of the International Building Code , International Residential Code, National Electrical Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Property Maintenance and the Land use code of the City, the Chief Building Official shall order the work stopped by notice in writing served on any person engaged in the doing or causing of such work to be done. It shall be unlawful for any person to fail or refuse to obey such order and each day one (1) so notified or any other person who can reasonably be expected to be informed of the notice, fails to comply with the order shall constitute a separate offense.

Chapter 8.08
BUILDING CODE BOARD OF APPEALS

Sec. 8.08.010. Created.

There is hereby created a Building Code Board of Appeals for the City.

Sec. 8.08.020. Composition; term; qualifications.

(a) The Building Code Board of Appeals shall consist of seven (7) regular members and two (2) ex officio members. The two (2) ex officio members shall be employees or officers of the City and the Aspen Fire Protection District, provided, however, if there is a duly appointed and acting fire marshal for the City, he or she shall be designated one (1) such ex officio member.

(b) All of the members of the Building Code Board of Appeals shall have been qualified electors and residents of the City or County for at least two (2) years.

(c) The Chief Building Official shall be an ex officio member of the Building Code Board of Appeals and shall act as secretary of the Board

Sec. 8.08.030. Ex officio members not to have vote.

Ex officio members of the Building Code Board of Appeals shall be without voting power in every case.

Sec. 8.08.040. Terms; appointment.

The regular members of the Building Code Board of Appeals shall serve for terms of four (4) calendar years. The regular members of the Building Code Board of Appeals shall be appointed by the City Council. The membership of the Building Code Board of Appeals will be appointed at alternate intervals.

Sec. 8.08.050. Chairman generally.

The Building Code Board of Appeals shall select from among the regular voting members a chairman who shall act as presiding officer of the Board and who shall be responsible for the management and operation of the Board.

Sec. 8.08.060. Secretary generally.

The secretary of the Building Code Board of Appeals shall keep and preserve a complete record of all actions of the Board.

Sec. 8.08.070. Meetings and rules of procedure generally.

A quorum for the transaction of business of the Building Code Board of Appeals shall consist of four (4) of the regular members. The Building Code Board of Appeals shall adopt bylaws for the conduct of its business not inconsistent with this Chapter and shall keep adequate minutes and records and make such rules of procedure as it deems necessary.

Sec. 8.08.080. Powers and duties.

The Building Code Board of Appeals shall have the following powers and duties:

(a) To adopt reasonable rules and regulations for conducting its investigations and examinations and to render all decisions in writing to the Building Official in duplicate.

(b) To recommend to the City Council such new legislation as it may deem in harmony with its functions and the matters given to it for administration and also to recommend such

new legislation affecting the building trade or industry as it shall deem advisable for the protection of the public health, safety and welfare.

(c) To hear and determine all appeals from orders of the Chief Building Official denying, suspending or revoking contractor's licenses, in conformity with this Code.

(d) And to perform such other duties as the City Council may by this Code or any code adopted herein or any amendment thereto, from time to time impose upon it.

Sec. 8.08.090. Parties who may appeal.

Any person aggrieved by any decision or order of the Building Official may appeal such decision or order to the Building Code Board of Appeals.

Sec. 8.08.100. Time and procedure for perfecting appeal.

Every appeal to the Building Code Board of Appeals must be perfected within thirty (30) days from the date of the decision or order appealed from. An appeal is perfected by filing notice of appeal with the secretary of the Building Code Board of Appeals in the office of the Building Official upon a form provided by the Building Code Board of Appeals. Such notice shall contain appropriate reference to the decision or order appealed from, as well as the grounds of the appeal. A duplicate copy of such notice of appeal shall be filed with the chairman of the Building Code Board of Appeals.

The Building Code Board of Appeals may extend the time within which an appeal may be taken where grounds for enlargement of time are shown. In cases where the decision or order appealed from pertains to a structure or building which can be demonstrated by the Building Official to be unsafe or dangerous, the Building Official may apply to the Building Code Board of Appeals to limit the time for such appeal in order to avoid any hazard to life or property.

Sec. 8.08.110. Fee.

At the time of perfecting an appeal to the Board of Appeals, the appellant shall be required to pay an appeal fee of two hundred dollars ($200.00), which fee may be returned to the appellant at the discretion of the Building Code Board of Appeals if the appellant is substantially sustained.

Sec. 8.08.120. Transmittal of record required.

Whenever an appeal is taken to the Building Code Board of Appeals, the Building Official shall transmit to the Board all relevant records and data upon which the appeal was taken.

Sec. 8.08.130. Stay of proceedings.

An appeal to the Building Code Board of Appeals shall stay all proceedings in connection with the decision or order appealed from unless and until the Building Official shall have certified to the Board after notice of appeal has been perfected that a stay would cause hazard to life and property. In such case proceedings pursuant to the decision or order of the Building Official shall not be stayed except by order of the Building Code Board of Appeals or by a restraining order issued by a court of record of competent jurisdiction. No such restraining order, whether temporary or otherwise, shall be granted without notice, as prescribed in the Rules of Civil Procedure, to the Building Official and without due cause shown.

Sec. 8.08.140. Work done after docketing of appeal.

Any work done contrary to the order of the Building Official after docketing of an appeal hereunder, pending determination of such appeal, shall be subject to abatement should the order be affirmed and may not be considered by the Building Code Board of Appeals as a mitigating or extenuating circumstance.

Sec. 8.08.150. Hearings generally.

The Building Code Board of Appeals shall fix a reasonable time for the hearing of an appeal, giving notice in writing to the parties in interest and shall reach its decision within a reasonable time thereafter. Parties may appear before the Building Code Board of Appeals in person, by agent or by attorney. The Building Code Board of Appeals may require additional data and tests necessary for adequate consideration of the appeal.

Sec. 8.08.160. Decisions.

The Building Code Board of Appeals shall have the power in all cases appealed to it from decisions or orders of the Building Official to reverse or affirm or modify in whole or in part, the decision or order appealed from. No decision of the Building Code Board of Appeals shall vary or be inconsistent with the terms, provisions and requirements of this Chapter.

Sec. 8.08.170. Judicial review.

Within thirty (30) days after the entry of any decision or order of the Building Code Board of Appeals, any person who is aggrieved by such decision or order may seek to review the same in a court of record of competent jurisdiction. Review shall not be extended further than to determine whether the Building Code Board of Appeals has exceeded its jurisdiction or abused its discretion.

Chapter 8.12
CONTRACTORS

Sec. 8.12.010. Compliance with Chapter required.

It shall be unlawful for any person to violate any provisions of this Chapter or to violate or refuse to obey any order issued by the Chief Building Official or neglect to pay any fee assessed by the Chief Building Official.

Sec. 8.12.020. Revocation and suspension.

(a) The Chief Building Official shall have the authority to issue an order to show cause why the license issued hereunder to any licensee should not be suspended or revoked. Any such order shall grant the licensee ten (10) days in which to show cause and shall inform the licensee of the basis for issuance of the order.

(b) The following acts or omissions of any person or firm holding a license under this Chapter or any applicant for a license under this Chapter shall constitute grounds for which the Chief Building Official may suspend, revoke or refuse renewal of any license or deny an application for said license:

(1) Causing or allowing to exist conditions hazardous to the health, safety and welfare of workmen and the public;

(2) Disregard and willful violation of this Code, including but not limited to the Land Use Code, the International Building Code and related International Codes as adopted and the Colorado Revised Statutes; relating to buildings or construction or contractor licensing;

(3) Failure to comply with any lawful order of the Building Official or his or her designated representative;

(4) Misrepresentation or falsification of a material fact in an application to obtain a license or permit under this and other applicable codes;

(5) Conviction of a misdemeanor or felony relating to the contractor's performance of construction work or the contractor's conduct of his or her construction business;

(6) Failure to obtain a building or other applicable permit for any work as required by Code, including but not limited to the Land Use Code and the International Building Code and International Codes as adopted;

(7) Failure to ensure that the person with whom a subcontractor contracts has obtained valid building or other applicable permit for any work required by this Code;

(8) Contracting for or performing construction work that requires a particular license without holding a valid license for that work;

(9) Use of a contractor's license to obtain building permits for another person's project for which the contractor will not be responsible;

(10) Disregard or deviation from the plans and specifications approved by the Building Official for which the permit was issued without the approval of the building official;

(11) Failure to ensure that any subcontractor hired by the contractor is licensed in compliance with the regulations set forth in this Section;

(12) Failure to appear after proper notice, as set forth in this Section, at a building official hearing;

(13) Failure to obtain and maintain a current City Use Tax license through the county finance office.

Sec. 8.12.030. Issuance of permits only to license holders or agents and owner-builders.

(a) On any work requiring a building permit(s), the permit(s) shall be issued only to licensed contractors, authorized representatives of licensed contractors and owner-builders.

(b) For purposes of this Chapter, an "owner-builder" is an individual personally engaged in the construction (new or remodel) of a single-family residence or accessory, building for his or her own use. The following requirements shall apply to owner-builders seeking permits for construction:

(1) The owner-builder shall not be issued more than one (1) building permit for new home construction in any two year period and not more than one building permit at a time;

(2) The owner-builder has read applicable regulations and provisions of this Chapter and applicable state law and affirmed in writing that the proposed project will comply with all such requirements;

(3) It is the responsibility of the owner-builder to see that all paid personnel shall be covered by workman's compensation insurance as required by state law;

(4) The owner-builder must be present at the work site during all inspections and conferences with the building division, unless prior arrangements have been made with the building officials.

In the event that any of the above listed requirements are not met at any time during the course of a permitted project, the Chief Building Official may suspend or revoke the owner-builder's permit. In the case of a suspended building permit the owner- builder shall have a reasonable time to correct the problem. If not corrected within the time period, the permit may be revoked. In the case of either a suspended or revoked building permit, the owner-builder may ask for a review at the next scheduled Building Code Board of Appeals meeting.

Sec. 8.12.040. Compliance with law and supervisory clauses as required.

All licenses enumerated in this division shall be issued by the Chief Building Official in accordance with the provisions of this Code and shall be subject to the supervisory clauses contained in this division. The Chief Building Official is authorized to administer tests for the licenses and owner-builders as required by this division, as per the standards and regulations promulgated by the Building Code Board of Appeals for Standardized Testing. The Chief Building Official is further authorized to recognize, for purposes of contractor licensing and owner builder permits, results of tests administered by other jurisdictions.

Sec. 8.12.050. Approval of Building Official required for issuance of certain licenses.

(a) No person may be issued a license to engage in the following listed trades, jobs or contractual service as hereinafter enumerated unless approved by the Chief Building Official.

(1) General Contractor (Unlimited);

(2) General Contractor (Commercial);

(3) General Contractor (Light Commercial);

(4) General Contractor (Home Builder);

(5) Specialty;

(b) All persons having valid licenses with the Community Development Department to engage in the aforementioned trades, jobs or contractual services, shall not be required to be examined by the Chief Building Official. All persons must hold a license from the State, if required by the State, before engaging in any trade, job or contractual services within the City.

Sec. 8.12.060. Builders' licenses generally.

(a) General Contractor (Unlimited). This classification qualifies the holder to contract for the construction, alteration or repair of any structure of any type of construction and occupancy group as permitted by the International Building Code.

(b) General Contractor (Commercial). This classification qualifies the holder to contract for the construction of any structure of any type of construction and occupancy group as permitted by the International Building Code, with the exception of Type I and Type II buildings. Also this classification qualifies the holder for the alteration or repair of any structure of any type of construction and occupancy group permitted by the International Building Code.

(c) General Contractor (Light Commercial). This classification qualifies the holder to contract for the construction, alteration or repair of Groups A-2, A-3, B, E, M, R, S-1, S-2 and U Occupancies with the exception of Type I and Type II buildings as permitted by the International Building Code.

(d) General Contractor (Home Builder). This classification qualifies the holder for the construction, alteration or repair of buildings regulated by the International Residential Code.

(e) Specialty. This classification qualifies the holder to contract for work involving specialty trades regulated by the International Codes, including the following:

(1) Alteration and maintenance;

(2) Drywall;

(3) Fire alarm system installation;

(4) Fire sprinkler system installation;

(5) Historic specialty contractor;

(6) Insulation/Energy Efficiency;

(7) Mechanical contractor;

(8) Roofing;

(9) Solid fuel and gas appliance;

(10) Temporary contractor.

(f) For the purposes of this Section, a contractor or subcontractor hired specifically for one (1) job may be issued a temporary contractor's license. It shall only be valid for six (6) months. The applicant for a temporary contractor's license shall only be required to complete an application, no testing shall be required. Only one (1) temporary contractor's license can be applied for within one (1) year.

Sec. 8.12.070. Application for licensees who employ qualified supervisors.

Each individual who acts as a supervisor on any work for which a permit is required must be tested in accordance with the provisions of this Chapter for the work proposed to be done.

Sec. 8.12.080. Examination fee.

Applicants for contractor's licenses shall be required to pay a fee as established by Section 2.12.100 of this Code.

Sec. 8.12.090. Examinations.

(a) The Chief Building Official, before issuing any license required by this Chapter, shall require the applicant to take such examinations, written or oral, as the Chief Building Official may determine to be appropriate. In lieu of such examination, the Chief Building Official may recognize and accept the results of examinations administered by other governmental jurisdictions.

(b) Examinations shall be given at reasonable intervals.

Sec. 8.12.100. Insurance.

Every contractor granted a license under the terms of this Chapter shall be required to maintain at all times employee liability and public liability insurance with minimum limits of not less than one-hundred-thousand dollars ($100,000.00) for one (1) person and three-hundred-thousand dollars ($300,000.00) for any one (1) accident and property damage insurance with a minimum limit of not less than one-hundred-thousand dollars ($100,000.00) for any one (1) accident.

Sec. 8.12.110. Annual fees.

Holders of contractors' licenses shall be required to pay a fee as established by this Code, Section 2.12.100.

Sec. 8.12.120. Compliance with division required for issuance of permit.

(a) No permit shall be issued to any contractor who has not first obtained a license as required in this Chapter or who is delinquent in the payment of annual license fees or use taxes or whose license has been suspended or revoked by action of the Chief Building Official.

(b) A licensed contractor may apply for and be issued permits to only such work as he or she is entitled to do under their respective licenses.

(c) Any application for a permit or license filed in derogation of this Section shall be deemed to have been filed with fraudulent intent and shall be a nullity. Any permit or license issued on the basis of such fraudulent application shall be null and void.

Sec. 8.12.130. State license required.

All persons performing plumbing or electrical work of any type regulated or licensed by the State must hold valid State licenses before engaging in any trade, job or contractual service within the~~.~~ City of Aspen

Sec. 8.12.140. Registration of electrical and plumbing contractors.

As a condition of performing services within the City, electrical and plumbing contractors shall register with the Chief Building Official. Applicants for registration must demonstrate that they hold a valid contractor's license issued by the State. Registrations made under this Section shall terminate on the last day of the year.

Sec. 8.12.150. Appeals.

Appeals of any final decision of the Building Official may be made pursuant to the bylaws of the Building Code Board of Appeals.

Chapter 8.15
CARBON MONOXIDE DETECTORS

Section 8.15.010 Purpose and Scope.

This chapter is enacted for the purpose of protecting the health and safety of the residents of the City, its visitors and employees, by requiring operable carbon monoxide detectors in existing and new residential occupancies thereby hopefully reducing the number of injuries and fatalities resulting from carbon monoxide (CO) poisoning.

The provisions of this ordinance shall apply to all new residential construction containing a sleeping unit, additions to residential buildings containing a sleeping unit, remodels of residential buildings containing a sleeping unit for which a building permit is required and to the replacement or addition of a fuel burning appliance for which a permit is required.

Section 8.15.020 Definitions.

The following terms as used in this chapter shall have the indicated meaning:

Building Codes: The building, fire and other technical codes adopted pursuant to Chapter 8 of this Code.

CO Detector: A device sensing invisible particles of carbon monoxide that is either battery powered or AC powered with battery back up that has been installed in accordance with its manufacturer's recommendations, which, when activated, will provide some form of visual or audible detector, and which has been either UL (Underwriters Laboratories Inc.) listed or CSA (Canadian Standards Association) approved.

Dwelling: Any building or portion thereof containing one or more dwelling units occupied as, or deigned or intended for occupancy as, a residence by one or more families.

Dwelling Unit: Any building or portion thereof designed, occupied, or intended as a residence, with complete and independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

Residential Occupancies:

A. Any of the residential uses as such terms are defined and described in International Residential Code and International Building Code in Chapter 8.16 and 8.20 of this Code.

B. Any residential occupancy or any institutional occupancy with sleeping units as such terms are defined in the building codes.

C. Any other occupancy used for sleeping purposes.

Separate Sleeping Area: Bedrooms or sleeping rooms separated by other use areas, such as a kitchen or living room, but not including bathrooms.

Sleeping Unit: A room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both.

Section 8.15.030 Responsibilities.

A. All existing residential occupancies and all residential occupancies to be constructed after the effective date of this ordinance shall be equipped with CO detectors in accordance with the requirements of this Chapter,

B. The owner of a residential occupancy shall be responsible to install and maintain required CO detector(s) in such residential occupancy in accordance with the requirements of this Chapter. The owner of a residential occupancy shall test and replace all batteries necessary for operation of a required CO detector, except for dwellings or dwelling units where the tenant has been notified of such responsibility. The owner of a residential occupancy shall immediately repair or replace any defective CO detector required under the provision of this Chapter.

C. The owner of a dwelling or dwelling unit that is rented or leased to a tenant, shall immediately, upon notice from the tenant, repair or replace a defective CO detector required to be located within such dwelling or dwelling unit, except that the owner need not repair or replace any CO detector where the defective condition was caused by the tenant, the tenant's family, or the tenant's guests or invitees. The owner shall install new batteries in any required CO detector at the beginning of a new lease or tenancy. The owner shall furnish to the tenant at the beginning of a new lease or new tenancy written notice of the owner's responsibility to install and maintain a required CO detector on the premises. The tenant shall inform the owner of any CO detector malfunction, test and replace batteries necessary for operation and repair or replace a defective CO detector in the event that the defective condition was caused by the tenant, the tenant's family, or the tenant's guests or invitees, by inappropriate use or misuse of the dwelling or dwelling unit during the rental term or any extension of it.

D. A tenant in possession of a dwelling or dwelling unit shall be responsible for testing and replacing any batteries necessary for operation of a required CO detector, informing the owner of a CO detector malfunction and repairing or replacing a defective CO detector in the event that the defective condition was caused by the tenant, the tenant's family, or the tenant's guests or invitees, by inappropriate use or misuse of the dwelling or dwelling unit during the rental term or any extension of it.

8.15.040 Carbon Monoxide Detector –Installation Requirements.

A. Carbon Monoxide detector(s) shall be centrally located outside of each separate sleeping area in the immediate vicinity of the bedrooms or sleeping rooms. Residential occupancies shall be considered to be in compliance with this requirement if CO detector(s) are installed within a dwelling unit such that an audible signal not less than 70 decibels reaches each sleeping area. CO detectors shall be hard wired in new construction. In interior alterations, repairs or additions requiring a permit, or when one or more sleeping rooms are added or created in existing dwellings, detectors shall be hard wired where the alterations or repairs result in the removal of interior wall or ceiling finishes unless there is an attic , crawlspace or basement available which would provide access for hard wiring.

B. Carbon monoxide detectors shall be installed within each sleeping area containing any fuel burning appliance such as a gas log, decorative gas fireplace appliances, gas clothes dryer or wood burning appliance, etc.

C. It is the intention of this Chapter to implement the requirements of the existing building codes, including NFPA #720, 2009 edition approved as an American October 10, 2008, to the greatest extent

practicable for existing residential occupancies. The building official or the fire official may approve alternative locations or methods for the installation of CO detectors, if the result would meet the spirit and intent of the building codes and NFPA #720. The building official, in coordination with the fire official, may also adopt written guidelines illustrating or describing required locations of CO detectors, and any approved alternative locations or methods for bringing residential occupancies into compliance with the requirements of this chapter.

D. A CO detector is deemed approved for purposes of this Chapter if it complies with all applicable state and federal regulations, and bears the label of a nationally recognized standard testing laboratory and meets the revised standard of at least UL 2034 and subsequent revision or its equivalent. The CO detector may be a combination smoke/gas/CO device.

E. Each CO detector shall be mounted in accordance with the manufacturer's instructions, though a ceiling mount is preferred. CO detector(s) may not be mounted in areas of low air movement (dead air spaces),

F. If a CO detector is required to be installed in a common hallway and found to be tampered with it shall be replaced with a hard-wired device (missing or inoperable batteries shall not constitute tampering). Any CO detector found to be missing a battery shall be replaced by the owner with a tamper proof CO detector with a sealed battery.

G. In new construction, the required CO detector shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. CO detectors shall be permitted to be battery operated when installed in buildings without commercial power or in buildings that undergo alterations, repairs or additions as stipulated in Section 8.15.040 A.

Section 8.15.050 Prohibitions.

A. It shall be unlawful for any owner of a residential occupancy to fail to install and maintain an operable CO detector when required under the provisions of this chapter.

B. It shall be unlawful for any person to remove or render ineffective a CO detector installed to satisfy the requirements of this ordinance. This provision shall not apply to a building owner, manager or his/her agent in the normal procedure of repairing or replacing a CO detector.

C. No person shall, without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with a CO detector required to be installed pursuant to the provisions of this Chapter so as to destroy or diminish its effectiveness or availability for its intended purpose.

Section 8.15.060 Enforcement Responsibility.

The building official and the fire code official, or their designees, shall monitor compliance with this Chapter and may perform enforcement inspections upon, but not limited to, the following instances: when notified of a change in occupancy; when reviewing or inspecting the construction, repair, rehabilitation or renovation of the interior of a residential occupancy pursuant to a required permit, when inspecting at the request of the building owner; when inspecting for any other purpose under the provisions of this code; or when on the premises for any lawful purpose, including but not limited to such purposes as responding to a fire or other request for fire department services.

Section 8.15.070 Penalties and Remedies for Violations.

A. Infraction: A violation of the provisions of this Chapter is an infraction and upon conviction shall be punishable as set forth in Chapter 1.04 of this Code.

B. Other Remedies: This Chapter may also be enforced by injunction, mandamus, judicial abatement or any other appropriate action in law or equity.

C. Daily Violations: Each day that any violation of this Chapter continues shall be considered a separate offense for purposes of the penalties and remedies available to the city.

8.15.080 Effective Date:

All owners of existing residential occupancies shall come into compliance with the requirements of this Chapter on or before March 2, 2009.

Chapter 8.16
INTERNATIONAL RESIDENTIAL CODE

Sec. 8.16.010. Adoption of the 2009 Edition of the International Residential Code.

Pursuant to the powers and authority conferred by the laws of the State and the Charter of the City, there is hereby adopted and incorporated herein by reference as if fully set forth those regulations contained in the International Residential Code, 2009 Edition, Chapters 1- 10 including Appendices E, F, H, J and K as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, except as otherwise provided by amendment or deletion as contained in Section 8.16.020 of this Chapter.

At least one (1) copy of the International Residential Code shall be available for inspection during regular business hours.

Sec. 8.16.020. Amendments.

The International Residential Code, 2009 Edition, as adopted by the City at Section 8.16.010, is hereby amended to read as follows:

(a) R101.1 Title. These provisions shall be known as the Residential Code for One- and Two-family Dwellings of the City of Aspen and shall be cited as such and will be referred to herein as "this code."

(b) Section R102.7. Existing Structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Existing Building Code* by reference or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

(c) Section R104.8 Liability.

The building official , member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally or criminally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

Any suit or charge instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

(d) Section R108.1 Payment of fees. "A permit shall not be valid until the fees prescribed by Section 2.12.100 of this Code are paid in full."

(e) Section R109.1.5 Other inspections. "The final inspection shall be made after all work required by the building permit is completed and all applicable referral agencies have accepted the work to comply with conditions of approval and any specific regulations."

(f) "Section R109.5 Re-inspections. "A re-inspection fee may be assessed when an inspection is called for and the work is not complete, required corrections are not made, field copy of approved plans is not readily available to the inspector, work is not accessible or for deviating from approved plans."

(g) Section 110.4 Conditional occupancy. The Building Official is authorized to issue a conditional certificate of occupancy before the completion of the entire work covered by the permit or conditions of approval, provided that portions of the building shall be occupied safely. The conditional certificate of occupancy shall clearly state the portions of the building that may be occupied, the conditions that must be met and a time period during which the conditional certificate of occupancy is valid. An additional fee prescribed by section 2.12.100 of this Code will be assessed for this service. The conditional certificate of occupancy is renewable and may be extended by a Chief Building Official at the discretion of the Building Official.

(h) Section R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The building official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. The Building Code Board of Appeals shall possess that authority as provided in this Code, Chapter 8.08.

(i) R202 Habitable Space. A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces. Unfinished basements are considered habitable space.

(j) Table R301.2(1) shall read as follows:

Ground snow load	75psf
Wind Speed /Exposure Category	90/B

Seismic design category	C
Weathering	Severe
Frost line depth	36"
Termite	None to slight
Decay	None to slight
Winter design temp	-16
Ice shield underlayment required	Yes
Flood hazards	
Air Freezing index	1640
Mean annual temperature	40 degrees

(k) Section R303.1.2 Mechanical Ventilation. Dwelling units shall be provided with a mechanical exhaust system, supply air system, or a combination thereof to provide whole building ventilation with outdoor air.

(l) Section R303.3.1, Bathroom ventilation. Bathrooms shall be mechanically exhausted in accordance with section M1507.

(m) Section R303.6 Stairway illumination. All interior and exterior stairways shall be provided with a means to illuminate the stairs, including the landings and treads. Interior stairways shall be provided with an artificial light source located in the immediate vicinity of each landing of the stairway. For interior stairs the artificial light sources shall be capable of illuminating treads and landings to levels not less than 1 foot-candle (11 lux) measured at the center of treads and landings. Exterior stairways shall be provided with an artificial light source located in the immediate vicinity of the top landing of the stairway. Exterior stairways providing access to a basement from the outside grade level shall be provided with an artificial light source located in the immediate vicinity of the bottom landing of the stairway. *Exterior stairs* as applies to this Section, are those stairs outside the perimeter walls of the building which serve any exits from the building or serve as access to the public right-of-way. Exterior stairs used for landscape purposes are not subject to the requirements of this Section except as required above.

(n) Section R310.1 Emergency escape and rescue required. Basements, habitable attics and every sleeping room shall have at least one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches (1118 mm) above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section R310.3. The net

clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

Exception: *Basements and habitable attic spaces* used only to house mechanical equipment and not exceeding total floor area of 200 square feet (18.58 m2)

(o) **R310.5 Emergency escape windows under decks and porches.** Emergency escape and s are allowed to be installed under decks and porches provided the location of the deck allows the emergency escape window to be fully opened and provides a path not less than 7 feet in height to a *yard* or court.

(p) Section R324 Automatic fire sprinkler systems. Automatic fire sprinkler systems are required in all structures five thousand (5,000) square feet or greater as defined by fire area (IBC Section 702.1) and in structures two (2) stories or more in height and containing four (4) or more dwelling units. Fire separations shall not constitute separate buildings for this purpose.

(q) Section R703.2 Water-resistive barrier. One layer of No. 15 asphalt felt, free from holes and breaks, complying with ASTM D 226 for Type 1 felt or other approved water-resistive barrier shall be applied over studs or sheathing of all exterior walls. Such felt or material shall be applied horizontally, with the upper layer lapped over the lower layer not less than 2 inches (51 mm). Where joints occur, felt shall be lapped not less than 6 inches (152 mm). The felt or other approved material shall be continuous to the top of walls and terminated at penetrations and building appendages in a manner to meet the requirements of the exterior wall envelope as described in Section R703.1.

Exception: Omission of the water-resistive barrier is permitted in the following situations:

1. Under exterior wall finish materials as permitted in Table R703.4.

2. Under paperbacked stucco lath when the paper backing is an approved water-resistive barrier.

(r) Section R806.1 Ventilation required. Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters shall have cross ventilation for each separate space by ventilating openings protected against the entrance of rain or snow. Attic ventilation openings, soffit vents and vents through roofs shall not exceed 144 square inches each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed ¼ inch. Ventilation openings having a least dimension larger than 1/4 inch (6.4 mm) shall be provided with corrosion-resistant wire cloth screening, hardware cloth, or similar material with openings having a least dimension of 1/16 inch (1.6 mm) minimum and 1/4 inch (6.4 mm) maximum. Openings in roof framing members shall conform to the requirements of Section R802.7.

(s) Section R902.1 Roofing covering materials.

Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A or B roofing shall be installed in areas designated by law as requiring their use or when the edge of the roof is less than 3 feet (914 mm) from a property line. The minimum roof coverings installed shall be Class B and Class A in the HIGH areas identified by the City of Aspen Wildfire Hazard Assessment Map.

Classes A or B roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.

2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

(t) Section R903.6 Snow shed design. Roofs shall be designed so that they do not shed ice and snow onto potentially occupied areas such as a walkway, stairway, alley, deck, pedestrian and vehicular exit from buildings or areas where there is potential for personal injury or property damage and areas directly above or in front of gas utility or electric utility meters.

Exception: Mechanical barriers installed to roof framing members or solid blocking secured to framing in accordance to manufacturer's installation instructions.

(u) Section R905.2.7.1 Ice barrier. An ice dam barrier that consists of at least two (2) layers of underlayment cemented together or of a self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment and shall extend from the roof eave edge at least six feet inside the exterior wall line as measured along the roof surface, eighteen (18) inches from the centerline of the valley and up twenty-four (24) inches on the vertical wall at a roof and wall juncture."

(v) Section R1003.1.1 Fireplaces allowed. The number of fireplaces allowed shall be determined by this Code, Section 13.08.070.

Sec. 8.16.030. Violations and penalties.

(a) It shall be unlawful for any person, including an owner, occupant or builder, to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, quip, 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 this Code.

(b) A violation of any of the provisions of the Code shall constitute a misdemeanor, punishable upon conviction by a fine, imprisonment, or both a fine and improvement, as set forth in Section 1.04.080 of this Code. A separate offense shall be deemed committed on each day or portion thereof that the violation of any of the provisions of this Code occurs or continues unabated after the time limit set for abatement of the violation.

Chapter 8.20
INTERNATIONAL BUILDING CODE

Sec. 8.20.010. Adoption of the 2009 Edition of the International Building Code.

Pursuant to the powers and authority conferred by the laws of the State and the Charter of the City, there is hereby adopted and incorporated herein by reference as if fully set forth those regulations contained in the International Building Code, **2009** Edition, including Appendix C, E, I and J published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, except as otherwise provided by amendment or deletion as contained in Section 8.20.020 of this Chapter. At least one (1) copy of the International Building Code shall be available for inspection during regular business hours.

Sec. 8.20.020. Amendments.

The International Building Code, 2009 Edition, as adopted by the City at Section 8.20.010, is hereby amended to read as follows;

(a) Section 101.1 These provisions shall be known as the Building Code for the City of Aspen and will be referred to herein as this code.

(b) Section 101.4 Referenced Codes. The other codes listed in Sections 101.4.1 through 101.4.4 and referenced elsewhere in this Code shall be considered part of the requirements of this code to the prescribed extent of each reference.

(c) Section 101.4.4 Electrical. The provisions of the most current version of the National Electric Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto."

(d) Section 102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this Code shall be permitted to continue without change, except as is specifically covered in this Code, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public."

(e) Section 103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

(f) Section R104.8 Liability. The building official , member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally or criminally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit or charge instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any

subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

(g) Section 109.1 Payment of fees. A permit shall not be valid until the fees prescribed by Section 2.12.100 of this Code are paid in full."

(h) Section 110.3.10 Final inspection. The final inspection shall be made after all work required by the Building Permit is completed and all applicable referral agencies have accepted the work to comply with conditions of approval and any specific regulations."

(i) Section 110.7 Re-inspections. A re-inspection fee may be assessed when an inspection is called for and the work is not complete, required corrections are not made, field copy of approved plans is not readily available to the inspector, work is not accessible or for deviating from approved plans.

(j) Section 110.3 Conditional Occupancy. The Building Official is authorized to issue a conditional certificate of occupancy before the completion of the entire work covered by the permit or conditions of approval, provided that portions of the building shall be occupied safely. The conditional certificate of occupancy shall clearly state the portions of the building that may be occupied, the conditions that must be met and a time period during which the conditional certificate of occupancy is valid. An additional fee prescribed by section 2.12.100 of this Code will be assessed for this service. The conditional certificate of occupancy is renewable and may be extended by a Chief Building Official at the discretion of the Building Official.

(k) Section 113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The building official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. The Building Code Board of Appeals shall possess that authority as provided in this Code, Chapter 8.08.

(l) Section 406.4.2 Ventilation. A mechanical ventilation system shall be provided in accordance with the *International Mechanical Code* or an alternate design appropriate to cold climate conditions and meeting acceptable CO levels may be proposed as an alternate design method.

(m) Section [F] 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. In addition to the requirements in this section, all structures 5,000 square feet or greater as defined by fire area (Section 702.1) and R occupancy structures with four (4) or more dwelling units and two (2) or more stories high will require automatic fire sprinklers.

(n) [F] 907.2.9.1 Manual fire alarm system.

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancies where:

1. Any dwelling unit or sleeping unit is located two (2) or more stories above the lowest level of exit discharge:

2. Any dwelling unit or sleeping unit is located more than one story below the highest level of exit discharge of exits serving the dwelling unit or sleeping unit; or

3. The building contains more than three (3) dwelling units or sleeping units.

(o) Section 1203.2.1 Openings into attics. Exterior openings into the attic space of any building intended for human occupancy shall be protected to prevent the entry of birds, squirrels, rodents, snakes and other similar creatures. Attic ventilation openings, soffit vents and vents through roofs shall not exceed 144 square inches each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed ¼ inch.

(p) 1203.3.1 Openings for under-floor ventilation. The minimum net area of ventilation openings shall not be less than 1 square foot for each 150 square feet (0.67 m2 for each 100 m2) of crawl-space area. Ventilation openings shall be covered for their height and width with any of the following materials, provided that the least dimension of the covering shall not exceed 1/4 inch (6 mm):

1. Perforated sheet metal plates not less than 0.070 inch (1.8 mm) thick.

2. Expanded sheet metal plates not less than 0.047 inch (1.2 mm) thick.

3. Cast-iron grilles or gratings.

4. Extruded load-bearing vents.

5. Hardware cloth of 0.035 inch (0.89 mm) wire or heavier.

6. Noncombustible corrosion-resistant mesh with openings not to exceed 1/8 inch.

(q) Section 1505.1, General. Roof assemblies shall be divided into the classes defined below. Class A, B and C roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2898. The minimum roof covering installed shall be Class B and Class A in (High) areas identified by The City of Aspen Wildfire Hazard Assessment Map.

Exception: Skylights and sloped glazing that comply with Chapter 24 or Section 2610.

(r) TABLE 1505.1a, b

MINIMUM ROOF COVERING CLASSIFICATION FOR TYPES OF CONSTRUCTION

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB

B B B B B B B B B

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m2.

a. Unless otherwise required to use a “Class A” covering due to location in a high hazard area as indicated by The City of Aspen Wildfire Hazard Assessment Map.

b. Nonclassified roof coverings shall be permitted on buildings of Group R-3 and Group U occupancies, where there is a minimum fire-separation distance of 6 feet measured from the leading edge of the roof.

(s) Section 1504.9 Snow shed design. Roofs shall be designed so that they do not shed ice and snow onto potentially occupied areas such as a walkway, stairway, alley, deck, pedestrian and vehicular exit from buildings or areas where there is potential for personal injury or property damage and areas directly above or in front of gas utility or electric utility meters.

"Exception: Mechanical barriers installed to roof framing members or solid blocking secured to framing in accordance to manufacturers' instructions."

(t) Section 1507.2.8.2 Ice Barrier. An ice dam barrier that consists of at least two (2) layers of underlayment cemented together or of a self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment and shall extend from the roof eave edge at least six (6) feet inside the exterior wall line as measured along the roof surface, Eighteen (18) inches from the centerline of the valley and up twenty-four (24) inches on the vertical wall at a roof and wall juncture.

(u) Section 1608.2 Ground snow loads. The ground snow load to be used in determining the snow loads for roofs shall be seventy-five (75) pounds per square foot in the City.

(v) Section 1609.3 Basic wind speed. 90MPH with 3 second gust rate shall be used for structural design shall.

(w) Section 1609.4.1 Exposure category. Catagory B shall be used for the design of all structures in the City of Aspen.

(x) Section 1612.3. Establishment of flood hazard areas. To establish flood hazard areas, the applicable governing authority 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 City of Aspen," dated June 4, 1987, 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.

(y) Section 1805.4.3 Drainage discharge. The floor base and foundation perimeter drain shall discharge by gravity or mechanical means into an approved drainage system that complies with the International Plumbing Code.

(z) Section 2111.1.1 Fireplaces allowed. The number of fireplaces allowed shall be determined by this Code, Section 13.08.070.

(aa) Section 3001.5 Permits required. Elevator permits and inspections are required through the Northwest Colorado Council of Governments (NWCCOG.

(bb) Section 3412. Applicability. Structures existing prior to June 17, 1957 in which there is work involving additions, alterations or changes of occupancy shall be made to comply with the requirements of this section or the provisions of Sections 3403 through 3409. The provisions in Sections 3412.2.1 through 3412.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

Chapter 8.24
NATIONAL ELECTRICAL CODE

Sec. 8.24.010. Adoption of the National Electrical Code, most current edition.

Pursuant to the power and authority conferred by the law of the State and the Charter of the City, it is hereby adopted herein by reference as if fully set forth those regulations contained in the National Electrical Code, most current edition, published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 02269 except as otherwise provided by amendment or deletion as contained in Section 8.24.020 of this Chapter. At least one (1) copy of the National Electrical Code, most current edition, adopted by the State of Colorado, shall be kept on file in the office of the City Clerk and shall be made available for inspection during regular business hours.

Sec. 8.24.020. Administrative Provisions to the NEC for The City Aspen

(a) Section 1 “Electrical Inspector for the division of Building Safety” “Creation of electrical inspector”. The Electrical Inspector for the Division of Building Safety is hereby created and the official in charge thereof shall be known as the Building Official. The function of the Electrical Inspector is to assist the Building Official in the administration and enforcement of the provisions of this code.

(b) Section 2 “Appointment.” The Building Official of the jurisdiction shall appoint the electrical inspector."

(c) Section 3 "Schedule of permit fees" Shall read as follows:

"A permit shall not be valid until the fees prescribed by Section 2.12.100 of this Code are paid in full."

(d) Section 4 “Appeals” shall be in accordance with Section 8.08 of this Code.

Sec. 8.24.030. Amendments

The National Electrical Code, Current Edition, as adopted by the City of Aspen at Section 8.24.010 is hereby amended to read as follows:

(a) Work involving the installation of wiring of 50 volts or less used for the control of electrical power or lighting will require an electrical permit.

Chapter 8.28
INTERNATIONAL FUEL GAS CODE

Sec. 8.28.010. Adoption of the 2009 Edition of the International Fuel Gas Code.

Pursuant to the powers and authority conferred by the laws of the State and the Charter of the City, there is hereby adopted and incorporated herein by reference as if fully set forth those regulations contained in the International Fuel Gas Code, **2009** Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, except as otherwise provided by amendment or deletion as contained in Section 8.28.020 of this Chapter. At least one (1) copy of the International Fuel Gas Code shall be available for inspection during regular business hours.

Sec. 8.28.020. Amendments

The International Fuel Gas Code, **2009** Edition, as adopted by the City of Aspen at Section 8.20.010 is hereby amended to read as follows:

(a) Section 101.1 Title. These regulations shall be known as the Fuel Gas Code of City of Aspen, hereinafter referred to as "this code."

(b) Section 103 (IFGC) DEPARTMENT OF BUILDING SAFETY

(c)Section 103.1 The Department of Building Safety is hereby created and the official in charge thereof shall be known as the building official

(d) Section 103.4 Liability. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally or criminally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit or charge instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

(e) Section 106.6.2 Fee schedule is hereby amended to read as follows: A permit shall not be valid until the fees prescribed by Section 2.12.100 of this Code are paid in full.

(f) Section 106.6.3 Fee refunds. The code official shall authorize the refunding of fees as follows.

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

2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than 80 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 before any plan review effort has been expended.

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

(g) Section 108.4 Violation Penalties. Any person who violates the provisions of this code or fails to comply with the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject to the penalties as prescribed by law.

(h) Section 108.5 Stop Work Orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than double the permit fees for each violation.

(i) Section 109 (IFGC) Means of Appeal

Section 109.1 Appeals shall be in accordance with Section 8.08 of this Code.

(j) Section 621.1General. Unvented room heaters are prohibited.

Chapter 8.36
INTERNATIONAL PLUMBING CODE

Sec. 8.36.010. Adoption of the International Plumbing Code, 2009 Edition.

Pursuant to the powers and authority conferred by the laws of the State and the Charter of the City, there is hereby adopted and incorporated herein by reference as if fully set forth those regulations contained in the International Plumbing Code, 2009 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, except as otherwise provided by amendment or deletion as contained in Section 8.36.020 of this Chapter. At least one (1) copy of the International Plumbing Code shall be available for inspection during regular business hours.

Sec. 8.36.020. Amendments.

The International Plumbing Code, 2009 Edition, as adopted by the City at Section 8.36.010 above, is hereby amended to provide and read as follows:

(a) Section 101.1 Title. These regulations shall be known as the International Plumbing Code of City of Aspen hereinafter referred to as "this code."

(b) SECTION 103 DEPARTMENT OF BUILDING SAFETY

(c) Section 103.1 The Department of Building Safety is hereby created and the official in charge thereof shall be known as the building official.

(d) Section 103.4 Liability. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally or criminally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit or charge instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

(e) Section 106.6.2 Fee schedule. A permit shall not be valid until the fees prescribed by Section 2.12.100 of this Code are paid in full.

(f) Section 106.6.3 Fee refunds. The code official shall authorize the refunding of fees as follows:

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

2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than 80 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 before any plan review effort has been expended.

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

(g) Section 108.4 Violation Penalties. Any person who violates the provisions of this code or fails to comply with the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject to the penalties as prescribed by law.

(h) Section 108.5 Stop Work Orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than double the permit fees for each violation.

(i) Section 109.1 Appeals shall be in accordance with Chapter 8.08 of this Code."

(j) Section 305.6.1 Sewer Depth. Building sewers that connect to private sewage disposal systems shall be a minimum of 48 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 48 inches below grade.

(k) Section 702.3.1 Vitrified clay pipe is not to be used as building sewer pipe material.

(l) Section 904.1 Roof Extension. All open vent pipes that extend through a roof shall be terminated at least 12 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

Chapter 8.44
MECHANICAL CODE

Sec. 8.44.010. Adoption of the 2009 Edition of the International Mechanical Code.

Pursuant to the powers and authority conferred by the laws of the State and the Charter of the City, there is hereby adopted and incorporated herein by reference as if fully set forth those regulations contained in the International Mechanical Code, 2009 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, except as otherwise provided by amendment or deletion as contained in Section 8.44.020 of this Chapter. At least one (1) copy of the International Mechanical Code shall be available for inspection during regular business hours.

Sec. 8.44.020. Amendments.

The International Mechanical Code, 2009 Edition, as adopted by the City at Section 8.44.010, is hereby amended to provide and read as follows:

(a) Section 101.1 Title. These regulations shall be known as the Mechanical Code of the City of Aspen, hereinafter referred to as "this code."

(b) SECTION 103 DEPARTMENT OF BUILDING SAFETY

(c)"Section 103.1 General. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the building official."

(d) Section R104.8 Liability. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally or criminally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit or charge instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

(e) Section 106.6.2 Fee schedule. A permit shall not be valid until the fees prescribed by Section 2.12.100 of this Code are paid in full.

(f) Section 106.6.3 Fee refunds. The code official shall authorize the refunding of fees as follows.

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

2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than 80 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 before any plan review effort has been expended.

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

(g) Section 108.5 Stop Work Orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after

having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than double the permit fees for each violation. (i)Section 108.4 Violation Penalties. Any person who violates the provisions of this code or fails to comply with the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject to the penalties as prescribed by law.

(h) Section 109.1 Appeals shall be in accordance with Chapter 8.08 of this Code.

(i) Section 901.5 Fireplaces allowed. The number of fireplaces allowed shall be determined by this Code, Section 13.08.070."

(j) Section 903.3 Unvented gas log heaters are prohibited.

Chapter 8.46
INTERNATIONAL ENERGY CONSERVATION CODE

Sec. 8.46.010. Adoption of the 2009 Edition of the International Energy Conservation Code.

Pursuant to the powers and authority conferred by the laws of the State and the Charter of the City, there is hereby adopted and incorporated herein by reference as if fully set forth those regulations contained in the International Energy Conservation Code, 2009 Edition, as published by the International Code Council except as otherwise provided by amendment or deletion as contained in Section 8.46.020 of this Chapter. At least one (I) copy of the International Energy Conservation Code shall be available for inspection during regular business hours in the City Clerk's Office, second floor of City Hall.

Sec. 8.46.020. Amendments.

The International Energy Conservation Code, 2009 Edition, the addition of Appendix A "Residential Renewable Energy Mitigation Program" and Appendix B "Commercial Renewable Energy Mitigation Program" as adopted by the City at Section 8.46.0I0, is hereby amended to provide and read as follows:

(a) Section IOI.I Insert: "City of Aspen" for [NAME OF WRISDICTION].

(b) Section 104.3 "Final Inspection" is hereby amended and to read as follows:

Section 104.3 Required energy efficiency inspections. The *building official*, upon notification, shall make the inspections set forth in Sections 104.3.1 through 104.4.5.

Section 104.3.1 Building thermal envelope. Specific items referenced in Section

402.4.1 and Section 502.4.3 shall be inspected and approved.

Section 104.3.2 Fenestration. All fenestration as defined in Section 202 shall be labeled, inspected and approved before the gypsum board inspection.

Section 104.3.3 Insulation. All above and below grade wall and ceiling cavity insulation shall be labeled, inspected and approved before the gypsum board inspection.

Section 104.3.4 Other inspections. In addition to the inspections specified above other inspection shall include, but not be limited to, inspections for: duct system

R-value, HVAC and water-heating equipment efficiency and lighting compliance.

Section 104.3.5 Final inspection. The building shall have a final energy efficiency inspection and not be occupied until *approved*

(c) Section 107.2 "Schedule of permit fees" is hereby amended and to read as follows:

"A permit shall not be valid until the fees prescribed by Section 2.12.100 of this Code are paid in full."

(d) Section 109 "Means of appeal" is deleted in its entirety and shall read as follows:

"Section 109.l Appeals shall be in accordance with Chapter 8.08 of this Code."

(e) Add Section 110 "Liability" to read as follows:

"The Building Official or his or her authorized representative charged with the enforcement of this code, acting in good faith and without malice in the discharge of his or her duties, shall not thereby render himself or herself personally liable for any damage that may accrue to persons or property as a result of any act or omission in the discharge of his or her duties.

"This Code shall not be construed to relieve or lessen the responsibility of any person

owning, operating or controlling any building or structure for any damage to persons or property caused by defects on or in such premises, nor shall the code enforcement agency, any employee thereof or City be held as assuming any such responsibility or liability by reason of the adoption of this code or by the exercise of
inspections authorized and carried out hereunder or by the issuance of any permits or certificates issued pursuant to this code."

(f) Section 301 "Climate zones" is deleted in its entirety and shall read as follows:

"The City of Aspen, Colorado shall use Climate Zone 7 in determining the applicable requirements from Chapters 4 and 5".

(g) Section 402.4.2 Shall be amended as follows:

Air sealing and insulation. Building envelope air tightness and insulation installation shall be demonstrated to comply with Section 402.4.2.1 .

(h) 402.4.2.2 is deleted in its entirety.

(i) Section 403.8 Snow Melt System Controls (Mandatory).shall be amended as follows:

(Add) 403.8.1 "Snow Melt Slab Insulation." R 10 insulation shall be installed under the area to be snow melted or R-5 insulation shall be installed under and at the slab edges of the area to be snow melted.

(Add) 403.8.2 "Roof and gutter deicing". Electric roof and gutter deicing systems shall be self regulating type cable and include automatic controls which limit the use of the system to daylight hours by means of a programmable timer. When installation exceeds manufacturers' design requirements electric roof and gutter deicing systems shall have automatic controls capable of turning off the system with when the outdoor temperature is above 50 degrees F and monitor moisture. Hydronic roof and gutter deicing systems shall have an automatic or manual control that will allow shutoff when the outdoor temperature is above 40 degrees F.

(j) Section 503.2.4.5 Snow Melt System Controls. Shall be amended as follows:

(Add) 503.2.4.5.1 "Snow Melt Slab Insulation." R 10 insulation shall be installed under the area to be snow melted or R-5 insulation shall be installed under and at the slab edges of the area to be snow melted.

(Add) 403.8.2 "Roof and gutter deicing". Electric roof and gutter deicing systems shall be self regulating type cable and include automatic controls which limit the use of the system to daylight hours by means of a programmable timer. When installation exceeds manufacturers' design requirements electric roof and gutter deicing systems shall have automatic controls capable of turning off the system with when the outdoor temperature is above 50 degrees F and monitor moisture. Hydronic roof and gutter deicing systems shall have an automatic or manual control that will allow shutoff when the outdoor temperature is above 40 degrees F.

Appendix A

"Residential Renewable Energy Mitigation Program" SECTION 101 SCOPE AND ADMINISTRATION

Section 101.1 Scope. Residential snowmelt, outside pool, or outside spa systems and equipment may be installed only if the supplemental energy meets the requirements of the **Residential Renewable Energy Mitigation Program** (RREMP) Appendix A. This applies to all installations for which an application for a permit or renewal of an existing permit is filed or is by law required to be filed with or without an associated Building Permit that include systems described in section l 01.1. *Residential Building* is defined in IECC section 202.

Section 101.2 Residential Renewable Energy Mitigation Program (RREMP) Option – Exterior energy use for residential snowmelt systems, outdoor spas, and outdoor pools are calculated as directed by Section 20l.

Section 101.3 On-site Renewable Credits Option -Renewable credit options are calculated as directed by Section 30l.

Section 102 Payment option. The RREMP payment option is the difference in energy use calculated in section 202 and on-site renewable credits calculated in section 302 and shall be paid at the time of issuance of the building permit. The payment, if any, is based on the amount of energy required, expressed as dollars per square foot, to operate the exterior energy use systems. No payment shall be made to an applicant that exceeds the energy use with on-site renewable credits. All monies collected pursuant to this section shall be recorded in a separate fund by the City Finance Director and shall be

spent in accordance with a joint resolution by the Aspen City Council

and Pitkin County Board of County Commissioners.

Section 103 Credits for on-site renewable energy. This RREMP payment option is voluntary. Applicants interested in exterior energy use systems can alternatively choose to produce on-site renewable energy (Section 301) with solar photovoltaics and/or solar hot water. Also the energy efficient technology of ground source heat pump systems (GSHP) is permitted for supplemental on-site energy.

Micro-hydro and wind generation systems will be credited according to industry standard site specific production reports.

Section 104 Pre-existing systems. Pre-existing snowmelt, pools or spas which are being overhauled or renovated qualify for exterior energy credit. This credit can only be applied towards an installation

of exterior energy on the same parcel by inspection before demolition. The calculation of the credit shall be based on section 301.

Section 105 - Residential Repairs. Repairs to building components, systems, or equipment which do not increase their pre-existing energy consumption need not comply with RREMP. All replacement mechanical equipment shall be Energy Star© rated.

SECTION 201 EXTERIOR ENERGY USE CALCULATIONS

Section 201.1 Snow melt energy consumption shall be calculated as a RREMP payment option at $34.00 per square foot divided by the boiler efficiency (AFUE). Electric snow melt energy consumption shall be calculated as a RREMP payment option at $34.00 per square foot.

Exception: Areas critical to pedestrian ingress, egress or life safety may be snow melted with the approval of the building official.

Section 201.2 Outdoor pool energy use shall be calculated as a RREMP payment option at $136.00 per square foot divided by the boiler efficiency (AFUE).

Section 201.3 Spa energy use shall be calculated as a RREMP payment option at $176.00 per square foot divided by the boiler efficiency (AFUE). Package portable self contained spas not more than 64 square feet are exempt.

Section 201.4 The area of electric or hydronic roof and gutter deicing systems extending from the roof eave edge beyond six feet inside the exterior wall line measured beyond the sloped roof surface shall be considered a snow melt system and subject to mitigation calculated in section 201.1.

Section 202 The total RREMP payment option is the total sum of exterior energy use of sections 201.1,

201.2 and 201.3.

SECTION 301 ON-SITE RENEWABLE CREDITS

Section 301.1Photovoltaic Systems – On-site renewable credit shall be calculated as $6,250.00 per I KiloWatt of the system design. Solar electric (photovoltaic) systems tied to the electric grid, are eligible for on-site renewable credit. Systems must be sited, oriented and installed for solar electric panels to supply at least 90% of rated capacity of the installed KW. System designer/installer must be certified by COSEIA (Colorado Solar Energy Industries Association) , NABCEP (National Association of Board Certified Energy Professionals) or a licensed electrical contractor registered with the City of Aspen. The *code official* is authorized to accept other certification agencies that satisfy equivalent requirement and qualifications.

Section 301.2 Solar Hot Water - On-site renewable credit shall be calculated as $125.00 per I square foot of the system design. System designer/installer must be certified by COSEIA (Colorado Solar Energy Industries Association), NABCEP (National Association of Board Certified Energy Professionals) or a licensed plumbing contractor registered with the City of Aspen.. The *code official* is authorized to accept other certification agencies that satisfy equivalent requirement and qualifications.

Section 301.3 Ground Source Heat Pump - On-site renewable credit shall be calculated as $1,400 per I 0,000 BTU per hour of the system capacity. In order to use a GSHP for on-site renewable credit the GSHP system must supply at least 40% of the peak load for heating and cooling the building (Manual J or approved equivalent). A minimum COP of 3 at entering source water temperature maximum of 30 degrees and leaving load water temperature minimum of 110 degrees shall be the design criteria.

Section 302 The total RREMP on-site renewable credit is the total sum of sections 301.1, 301.2 and 301.3.

PUBLIC DOMAIN SOFTWARE

Section 401 A free calculation program known as RREMP 2009 shall be made available to the public.

EXAMPLE CALCULATION FOR RESIDENTIAL RENEWABLE ENERGY MITIGATION PROGRAM

Snowmelt Example (Snowmelt requested 800 sq. ft.)

$34.00*800/ .91 (efficiency rating of boiler) = $29,890.

RREMP payment option for exterior energy use will be $29,890.

ON-SITE RENEWABLE CREDITS

96 square feet of solar hot water panels*$125.00 per square foot = $12,000.00 RREMP payment option will be $17,890.

OR

4.8 KW photovoltaic system *$6,250.00 per kilowatt = $30.000.00 RREMP payment option will be $0

Section 3.

The International Energy Conservation Code is hereby amended by the addition of an Exhibit B which shall read as follows:

APPENDIX B
"Commercial Renewable Energy Mitigation Program" SECTION 101 SCOPE AND ADMINISTRATION.

Section 101.1Scope. Commercial snowmelt, outside pool, or outside spa systems and equipment may be installed only if the supplemental energy meets the requirements of the Commercial Renewable Energy Mitigation Program (CREMP) Appendix B. This applies to all installations for which an application for a permit or renewal of an existing permit is filed or is by law required to be filed

with or without an associated Building Permit that include systems described in section I01.1. *Commercial Building* is defined in IECC section 202.

Section 101.2 Commercial Renewable Energy Mitigation Program (CREMP) Option – Exterior energy use for commercial snowmelt systems, outdoor spas, and outdoor pools are calculated as directed by Section 201.

Section 101.3 On-site Renewable Credits Option - Renewable credit options are calculated as directed by Section 301.

Section 102 Payment option. The CREMP payment option is the difference in energy use calculated in section 202 and on-site renewable credits calculated in section 302 and shall be paid at the time of issuance of the building permit. The payment, if any, is based on the amount of energy required, expressed as dollars per square foot, to operate the exterior energy use systems. No payment shall be made to an applicant that exceeds the energy use with on-site renewable credits. All monies collected pursuant to this section shall be recorded in a separate fund by the City Finance Director and shall be spent in accordance with a joint resolution by the Aspen City Council and Pitkin County Board of County Commissioners.

Section 103 Credits for on-site renewable energy. This CREMP payment option is voluntary. Applicants interested in exterior energy use systems can alternatively choose to produce on-site renewable energy (Section 301) with solar photovoltaics and/or solar hot water. Also the energy efficient technology of ground source heat pump systems (GSHP) is permitted for supplemental on-site energy.

Micro-hydro and wind generation systems will be credited according to industry standard site specific production reports.

Section 104 Pre-existing systems. Pre-existing snowmelt, pools or spas which are being overhauled or renovated qualify for exterior energy credit. This credit can only be applied towards an installation

of exterior energy on the same parcel by inspection before demolition. The calculation of the credit shall be based on section 301.

Section 105 - Commercial Repairs. Repairs to building components, systems, or equipment which do not increase their pre-existing energy consumption need not comply with CREMP.

Section 201 EXTERIOR ENERGY USE CALCULATIONS

Section 201.1Snow melt energy consumption shall be calculated as a CREMP payment option at $60.00 per square foot divided by the boiler

efficiency (AFUE). Electric snow melt energy consumption shall be calculated as a CREMP payment option at $60.00 per square foot.

Exception: Areas critical to pedestrian ingress, egress or life safety may be snow melted with the approval of the building official.

Section 201.2 Outdoor pool energy use shall be calculated as a CREMP payment option at $170.00 per square foot divided by the boiler efficiency (AFUE).

Section 201.3 Spa energy use shall be calculated as a CREMP payment option at $176.00 per square foot divided by the boiler efficiency (AFUE). Package portable self contained spas not more than 64 square feet are exempt.

Section 201.4 The area of electric or hydronic roof and gutter deicing systems extending from the roof eave edge beyond six feet inside the exterior wall line measured beyond the sloped roof surface shall be considered a snow melt system and subject to mitigation calculated in section 201.1.

Section 202 The total CREMP payment option is the total sum of exterior energy use of sections 201.l,

201.2 and 201.3.

Section 301 ON-SITE RENEWABLE CREDITS

Section 301.1Photovoltaic Systems – On-site renewable credit shall be calculated as $6,250.00 per 1 KiloWatt of the system design. Solar electric (photovoltaic) systems tied to the electric grid, are eligible for on-site renewable credit. Systems must be sited, oriented and installed for solar electric panels to supply at least 90% of rated capacity of the installed KW. System designer/installer must be certified by COSEIA (Colorado Solar Energy Industries Association), NABCEP (National Association of Board Certified Energy Professionals) or) or a licensed electrical contractor registered with the City of Aspen. The *code official* is authorized to accept other certification agencies that satisfy equivalent

requirement and qualifications.

Section 301.2 Solar Hot Water - On-site renewable credit shall be calculated as $224.65 per square foot of the system design. System designer/installer must be certified by COSEIA (Colorado Solar Energy Industries Association), NABCEP (National Association of Board Certified Energy Professionals) or a licensed plumbing contractor registered with the City of Aspen. The *code official* is authorized to accept other certification agencies that satisfy equivalent requirement and qualifications.

Section 301.3 Ground Source Heat Pump - On-site renewable credit shall be calculated as $1,400 per 10,000 BTU per hour of the system capacity. In order to use a GSHP for on-site renewable credit the GSHP system must supply at least 40% of the peak load for heating the building (Manual J or equivalent). A minimum COP of 3 at entering source water temperature maximum of 30 degrees and leaving load water temperature minimum of 110 degrees shall be the design criteria.

Section 302. The total CREMP on-site renewable credit is the total sum of sections 301.1, 301.2 and 301.3.

PUBLIC DOMAIN SOFTWARE

Section 401 A free calculation program known as CREMP 2009 shall be made available to the public.

EXAMPLE CALCULATION FOR COMMERCIAL RENEWABLE ENERGY MITIGATION PROGRAM

Snowmelt area 1200 sq. ft.

$60.00*l,200/.92 (efficiency rating of boiler)
$78,260.

87 Pool area 700 sq. ft.

$170.00*700/.92(efficiency rating of boiler)
$119000.00

Spa area 80 sq. ft.

$176.00*80/.92(efficiency rating of boiler) $15,304.35

RREMP payment option for exterior energy use will be
$222,913.04

ON-SITE RENEWABLE CREDITS

448 square feet of solar hot water panels*$125.00 per square foot

$56,000 20 KW
photovoltaic system *$6,241.20 per kilowatt $124,824.00
RREMP payment option will be $0

Section 301.2 Solar Hot Water - On-site renewable credit shall be calculated as $224.65 per 1 square foot of the system design.

System designer/installer must be certified by COSEJA (Colorado Solar Energy Industries Association), NABCEP (National Association of Board Certified Energy Professionals) or a licensed plumbing contractor registered with the City of Aspen. The *code official* is authorized to accept other certification agencies that satisfy equivalent requirement and qualifications.

Section 301.3. Ground Source Heat Pump - On-site renewable credit shall be calculated as $1,400 per 10,000 BTU per hour of the system capacity. In order to use a GSHP for on-site renewable credit the GSHP system must supply at least 40% of the peak load for heating the building (Manual J or equivalent). A minimum COP of 3 at entering source water temperature maximum of 30 degrees and leaving load water temperature minimum of 110 degrees shall be the design criteria.

Section 302. The total CREMP on-site renewable credit is the total sum of sections 301.1, 301.2 and 301.3.

PUBLIC DOMAIN SOFTWARE

Section 401. A free calculation program known as CREMP 2009 shall be made available to the public.

EXAMPLE CALCULATION FOR COMMERCIAL RENEWABLE ENERGY MITIGATION PROGRAM

Snowmelt area 1200 sq. ft.

$60.00*1,200/.92
(efficiency rating of

boiler)$78,260.87
Pool area 700 sq. ft.

$170.00*700/.92(efficiency rating of boiler) $119000.00

Spa area 80 sq. ft.

$176.00*80/.92(efficiency rating of boiler)$15,304.35

RREMP payment option for exterior energy use will be $222,913.04

ON-SITE RENEWABLE CREDITS

448 square feet of solar hot water
panels*$125.00 per square foot

$56,000 20 KW photovoltaic system
*$6,241.20 per kilowatt $124,824.00
RREMP payment option will be $