

EAGLE COUNTY BUILDING RESOLUTION

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Eagle County Building Resolution

	TABLE OF CONTENTS	<u>PAGE</u>
1.1	TITLE	5
1.2	APPLICATION	5
1.3	PERMIT REQUIREMENTS/REFERENCES	6
1.4	DEFINITIONS	7
1.5	2021 INTERNATIONAL BUILDING CODE AMENDMENTS	11
1.6	2021 INTERNATIONAL RESIDENTIAL CODE AMENDMENTS	17
1.7	2021 INTERNATIONAL PLUMBING CODE AMENDMENTS	26
1.8	2021 INTERNATIONAL FUEL GAS CODE AMENDMENTS	29
1.9	2021 INTERNATIONAL MECHANICAL CODE AMENDMENTS	32
1.10	NATIONAL ELECTRICAL CODE AMENDMENTS	34
1.11	2021 INTERNATIONAL FIRE CODE AMENDMENTS	35
1.12	2021 INTERNATIONAL ENERGY CONSERVATION CODE	35
	1.12.1 COMMERCIAL PROVISIONS	35
	1.12.2 RESIDENTIAL PROVISIONS	47
1.13	2021 INTERNATIONAL SWIMMING POOL AND SPA CODE	58
1.14	2021 INTERNATIONAL EXISTING BUILDING CODE	59
1.15	GENERAL BUILDING PERMIT RESTRICTIONS	59
1.16	WILDFIRE REGULATONS	60
1.17	PERMITS	67
1.18	FEES	69
1.19	DOCUMENTS ON SITE	69

1.20	APPEALS	70
1.21	PENALTY	72
1.22	WAIVER	74
1.23	REPEAL	74
1.24	SEVERABILITY	74
1.25	EFFECTIVE DATE	74

INDEX OF TABLES

	<u>PAGE</u>
Table #1 Project Classifications and Permit Requirements	75
Table #2 Building Permit Fees	78
Table #3 Wildfire Fees	79
Table #4 Factory Built, Manufactured Housing/Mobile Home Fees	79
Table #5 Mechanical Permit Fees	79
Table #6 Plumbing Permit Fees	79
Table #7 Electrical Permit Fees	80
Table #8 Grading Permit Fees	81
Table #9 Address Sign Requirements	82
Table #10 Factory Built Chimney Enclosure	83

1.1 TITLE

This Resolution may be cited for all purposes as the Building Resolution of the County of Eagle, Colorado, 2021, as amended and adopted herein, because the Board of County Commissioners (the “Board”) determines and finds that this Resolution is necessary for the health, safety and welfare of the persons of Eagle County. Eagle County encompasses mountain terrain located at moderate to high altitudes and subject to extreme weather conditions. The application and interpretation of the International Building Code requirements are subject to, but not limited to, the consideration of such factors. Fees in the previous version of the Building Resolution are no longer in effect. The current fee schedule is in the individual codes and amended in the individual sections of the Building Resolution.

1.2 APPLICATION

Eagle County hereby adopts the following codes, except as such codes are amended as set forth in Sections 1.5 - 1.12.2 of this Building Resolution:

The 2021 edition of the International Building Code (IBC) and Appendix C: Group U - Agricultural Buildings; Appendix E: Supplementary Accessibility Requirements; Appendix I: Patio Covers; and Appendix J: Grading.

The 2021 edition of the International Fire Code (IFC), as amended and adopted by Vail Fire and Emergency Services, the Eagle River Fire Protection District, the Greater Eagle Fire Protection District, the Rock Creek Volunteer Fire Department, the Gypsum Fire Protection District, and the Roaring Fork Fire Rescue Authority.

The 2021 edition of the International Residential Code (IRC) including Appendix AF-Radon Control Methods, Appendix AQ-Tiny Houses, and Appendix AT-Solar-Ready Provisions-Detached One-and Two-Family Dwellings and Townhouses

• The 2021 edition of the International Plumbing Code (IPC), including current amendments adopted by the State of Colorado, including Appendix B-Rates of Rainfall for Various Cities, Appendix C-Structural Safety, Appendix D-Degree Day and Design Temperatures, and Appendix E-Sizing of Water Piping System.

The 2021 edition of the International Mechanical Code (IMC).

The 2021 edition of the International Fuel Gas Code (IFGC). The edition of the National Electrical Code currently adopted by the State of Colorado (NEC).

The 2021 edition of the International Energy Conservation Code (IECC), Including

Appendix CB – Solar Ready Zone-Commercial and Appendix RB – Solar Ready Provisions-Detached One- and Two-Family Dwellings and Townhouses. The IECC is amended with the additions of newly created Appendices CD and RD- EV Readiness, and Appendices CE and RE – Exterior Energy Offset Program

The 2021 edition of the International Existing Building Code (IEBC).

The 2021 edition of the International Swimming Pool and Spa Code (ISPSA).

1.3 PERMIT REQUIREMENTS/REFERENCES

- 1.3.1 Table 1 of this Building Resolution, entitled “Eagle County Permit Requirements” sets forth the projects which may require permit(s), if any, and identifies the specific type of permit(s) required and the site inclusion requirements. Additional permits not identified in Table 1 may also be required.
- 1.3.2 It shall be the duty of the person and/or entity of a proposed project which is not specifically set forth in Table 1 to contact the Building Official of the Department of Community Development, County of Eagle, Colorado, for a determination of the type of permit(s) required, if any, and the site inclusion requirements.
- 1.3.3 Where a permit application is submitted for a space, unit, dwelling unit or other such attached construction that shares a common wall, ceiling or floor unit separation, each separate space, unit or dwelling unit shall be held to all of the code requirements as if they were separate buildings.
- 1.3.4 Proof of Water: Proof of adequate, potable water supply is required with building permit application for all new habitable construction containing plumbing fixtures. By descending order of preference, building permit applicants shall verify a legal source of potable water as follows:
 - 1.3.4.1 A written commitment to serve from a public or private water service provider, or a copy of receipt for payment of public water tap specific to the lot, parcel or tract of land that is the subject of the building permit application; or
 - a) A copy of a current valid well permit issued by the Colorado State Division of Water Resources specific to the lot, parcel or tract of land that is the subject of the building permit application; or

b) If the parcel or tract of land that is the subject of the building permit application is legally and properly subdivided except that a public water supply system is not available or that the individual well water source is not viably potable, then an alternative water supply system such as holding tanks or cisterns may be utilized upon approval of Eagle County Government as the Authority Having Jurisdiction.

1.4 DEFINITIONS

1.4.1 **COUNTY** shall mean the area of Eagle County outside of incorporated Towns, hereinabove referred to as the “regulated area”.

1.4.2 **ENVIRONMENTAL HEALTH DEPARTMENT** shall mean the department designated by the Eagle County Public Health Agency to implement the Eagle County Public Health Agency On-site Wastewater Treatment System (OWTS) Regulations on behalf of the Eagle County Board of Health.

1.4.3 **LOT** shall mean any legal parcel of land created in compliance with the Eagle County Land Use Regulations on record in the office of the Eagle County Clerk and Recorder.

1.4.4 **ROAD OR STREET** shall mean a way or right-of-way reserved for public or private use (other than an alley) that also provides primary vehicular and pedestrian access to adjacent properties; it may also be used for drainage or utility access to adjacent properties. Road or street may include the terms: avenue, drive, highway, lane, place, road or other similar designation.

1.4.5 **TEMPORARY CERTIFICATE OF OCCUPANCY** for *Residential Dwellings* covered by the IRC shall mean a Temporary Certificate of Occupancy that may be issued when the following components of a project are complete and approved by the Eagle County Building Official:

1. Kitchen operative as per the approved plans.
2. One bathroom operative as per the approved plans.
3. All smoke alarms and carbon monoxide detectors installed and passed final inspection per Eagle County Building Resolution IRC Chapter 3.
4. The following items are complete:
 - a) Address Numbers.
 - b) Handrails at stairways.

- c) Guards.
 - d) Decks/landings.
 - e) Separation between the garage and house complete, with an approved door per IRC.
 - f) Exterior wall covering and roofing.
5. Heat source for dwelling is operable.
 6. Final Electrical, Fire Alarms, Fire Sprinklers, Wildfire final if required, OWTS if required, Mechanical and Plumbing approvals.
 7. Culvert under the driveway installed per Eagle County specifications (located on the approved drawing).
 8. Positive drainage provided away from the structure at all locations.
 9. Sufficient roadway access for emergency vehicles is provided.

The permit applicant and the owner/buyer/occupant shall enter into a Temporary Certificate of Occupancy agreement wherein the corrections required for a Certificate of Occupancy, as stated by the Building Official, shall be completed within 90 days from the date the Temporary Certificate of Occupancy is issued. The Temporary Certificate of Occupancy shall be posted in a conspicuous place on the premises until final approval for occupancy is complete and a final Certificate of Occupancy is issued.

All Eagle County fees, bonds, and penalties shall be paid prior to issuance.

Occupancy prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy shall be subject to Eagle County penalties per 4.13.

1.4.6 TEMPORARY CERTIFICATE OF OCCUPANCY for *Commercial or Multi-Family* buildings covered by the International Building Code shall mean a Temporary Certificate of Occupancy that may be issued when the following components of a project are complete and approved by the Eagle County Building Official.

1. The following items are complete:
 - a) Address Numbers.
 - b) Handrails at stairways/ramps.
 - c) Guards.
 - d) Landings.
 - e) Fire resistive separations.
 - f) Exit signs/lighting.
 - g) Exterior wall covering and roofing.
 - h) Bathrooms.

2. Heat source is operable.
3. Final Electrical, Fire Alarms, Fire Sprinklers (if required), OWTS if required, Plumbing and Mechanical approvals and Wildfire final approval if required.
4. Fire department review and approval of project.
5. All site improvements/parking and access roads are complete.
6. Site drainage complete as per grading plans.
7. All accessible parking, signage, walkways, ramps and other items are installed.
8. Where the landscaping, re-vegetation, drainage or culvert installation, required under Eagle County Land Use Regulations for the purposes of preventing land erosion, improper drainage, damage to properties and unsightliness in residential zones containing multifamily dwellings and in all portions of lots in CL, CG, I, and PUD Zone Districts, is not complete, or where Public Improvements are required under Eagle County Land Use Regulations, a Temporary Certificate of Occupancy may be issued upon submittal and approval of a properly executed Construction Improvement Agreement. If the improvements required for issuance of a final Certificate of Occupancy have not been completed within one year of the date of issuance of the Temporary Certificate of Occupancy, the County may arrange such completion using the collateral provided in connection with the Construction Improvement Agreement. Should compliance be attained any time prior to the expiration of one year, the collateral will be returned to the applicant upon issuance of the Final Certificate of Occupancy.
9. Sufficient roadway access is provided for emergency vehicles. Required improvements collateralized under a subdivision improvements agreement to which the County is a party may not be required to be further collateralized under this sub-section.

The Temporary Certificate of Occupancy for Commercial or Multi- Family Dwellings are valid up to, but not more than, one year from date of issuance, where a project does not have a Construction Improvement Agreement.

The Temporary Certificate shall be posted in a conspicuous place on the

premises until final approval for occupancy is complete and a final Certificate of Occupancy is issued.

All Eagle County fees, bonds, and penalties shall be paid prior to issuance.

Occupancy prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy shall be subject to Eagle County penalties per 4.13.

1.4.7 **WORK** shall mean the construction, demolition, alteration, repair, moving or change in the class of occupancy of any building, equipment or structure, and shall include the installation, construction, alteration or repair of any private or subsurface sewage-disposal system, and the placement and use of a mobile home as a living unit in a location other than in an approved mobile-home park as defined in the Eagle County Land Use Regulations.

INTERNATIONAL BUILDING CODE (IBC) AMENDMENTS

1.5 THE INTERNATIONAL BUILDING CODE, 2021 EDITION, IS SPECIFICALLY AMENDED AS FOLLOWS:

Section 101.1 Title. Section 101.1 Title is amended to read as follows: These regulations shall be known as the Building Code of Eagle County, hereinafter referred to as “this Code”.

Section 101.4 Referenced Codes: Section 101.4 Referenced Codes is amended to read as follows: The other codes listed in 101.4.1 through 101.4. 7 and referenced elsewhere in this code shall not be considered part of this code, unless specifically adopted.

Section 101.4.8 Electrical: Section 101.4.8 is added as follows: All NFPA 70 code references within the 2021 *International Building Code* shall refer to the National Electrical Code as adopted by the State of Colorado.

103.1 Creation of enforcement agency. The Eagle County Building Division is hereby created and the official in charge thereof shall be known as the *building official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 105.1.1 Annual Permit: Entire section is hereby deleted.

Section 105.1.2 Annual Permit Records: Entire section is hereby deleted.

Section 105.2 Work Exempt from Permit: Section 105.2 Work Exempt from Permit is amended by adding the following: Item 6: Platforms, sidewalks and driveways not more than 30 inches above grade and not over any basement or storage below and which is not part of an accessible route. Item 11 is amended to read as follows: Swings and other playground equipment. Add a new subsection entitled Item 14 to read as follows: Private use agricultural buildings as defined in Section 202 placed on a lot over 2 acres in size.

Section 109.2 Schedule of Permit Fees: Section 109.2 Schedule of Permit Fees is amended to read as follows: The fee for each permit shall be as set forth in Table 2 of the Eagle County Building Resolution. The fee for each permit will be paid at time of application submittal.

Section 109.2.1 Plan Review Fee: Section 109.2.1 Plan Review Fee is added as follows: When submittal documents are required by Section 107.1, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee as shown in Table 2 of the Eagle County Building Resolution.

The plan review fees specified in this section are separate from and are in addition to the permit fees specified in section 109.2.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4. 1 an additional plan review fee shall be charged at the rate shown in Table 2 of the Eagle County Building Resolution.

Section 109.3 Permit Valuations: Section 109.3 Permit Valuation is amended by adding the following: The valuation for building permits shall be the value derived from the cost figures per square foot set forth in the most recent Building Valuation Data Table published by the International Code Council or the valuation provided by the applicant, whichever yields the higher valuation.

The Eagle County Modifier is 1.4. The current Building Valuation Data Table may be found at “iccsafe.org” or at the Eagle County Community Development Office.

Section 109.4 Work Commencing before Permit Issuance: Section 109.4 Work Commencing before Permit Issuance is amended to read as follows: An investigation fee, in addition to the permit fee, may be collected whether or not a permit is then or subsequently issued. The minimum investigation fee shall be four times the minimum fee set forth in Table 2 of the Eagle County Building Resolution. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 109.6 Refunds: Section 109.6: Refunds is amended by adding the following: The Building 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 Building Official shall not authorize the refunding of any fee paid, except upon written request filed by the original applicant not later than 180 days after the date of fee payment.

Section 111.2 Certificate Issued: Section 111.2 Certificate Issued is amended to read as follows: Final Certificate of Occupancy Inspection approval shall be the Certificate of Occupancy

Section 113 Board of Appeals: Section 113 Board of Appeals is hereby deleted and 315 of the Eagle County Building Resolution shall apply.

Section 114.4 Violation Penalties. Section 114.4 Violation Penalties is amended to read as follows: Violation penalties shall be in accordance with section 3.16.2 of the Eagle County Building Resolution

Section 306.2 Moderate-hazard Factory Industrial Group F-1: Section 306.2 Moderate-hazard Factory Industrial Group F-1. is amended to add marijuana cultivation.

Section 508.5.2 Occupancies: Section 508.5.2 Occupancies is amended to add the following sentence: "Group F and I occupancies shall not be permitted in a live/work unit."

Section 713.2 Construction: Section 713.2 Construction is amended to add the following sentences: Chimney chase enclosures of A-vented fireplaces and solid fuel (pellet, wood) burning stoves (B-vented appliances excluded) shall be enclosed with materials for one-hour fire-resistive construction on the interior side of the chase. Requirements for enclosure of chimneys shall be as set forth in Table 10 of the Eagle County Building Resolution.

Section 901.5 Acceptance tests: Section 901.5 Acceptance Tests is amended to add the following sentence: All fire protection systems required by this code shall have plan review and inspections in accordance with the governing fire district.

Section 907.2.11 Single- and multiple-station smoke alarms: Section 907.2.11 Single- and multiple-station smoke alarms is amended as follows: *Listed* single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.7, NFPA 72 and the manufacturer's published instructions.

Section 1511.2.4 Type of construction: Section 1511.2.4 Type of construction is amended to read as follows: Penthouses shall be constructed of *building element* materials as required for the type of construction of the building. Penthouse *exterior*

walls and roof construction shall have a *fire-resistance rating* as required for the type of construction of the building. Supporting construction of such *exterior walls* and roof construction shall have a *fire-resistance rating* not less than required for the *exterior wall* or roof supported.

Section 1608.2 Ground Snow Loads: Section 1608.2 Ground Snow Loads is hereby deleted and replaced with the following: Design snow loads for roofs and decks shall be determined by the “2016 Colorado Ground Snow Map” or 2016 Colorado Design Snow Loads prepared by the Structural Engineers Association of Colorado. Mobile homes built with a snow load design less than that specified by the “2016 Colorado Ground Snow Map” or 2016 Colorado Design Snow Loads prepared by the Structural Engineers Association of Colorado may be installed provided the owner agrees in writing to maintain the snow accumulation on the mobile home so as not to exceed the designed maximum snow load of the mobile home.

Ground snow load may also be determined in accordance with ASCE-7, the Building Division shall require application of the most restrictive loads between the ASCE-7 and the “2016 Colorado Ground Snow Map”.

Section 1809.5 Frost Protection: Section 1809.5 Frost Protection is amended by deleting Section 1809.5 entirely and replacing it with the following: Foundation walls, piers and other permanent supports of buildings and structures shall be protected from frost by the following method; Footings subject to frost shall have a minimum depth of 48” measured from finish grade to the bottom of the footing or the depth specified by the soils engineer of record.

Section 1809.12 Timber Footings: Section 1809.12 Timber Footings: Entire section is hereby deleted.

Chapter 30 Elevators and Conveying Systems Section 3001.5 Fees: A fee for each permit and plan review shall be paid to the Northwest Colorado Council of Governments. The annual certificate of inspection will be administered by the certified elevator inspection agency. For permit applications and inspections contact Elevator Inspection Program at (970) 468-0295 Ext. 108.

Section 3102.2 Amend last sentence to end with “including yurts and other similar structures”.

Appendix C Section C101.1 Scope: Section C101.1 Scope, first paragraph is amended by adding the following: Plumbing, Mechanical and Electrical permits shall be required for all agricultural buildings regardless of whether a Building Permit is required.

Appendix J Section J101.1 Scope: Section J101.1 Scope is amended by adding

the following sentence: Grading permits shall be permitted, regulated and enforced by the Eagle County Engineer.

Appendix J Section J101.2 Flood Hazard areas. Section J1.1.2 Flood Hazard areas is amended by adding the following sentence: All work proposed in a Flood Hazard area requires a Floodplain Development Permit and shall meet the standards for the Floodplain Overlay Zone District set forth by Eagle County.

Appendix J Section J103.2 Exemptions: Section J103.2 Exemptions is amended by adding the following sentence: Grading of roads in zone districts R, RL, AR and AL which are in an isolated, self-contained area and there is no danger to private or public property that will be used for ranching and agricultural uses only.

Appendix J Section J103.2 Exemptions. Section J103.2 Exemptions is amended by adding the following sentence: Work consisting of 10 cubic yards or less (combined cut and fill).

Appendix J Section J103.2 Exemptions. Section J103.2 Exemptions is amended by adding the following sentence: Work as determined by the County Engineer.

Appendix J Section J103.2 Exemptions, Item #2: Section J103.2 Exemptions, Item #2 is amended to read as follows: An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation if it is not part of the plans submitted for the building permit.

Appendix J, Section J104.1.1 Grading Designation: Section J104.1.1 Grading Designation is added as follows: Grading in excess of one thousand (1,000) cubic yards in volume or one-half (1/2) acre of surface disturbance shall be performed in accordance with the approved grading plan prepared by a civil engineer, and shall be designated as “engineered grading.” Grading involving less than one thousand (1,000) cubic yards in volume or one-half (1/2) acre of surface disturbance shall be designated “regular grading” unless the permittee chooses to have the grading performed as engineered grading, or the Eagle County Engineer determines that special conditions or unusual hazards exists, in which case grading shall conform to the requirements for engineered grading.

Appendix J, Section J104.1.2 Regular Grading Requirements: Section J104.1.2 Regular Grading Requirements is added as follows: Each application for a grading permit shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner and the name of the person who prepared the plan. The plan shall include the following information:

1. General vicinity of proposed site.
2. Existing and proposed topography of the site.
3. Limiting dimensions and depth of cut and fill.
4. Calculations supporting the reported cut and fill volumes.
5. Location of any buildings or structures where work is to be performed and the location of any building or structures within 15 feet of the proposed grading.
6. Temporary erosion and sediment control.
7. Permanent site stabilization and/or revegetation.

Appendix J, Section J104.5 Other Permits. Section J104.5 Other Permits is added as follows: Additional permits may be required in accordance with the Eagle County Land Use Regulations, Eagle County Engineering Criteria Manual, or by State or Federal Agencies. Proof of all necessary permits is required prior to issuance of a Grading Permit.

Appendix J, Section J105.3 Final Reports: Section J105.3 Final Reports is added as follows: Where drainage improvements are required, the work is to be completed per approved plans and ready for inspection at the time of the Temporary Certificate of Occupancy inspection. It will be the general contractor's responsibility to maintain positive drainage on the site during all phases of construction, including protection of any drainage along the Public Roadway.

Appendix J, Section J112 Collateral: Section J112 Collateral is added as follows: The Eagle County Engineer may require collateral in a form acceptable to Eagle County in such amounts as may be deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions. If final revegetation is not accomplished to the Erosion Control Standards and the applicant is not responsive to requests to complete the work, the County will enter the property and perform the work necessary to complete the restoration and revegetation. If provided, the collateral will be drawn upon to cover the cost of revegetation, and all excess costs incurred by the County for this work will be billed to the applicant.

Appendix J, Section J113 Work Commencing before Permit Issuance: Section J113 Work Commencing before Permit Issuance is added as follows: An investigation fee, in addition to the permit fee, may be collected whether or not a permit is then or subsequently issued. The minimum investigation fee shall be four times the minimum fee set forth in Table 8 of the Eagle County Building Resolution. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

INTERNATIONAL RESIDENTIAL CODE (IRC) AMENDMENTS

1.6 THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION, IS SPECIFICALLY AMENDED AS FOLLOWS:

Section R101.1 Title: Section R101.1 Title is replaced as follows: These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of Eagle County and shall be cited as such and will be referred to herein as “this Code”.

Section R101.2 Scope, Exception: R101.2 Scope, Exception is amended to read as follows: The following shall be permitted to be constructed in accordance with this code where provided with an automatic sprinkler system complying with all applicable provisions of the governing fire district codes.

1. Live/work units located in townhouses and complying with the requirements of section 508.5 of the International Building Code.
2. Owner-occupied lodging houses with five or fewer guestrooms.
3. A care facility with five or fewer persons receiving custodial care within a dwelling unit.
4. A care facility with five or fewer persons receiving medical care within a dwelling unit.
5. A care facility with five or fewer persons receiving care within a dwelling unit.

Section R102.4 Referenced Codes and Standards: R102.4 Referenced Codes and Standards is amended by adding the following: Reference to other codes such as Plumbing, Mechanical, Fuel Gas, NFPA13D, International Energy Conservation and Electrical shall refer only to the currently adopted code of that type.

Section R102.7 Existing Structures: Section R102.7 Existing structures is amended to delete the reference to the International Property Maintenance Code.

Section R104.4 Inspections: Section R104.4 Inspections is amended to add the following paragraphs:

A third-party inspection by a certified log inspection agency shall be required of all structural members in log framed buildings. A letter from the log grading agency certifying log grades are in accordance with the plan specifications shall be required at, or prior to frame inspection.

Elevators installed in all structures shall require a third-party plan review and inspection by Northwest Colorado Council of Governments.

Section R105.1 Required. Is amended to add the following paragraph:

Where a permit application is submitted for a space, unit, dwelling unit or other such attached construction that shares a common wall, ceiling or floor unit separation, each separate space, unit or dwelling unit shall be held to all of the code requirements as if they were separate buildings.

Section R105.2 Work Exempt from Permit: Section R105.2 Work Exempt from Permit is amended to read as follows (Remainder of section unchanged):

Item 1: One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses provided the floor area does not exceed 120 square feet.

Item 5: Platforms, sidewalks and driveways not more than 30 inches above grade and not over any basement or storage below and which are not part of an accessible route.

Section R108.2 Schedule of Permit Fees: Section R108.2 Schedule of Permit Fees is amended by adding the following: The fee for each permit shall be as set forth in Table 2 of the Eagle County Building Resolution. The fee for each permit will be paid at time of application submittal.

Section R108.2.1 Plan Review Fees: Section R108.2.1 Plan Review Fees is added as follows: When submittal documents are required by Section 106.1, a plan review fee shall be paid at the time of submission of the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee as shown in Table 2 of the Eagle County Building Resolution.

The Plan review fees specified in this section are separate from and are in addition to the permit fees specified in Section 108.2.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 106.1, an additional plan review fee shall be charged at the rate shown in Table 2 of the Eagle County Building Resolution.

Section R108.3 Building Permit Valuations: Section R108.3 Building Permit Data Valuations is amended to read as follows: The valuation for building permits shall be the value derived from the cost figures per square foot set forth in the most recent Building Valuation Data Table published by the International Code Council or the valuation

provided by the applicant, whichever yields the higher valuation.

The Eagle County Modifier is 1.4. The current Building Valuation Data Table may be found at “iccsafe.org” or at the Eagle County Community Development Office.

Section R108.6 Work Commencing before Permit Issuance:

Section R108.6 Work Commencing before Permit Issuance is amended to read as follows: An investigation fee, in addition to the permit fee, may be collected whether or not a permit is then or subsequently issued. The minimum investigation fee shall be four times the minimum fee set forth in Table 2 of the Eagle County Building Resolution. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section R108.5 Refunds: Section R108.5 Refunds is amended to read as follows: The Building 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 Building Official shall not authorize the refunding of any fee paid, except upon written request filed by the original applicant not later than 180 days after the date of fee payment.

Section R112 Board of Appeals: Section R112 Board of Appeals is hereby deleted and 315 of the Eagle County Building Resolution shall apply.

Section R113.4 Violation Penalties. Section R113.4 Violation Penalties is amended to read as follows: Violation penalties shall be in accordance with section 3.16.2 of the Eagle County Building Resolution.

CHAPTER 3

BUILDING PLANNING

Table R301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA is replaced as follows:

**TABLE R301.2
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD ^o	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic effects ^k	special wind region ^l	windborne debris zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c				
R301.2.3	105	II	no	No	C/B	Severe	48"	Low	Yes	Varies	2500	40
MANUAL J DESIGN CRITERIA ²												
Elevation			Altitude correction factor ^e	Coincident wet bulb	Indoor winter design relative humidity	Indoor winter design dry-bulb temperature		Outdoor winter design dry- bulb temperature		Heating temperature difference		
6683			.80	56	30%	70°		-5°		75°		
Latitude			Daily Range	Indoor summer design relative humidity	Summer design gains	Indoor summer design dry-bulb temperature		Outdoor summer design dry- bulb temperature		Cooling temperature difference		
39.65°N			H	50%	-33 to -53	75°		86°		11°		

Footnotes not shown for simplicity and remain unchanged from the 2021 International Residential Code Third Printing June 2024.

Section R301.2.3 Snow Loads: Section R301.2.3 Snow Loads is hereby deleted and replaced with the following: Design snow loads for roofs and decks shall be determined by the “2016 Colorado Ground Snow Map” or 2016 Colorado Design Snow Loads prepared by the Structural Engineers Association of Colorado..

Mobile homes built with a snow load design less than that specified by the “2016 Colorado Ground Snow Map” or 2016 Colorado Design Snow Loads prepared by the Structural Engineers Association of Colorado may be installed provided the owner agrees in writing to maintain the snow accumulation on the mobile home so as not to exceed the designed maximum snow load of the mobile home.

Section R302.1 Exterior Walls: Section R302.1 Exterior Walls is amended to read as follows: Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1); or dwellings equipped throughout with an automatic sprinkler system installed in accordance with all applicable provisions of the governing Fire Districts’ Codes shall comply with Table R302.1(2).

Table R302.1(2) Footnote ‘a’: Table R302.1(2) Footnote “a” is amended to read as follows: For residential subdivision where all dwellings are equipped throughout with an automatic sprinkler system installed, permitted and inspected to show compliance with all applicable requirements of the governing Fire District Codes, the fire separation for nonrated exterior walls and rated projections shall be permitted to be reduced to 0 (zero) feet, and unlimited unprotected openings and penetrations shall be permitted, where the adjoining lot provides an open setback yard that is 6 feet or more in width on the opposite side of the property line.

Section R302.2.2 Common Walls: Section R302.2. Common walls is amended to read as follows: Common walls separating townhouse units shall be assigned a fire resistance rating in accordance with Item 1 or 2 and be rated for fire exposure from both sides. Common walls shall extend to and be tight against the exterior sheathing of the exterior walls, or to the inside face of exterior walls without stud cavities, and the underside of the roof sheathing. The common wall shared by two townhouse units shall be constructed without plumbing or mechanical equipment, ducts or vents, other than water-filled sprinkler piping, in the cavity of the common wall. Electrical installations shall be in accordance with the current NEC. Penetrations of the membrane of common walls for electrical outlet boxes shall be in accordance with Section R302.4.

1. Where a fire sprinkler system in accordance with all applicable provisions of the governing Fire Districts’ Codes is provided, the common wall shall be not less than a 1-hour fire resistance-rated wall assembly tested in accordance with ASTM E 119, UL 263 or Section 703.2.2 of the International Building

- Code.
2. Where a fire sprinkler system in accordance with all applicable provisions of the governing Fire Districts' Codes is not provided, the common wall shall not be less than a 2-hour fire resistance-rated wall assembly tested in accordance with ASTM E 119, UL 263 or Section 703.2.2 of the International Building Code.

Section R303.10 Required Heating: Section R303.10 Required Heating is amended by adding the following: Minimum winter design temperature is -20. Heat loss calculations shall be required for all dwelling units.

Section R303.11 Heating Equipment Room Occupancy Separation: Section R303.11 Heating equipment room occupancy separation is added as follows: In dwellings and townhouses, rooms containing a boiler, central heating plant or hot water supply boiler in excess of 400,000 but per hour input shall be separated from the rest of the building by not less than 1-hour fire-resistance-rated construction on the room side of the heating equipment, with a 20-minute fire-resistance-rated, smoke-sealed, and self-closing door.

Section R305.1.2 Habitable attics and basements in existing buildings: Section R305.1.2 Habitable attics and basements in existing buildings is added as follows: Where a habitable attic or habitable space in a basement is created in an existing building, ceiling height shall be not less than 6 feet 8 inches. Bathrooms, toilet rooms and laundry rooms shall have a ceiling height of not less than 6 feet 4 inches.

Exceptions:

1. For rooms with sloped ceilings, the required floor area of the room shall have a ceiling height of not less than 5 feet (1524 mm) and not less than 50 percent of the required floor area shall have a ceiling height of not less than 6 feet 8 inches (2134 mm).
2. At beams, girders, ducts or other obstructions, the ceiling height shall be not less than 6 feet 4 inches (1931 mm) from the finished floor.

Section R309.6 Electric vehicle charging systems: Section R309.6 Electric vehicle charging systems is added as follows: Where provided, electric vehicle charging systems shall be installed in accordance with NFPA 70. Electric vehicle charging system equipment shall be listed and labeled in accordance with UL 2202. Electric vehicle supply equipment shall be listed and labeled in accordance with UL 2594.

Section R311.7.13 Stairways in existing buildings: Section R311.7.13

Stairways in existing buildings is added as follows: Alterations to existing stairs shall not be required to comply with the requirements of this code where the existing space and construction does not allow a reduction in pitch or slope.

Section R313.1.1 Design and Installation: Section R313.1.1 Design and Installation is amended to read as follows: Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with all applicable provisions of the Governing Fire Districts' Codes.

Section R313.2 One and two-family Dwelling Automatic Fire Systems: Entire section is hereby deleted.

Section R313.2.1 Design and Installation: Entire section is hereby deleted.

Section R314.1.2 Installation: Section R314.1.2 Installation is added as follows: Smoke alarms and combination smoke and carbon monoxide alarms shall be installed in accordance with their listing and the manufacturer's instructions.

Section R314.3.1 Installation near cooking appliances: Section R314.3.1 Installation near cooking appliances is amended to read as follows: Smoke alarms shall ~~not~~ be installed a minimum of 10 ft. (3.0 m) horizontally from a permanently installed cooking appliance.

Exception: Smoke alarms shall be permitted to be installed a minimum of 6 ft. (1.8 m) horizontally from a permanently installed cooking appliance where necessary to comply with Section R314.3

Section R315.1.2 Installation: Section R315.1.2 Installation is added as follows: Carbon monoxide alarms shall be installed in accordance with their listing and the manufacturer's instructions.

Section R320.1 Scope: Section R320.1 Scope is amended by adding the following sentences: In addition to the requirements of this section, the provisions of the Colorado Revised Statute 9-5 shall be applicable.

Section R403.1.4.1 Frost Protection: Section R403.1.4.1 Frost Protection is amended by deleting Section R403.1.4.1 entirely and replacing it with the following: Foundation walls, piers, and other permanent supports of buildings shall be protected from frost by the following method; footings subject to frost shall have a minimum depth of 48" measured from finish grade to the bottom of the footing or the depth specified by the soils engineer of record.

Section R403.2 Footings for Wood Foundations: Section R403.2 Footings for Wood Foundations is amended by adding the following: Foundations shall be designed by a registered Colorado Engineer or Architect.

Section R403.3 Frost Protected Shallow Foundations: Section R403.3 Frost Protected Shallow Foundations is amended by adding the following: Foundations shall be designed by a registered Colorado Engineer or Architect.

Section R404.2 Wood Foundation Walls: Section R404.2 Wood Foundation Walls is amended by adding the following: Foundations shall be designed by a registered Colorado Engineer or Architect.

Section R506.2.3 Vapor retarder: Section R506.2.3 Vapor retarder is amended to read as follows: A minimum 6 mil (0.006 inch; 152 µm) polyethylene or *approved* vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the concrete floor slab and the base course or the prepared subgrade where a base course does not exist.

[Exceptions remain unchanged]

Section R1004.1 General: Section R1004.1 General is amended by adding the following: No building or mechanical permits will be issued for the installation of a wood burning device unless the device is a new technology device as defined in Eagle County Land Use Regulations or is otherwise exempt.

Chimney chase enclosures of A-vented fireplaces and solid-fuel (pellet, wood) stoves (B-vented appliances excluded) shall be enclosed with materials for one-hour fire resistive construction on the interior side of the chase. Requirements for enclosure of chimneys shall be as set forth in Table 10 of the Eagle County Building Resolution.

Chapter 11 [RE] ENERGY EFFICIENCY is hereby deleted in its entirety and all provisions for energy efficiency shall comply with the currently adopted International Energy Conservation Code, residential provisions, and its local amendments because the language of this chapter is duplicated therein.

Section M1801.1 Venting required: Section M1801.1 Venting required is amended to read as follows: Fuel-burning *appliances* shall be vented to the outdoors in accordance with their *listing* and *label* and manufacturer's installation instructions. Venting systems shall consist of *approved* chimneys or vents, or venting assemblies that are integral parts of *labeled appliances*. Gas-fired *appliances* shall be vented in accordance with Chapter 24.

Section G2406.2 (303.3) Prohibited Locations: Section G2406.2 Prohibited Locations is amended to delete Items 3 and 4.

Section G2420.5.1 (409.5.1) Located within same room: Section G2420.5.1 Located within same room is amended to add the following sentence: If a gas shut off valve is located inside a firebox or accesses through a firebox, an additional gas shut off valve shall be required outside of the firebox.

Section G2425.8 (501.8) Equipment not Required to be Vented: Section G2425.8 (501.8) Equipment not Required to be Vented is amended to delete item #7.

Section G2445 (621) Unvented room heaters: Entire section is hereby deleted.

Section G2427.6.6 (503.6.7) Roof Terminations: Section G2427.6.6 Roof Terminations is amended to add the following sentence: Gas vent termination on roofs shall be within 3 feet of a ridge or be provided with an alternate means of protection.

Section P2503.6 Shower liner test: Entire section is hereby deleted.

Section P2603.5.1 Sewer depth: Section P2603.5.1 Sewer depth is amended to read as follows: Building sewers shall be installed in accordance with the standards and subject to the approval of the governing Sanitation Districts.

Section P2904 Dwelling Unit Fire Sprinkler: Entire section is hereby deleted.

Section P3103.1.1 Roof extension. Section P3103.1.1 Roof extension is amended to read as follows: Open vent pipes that extend through a roof that do not meet the conditions of Section P3103.1.2 or P3103.1.3 shall terminate not less than 12 inches above the roof.

Chapters 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43 of the IRC are hereby deleted in their entirety.

Appendix AT Solar-Ready Provisions – Detached one- and two-family dwellings and townhouses is adopted in its entirety.

INTERNATIONAL PLUMBING CODE (IPC) AMENDMENTS

1.7 THE INTERNATIONAL PLUMBING CODE, 2021 EDITION, IS SPECIFICALLY AMENDED AS FOLLOWS:

Add leading paragraph:

1.7.1 PLUMBING LICENSE REQUIRED Pursuant to Section 12-58-115, C.R.S., only qualified licensed plumbers may install “Plumbing Systems” as defined in 202 of the International Plumbing Code, 2021 Edition. This will include all gas piping of the International Fuel and Gas Code, 2021 Edition.

Section 101.1 Title: Section 101.1 title is amended to read as follows: These regulations shall be known as the Plumbing Code of Eagle County, hereinafter referred to as “this Code”.

Section 103.1 Creation of Agency: Section 103.1 Creation of agency is amended to read as follows: The Building Division is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 106.1.1 Annual permit: Entire section is hereby deleted.

Section 106.1.2 Annual permit records: Entire section is hereby deleted.

Section 106.5.3 Expiration: Section 106.5.3 Expiration is amended to read as follows: Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 106.5.4 Extensions: Entire section is hereby deleted.

Section 109.3 Work Commencing Before Permit Issuance: Section 109.3 Work Commencing Before Permit Issuance is amended to read as follows: An investigation fee, in addition to the permit fee, may be collected whether or not a permit is then or subsequently issued. The minimum investigation fee shall be four times the minimum fee set forth in Table 6 of the Eagle County Building Resolution. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 109.2 Schedule of Permit Fees: Section 109.2 Schedule of Permit Fees is amended to read as follows: The schedule of Plumbing Permit Fees is set forth in Table 6 of the Eagle County Building Resolution. The fee for each permit will be paid at time of application submittal.

Section 109.2.1 Plan Review Fees: Section 109.2.1 Plan Review Fees is added as follows: When plan or other data is required to be submitted by 107.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be equal to sixty-five (65) percent of the total permit fee as set forth in Table 6 of the Eagle County Building Resolution. When plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate shown in Table 6 of the Eagle County Building Resolution.

Section 109.5 Refunds: Section R109.5 Refunds is amended to read as follows: The Building 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 Building Official shall not authorize the refunding of any fee paid, except upon written request filed by the original applicant not later than 180 days after the date of fee payment.

Section 113 Means of Appeals: Section 113 Means of Appeals is hereby deleted and 315 of the Eagle County Building Resolution shall apply.

Section 115.4 Violation Penalties. Section 115.4 Violation Penalties is amended to read as follows: Violation penalties shall be in accordance with section 3.16.2 of the Eagle County Building Resolution.

Section 305.4.1 Sewer Depth: Section 305.4.1 Sewer Depth is amended to read as follows: Building sewers shall be installed in accordance with the standards and subject to the approval of the governing Sanitation Districts.

Section 305.4 Freezing: Water, soil and waste pipes shall not be installed outside of a building, in attics or crawl spaces, concealed in outside walls, or in any other place subjected to freezing temperatures unless adequate provision is made to protect such pipes from freezing by insulation or heat or both. Exterior water supply system piping shall be installed not less than 54 inches below grade.

Section 312.6 Gravity Sewer Test: Section 312.6 Gravity Sewer Test is amended to read as follows: Gravity sewer tests shall consist of plugging the end of the building sewer at the point of connection with the exterior of the building, filling the building sewer with water, testing with not less than a 10-foot head of water and maintaining such pressure for 15 minutes.

Section 312.9 Shower Liner Test: Entire section is hereby deleted.

Section 701.2 Connection to Sewer Required: Section 701.2 Connection to Sewer Required is amended to read as follows: Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer, where available, or an approved OWTS in accordance with the Eagle County Public Health Agency OWTS Regulations. *(amended 07/29/14)*

Section 903.1.1 Roof Extension: Section 903.1.1 Roof Extension is amended to add 12 inches.

INTERNATIONAL FUEL GAS CODE (IFGC) AMENDMENTS

1.8 THE INTERNATIONAL FUEL GAS CODE, 2015 EDITION, IS SPECIFICALLY AMENDED AS FOLLOWS:

Section 101.1 Title. Section 101.1 Title is amended to read as follows: These provisions shall be known as the Fuel Gas Code of Eagle County and shall be cited as such and will be referred to herein as “this Code”.

Section 103.1 Creation of Agency: Section 103.1 Creation of agency is amended to read as follows: The Building Division is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 106.1.1 Annual permit: Entire section is hereby deleted.

Section 106.1.2 Annual permit records: Entire section is hereby deleted.

Section 106.5.3 Expiration: Section 106.5.3 Expiration is amended to read as follows: Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 106.5.4 Extensions: Entire section is hereby deleted.

Section 109.4 Work Commencing Before Permit Issuance: Section 109.4 Work Commencing Before Permit Issuance is amended to read as follows: An investigation fee, in addition to the permit fee, may be collected whether or not a permit is then or subsequently issued. The minimum investigation fee shall be four times the minimum fee set forth in Table 6 of the Eagle County Building Resolution. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 109.2 Schedule of Permit Fees: Section 109.2 Schedule of Permit Fees is amended to read as follows: The schedule of fuel gas permit fees is set forth as plumbing permit fees in Table 6 of the Eagle County Building Resolution. The fee for each permit will be paid at time of application submittal.

Section 109.2.1 Plan Review Fees: Section 109.2.1 Plan Review Fees is added as follows: When a plan or other data is required to be submitted by 106.3.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be equal to sixty-five (65) percent of the total permit fee as set forth in Table 6 of the Eagle County Building Resolution. When

plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate shown in Table 6 of the Eagle County Building Resolution.

Section 109.6 Refunds: Section R109.6 Refunds is amended to read as follows: The Building 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 Building Official shall not authorize the refunding of any fee paid, except upon written request filed by the original applicant not later than 180 days after the date of fee payment.

Section 112.2 Final Inspection, Item #3: Section 107.2, Item #3 Final Inspection is amended to read as follows: Final Gas Pressure Test to be performed prior to issuance of the Final Gas Tag. The Final Gas Tag is to be issued prior to connection to the public gas utilities or to a private gas system. The Final Gas Test shall consist of the following: (1) pressure testing the gas pipe after wall coverings are complete; and (2) permanent appliances are ready to fire, gas capped at appliances, flue pipe installed, combustion air in place, electrical disconnect for appliances in place.

Section 113 Means of appeal: Section 113 Means of Appeal is hereby deleted and 315 of the Eagle County Building Resolution shall apply.

Section 115.4 Violation Penalties. Section 115.4 Violation Penalties is amended to read as follows: Violation penalties shall be in accordance with section 3.16.2 of the Eagle County Building Resolution.

Section 303.3 Prohibited Locations: Section 303.3 Prohibited Locations is amended to delete Exceptions number 3 and number 4.

Section 406.4.1 Test Pressure: Section 406.4.1 Test Pressure is amended to add the following sentences: This inspection shall include air, CO₂ or nitrogen pressure test, at which time the gas piping shall stand a pressure of not less than 10 psi for threaded pipe for not less than 15 minutes.

Section 409.5.1 Located within same room: Section 409.5.1 Located within same room is amended to add the following sentence: If a gas shut off valve is located inside a firebox or accesses through a firebox, an additional gas shut off valve shall be required outside of the firebox.

Section 501.8 Equipment not Required to be Vented: Section 501.8 Equipment

not Required to be Vented is amended to delete item No. 8.

Section 503.4.1 Plastic Piping: is amended to add “and any fuel-burning device” after “water heater.

Section 503.6.7 Roof Terminations: Section 503.6.7 Roof Terminations is amended to add the following sentence: Gas vent termination on roofs shall be within 3 feet of a ridge or be provided with an alternate means of protection.

Section 621 Unvented Room Heaters: Entire Section is hereby deleted.

INTERNATIONAL MECHANICAL CODE (IMC) AMENDMENTS

1.9 THE INTERNATIONAL MECHANICAL CODE, 2015 EDITION, IS SPECIFICALLY AMENDED AS FOLLOWS:

Section 101.1 Title. These provisions shall be known as the Mechanical Code of Eagle County hereinafter referred to as “this Code”.

Section 103.1 Creation of Agency: Section 103.1 Creation of Agency is amended to read as follows: The Building Division is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 106.1.1 Annual Permit: Entire section is hereby deleted.

Section 106.1.2 Annual Permit Records: Entire section is hereby deleted.

Section 106.4.3 Expiration: Section 106.4.3 Expiration is amended to read as follows: Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 106.4.4 Extensions: Entire section is hereby deleted.

Section 109.4 Work Commencing before Permit Issuance: Section 109.4 Work Commencing Before Permit Issuance is amended to read as follows: An investigation fee, in addition to the permit fee, may be collected whether or not a permit is then or subsequently issued. The minimum investigation fee shall be four times the minimum fee set forth in Table 5 of the Eagle County Building Resolution. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 109.2 Schedule of Permit Fees: Section 109.2 Schedule of Permit Fees is amended to read as follows: The fee for each permit shall be as set forth in Table 5 of the Eagle County Building Resolution. The fee for each permit will be paid at time of application submittal.

Section 109.2.1 Plan Review Fees: Section 109.2.1 Plan Review Fees is added as follows: When a plan or other data is required to be submitted by 106.3.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for mechanical work shall be equal to sixty-five (65) percent of the total permit fee as set forth in Table 5 of the Eagle County Building Resolution. When plans are incomplete or

changed so as to require additional review, a fee shall be charged at the rate shown in Table 5 of the Eagle County Building Resolution.

Section 109.6 Refunds: Section R109.6 Refunds is amended to read as follows:
The Building 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 Building Official shall not authorize the refunding of any fee paid, except upon written request filed by the original applicant not later than 180 days after the date of fee payment.

Section 115.4 Violation Penalties. Section 115.4 Violation Penalties is amended to read as follows: Violation penalties shall be in accordance with section 3.16.2 of the Eagle County Building Resolution.

Section 113 Means of Appeal: Section 113 Means of Appeal is hereby deleted and 315 of the Eagle County Building Resolution shall apply.

Section 901.5 Wood Burning Devices: Section 901.5 Wood Burning Devices is added as follows: All wood burning devices shall conform to the Colorado Department of Public Health and Environment's approved indoor and outdoor burning devices.

NATIONAL ELECTRICAL CODE (NEC) AMENDMENTS

1.10 THE NATIONAL ELECTRIC CODE, EDITION AS ADOPTED BY THE STATE OF COLORADO, IS SPECIFICALLY AMENDED AS FOLLOWS:

Add leading paragraphs:

Pursuant to Section 12-23-105, C.R.S., only qualified licensed electricians may install “Electrical Work” as defined in Section 12-23-101 (1.7), C.R.S., as required by the Colorado State Electrical Board most current edition of the National Electric Code. Notwithstanding the foregoing provision, an Electrical License will not be required provided all conditions of Section 12-23-111(2) C.R.S. have been satisfied.

Pursuant to Section 12-23-111-24, C.R.S., a separate permit is required for fire alarm systems operating at fifty volts or less.

Table 3B-Fee Schedule is hereby deleted: The current schedule of Electrical Permit fees is contained in Table 7 of the Eagle County Building Resolution.

Article 210.8 Ground-Fault Circuit-Interrupter Protection for Personnel: Article 210.8 Ground-Fault Circuit-Interrupter Protection for Personnel is amended to add the following sentence: All G.F.C.I. protection shall be re-settable in rooms where protection is required including outside receptacles.

Article 210.11(C) (1) Branch Circuits Required – Dwelling Units - Small Appliance Branch Circuits: Article 210.11(C) (1) Branch Circuits Required – Dwelling Units - Small Appliance Branch Circuits is amended to add the following sentence to the first paragraph: There shall be no more than four duplex receptacles on each small appliance branch circuit.

Article 210.11(C) (3). Branch Circuits Required - Dwelling Units - Bathroom Branch Circuits: Article 210.11(C) (3) Branch Circuits Required, Dwelling Units, Bathroom Branch Circuits is amended to add the following sentence: No more than 4 duplex receptacles shall be installed on a 20-amp circuit.

Article 680.71 Protection: Article 680.71 Protection is amended to add the following sentence: All G.F.C.I. protection shall be located with the same room. It is to be installed at least 12 inches off of finished floor and 5 feet from hydro-massage bathtub. The cord is not to exceed 3 feet from motor to receptacle installed near the access door protected by the re-settable G.F.C.I. mounted on the wall. (The re-settable G.F.C.I. is not to be installed under the tub). 220V tubs shall have GFCI breakers located in panels

INTERNATIONAL FIRE CODE (IFC) AMENDMENTS

1.11 THE INTERNATIONAL FIRE CODE, 2021 EDITION, IS SPECIFICALLY AMENDED AS FOLLOWS:

Section 105.1.1 Permit Required: Section 105.1.1 Permit Required is amended to add the following sentence: All permitting and inspections shall be performed by the governing Fire District or governing Fire Department. Permit fees shall be as adopted by the governing fire district or fire department. IFC language and requirements shall be as amended and adopted by Vail Fire and Emergency Services, the Eagle River Fire Protection District, the Greater Eagle Fire Protection District, the Rock Creek Volunteer Fire Department, the Gypsum Fire Protection District, and the Roaring Fork Fire Rescue Authority.

Section 111 Means of Appeals: Entire section is hereby deleted. Appeals will be governed by the guidelines or regulations adopted by the governing Fire District or Department.

INTERNATIONAL ENERGY CONSERVATION CODE (IECC) AMENDMENTS

1.12 THE INTERNATIONAL ENERGY CONSERVATION CODE 2021 EDITION IS SPECIFICALLY AMENDED AS FOLLOWS:

1.12.1 COMMERCIAL PROVISIONS

Section C101.1 Title. Section C101.1 Title is amended to read as follows: This code shall be known as the Energy Conservation Code of Eagle County, and shall be cited as such. It is referred to herein as “this Code”.

Sections C104, C109 and C110 shall be deleted and the applicable and corresponding sections of Chapter 1 of the IBC shall apply.

Section C202 GENERAL DEFINITIONS is amended to add or revise the following definitions in alphabetical order:

ALL-ELECTRIC BUILDING. A *building* and building site that contains no *combustion equipment*, or plumbing for *combustion equipment*, and that uses heat pump technology as the primary supply for heating, cooling, and service water heating loads.

COMBUSTION EQUIPMENT: Any equipment or appliances used for space heating,

cooling, water heating (including pools and spas), cooking, clothes drying or lighting that uses natural gas, propane, other fuel gas, or fuel oil.

ELECTRIFICATION RETROFIT FEASIBILITY REPORT: A report that analyzes the feasibility of using an electric heat pump when certain appliances are proposed to be replaced without an electric heat pump, and that also lists the following: the cost of the appliance with and without an electric heat pump, and the annual energy cost of the appliance with and without an electric heat pump.

MIXED-FUEL BUILDING. A *building* and building site that contains *combustion equipment*, or plumbing for *combustion equipment*, for space heating, cooling, water heating (including pools and spas), cooking, or clothes drying.

Section C401.2.1, item #2, is amended to read:

C401.2.1 International Energy Conservation Code.

Commercial buildings shall comply with one of the following:

1. **Prescriptive Compliance.** The Prescriptive Compliance option requires compliance with Sections C402 through C406 and Section C408. Dwelling units and sleeping units in Group R-2 buildings without systems serving multiple units shall be deemed to be in compliance with this chapter, provided that they comply with Section R406.
2. **Total Building Performance.** The Total Building Performance option requires compliance with Section C407 and, for *mixed fuel buildings*, 10 credits from Tables C406.1(1) through C406.1(5).

Section C403.4.1.1 is amended as follows:

C403.4.1.1 Heat pump supplementary heat. Heat pumps having fuel burning equipment or electric resistance equipment for supplementary space heating shall have controls that are configured to prevent supplemental heat operation when the capacity of the heat pump compressor can meet the heating load- and limit supplemental heat operation to only those times when one of the following applies:

1. For space heating systems, the vapor compression cycle cannot provide the necessary heating energy to satisfy the thermostat setting.

Exception: For forced-air systems, the vapor compression cycle cannot provide a supply air temperature of 85°F or greater

2. The heat pump is operating in defrost mode.
3. The vapor compression cycle malfunctions.

4. For space heating systems, the thermostat malfunctions.

Section C403.13.3 Roof and gutter deicing controls is added as follows:

C403.13.3 Roof and gutter deicing controls. Roof and gutter deicing systems, including but not limited to self-regulating cable, shall include automatic controls configured to shut off the system when the outdoor temperature is above 40°F (4.8°C) maximum and shall include one of the following:

1. A moisture sensor configured to shut off the system in the absence of moisture; or
2. A programmable timer configured to shut off the system for 8 hours minimum at night.

C404.2.1 High input service water-heating systems, item 1 under exceptions, is amended to read as follows:

3. Where not less than 50 percent of the annual *service water heating* requirement is provided by *on-site renewable energy* or site-recovered energy not including any capacity used for compliance with Section C406 of this code, the minimum thermal efficiency requirements of this section shall not apply.

Section C404.10 is added as follows:

C404.10 Water heating equipment location. Water heaters with *combustion equipment* shall be located in a space with the following characteristics:

1. Minimum dimensions of 3 feet by 3 feet by 7 feet high.
2. Minimum volume of 760 cubic feet, or the equivalent of one 16-inch by 24-inch grill to a heated space and one 8-inch duct of no more than 10 feet in length for cool exhaust air.
3. Contains a condensate drain that is no more than 2 inches higher than the base of the installed water heater and allows natural draining without pump assistance, installed within 3 feet of the water heater.

Exceptions:

1. Instantaneous water heaters located within 10 feet of the point of use.
2. Water heaters with an input capacity of more than 300,000 Btu/h.

Section C405.5.3 Gas lighting is amended to read as follows:

Section C405.5.3. Gas lighting. Gas fired lighting appliances are not permitted.

Table C405.12.2 ENERGY USE CATEGORIES is amended to add a new line at the end:

Electric vehicle charging	Electric vehicle charging loads.
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Section C406.1 Additional energy efficiency credit requirements, first sentence, is amended to read as follows with the other parts of the paragraph and section to remain:

C406.1 Additional energy efficiency credit requirements. New all-electric buildings shall achieve a total of 10 credits and new mixed-fuel buildings shall achieve a total of 20 credits from Tables C406.1(1) through C406.1(5) where the table is selected based on the use group of the building and from credit calculations as specified in relevant subsections of C406.

TABLE C406.1(2) ADDITIONAL ENERGY EFFICIENCY CREDITS FOR GROUP R AND I OCCUPANCIES is retained in its entirety, except Sections C406.7.3 and C406.7.4 in Climate Zone 6B are amended to read as follows:

TABLE C406.1(2)
ADDITIONAL ENERGY EFFICIENCY CREDITS FOR GROUP R AND I OCCUPANCIES

SECTION	CLIMATE ZONE 6B
C406.7.3: Efficient fossil fuel water heater ^b	3
C406.7.4: Heat pump water heater ^b	9

TABLE C406.1(3) ADDITIONAL ENERGY EFFICIENCY CREDITS FOR GROUP E OCCUPANCIES is retained in its entirety, except Sections C406.7.3 and C406.7.4 in Climate Zone 6B are amended to read as follows:

TABLE C406.1(3)
ADDITIONAL ENERGY EFFICIENCY CREDITS FOR GROUP E OCCUPANCIES

SECTION	CLIMATE ZONE 6B
C406.7.3: Efficient fossil fuel water heater ^a	N/A
C406.7.4: Heat pump water heater ^a	3

a. For schools with showers or full-service kitchens.

TABLE C406.1(5) ADDITIONAL ENERGY EFFICIENCY CREDITS FOR OTHER OCCUPANCIES is retained in its entirety, except Sections C406.7.3 and C406.7.4 in Climate Zone 6B are amended to read as follows:

TABLE C406.1(5)
ADDITIONAL ENERGY EFFICIENCY CREDITS FOR OTHER OCCUPANCIES

SECTION	CLIMATE ZONE 6B
C406.7.3: Efficient fossil fuel water heater ^b	3
C406.7.4: Heat pump water heater ^b	9

a. Other occupancies include all groups except Groups B, E, I, M, and R.

b. For occupancy groups listed in Section 406.7.1

Chapter C5 Existing Buildings is amended as follows:

Section C501.6 Energy audit is added as follows:

C501.6 Energy audit. An ASHRAE Level II energy audit shall be performed and provided to the code official prior to a permit application for any alteration, addition, or change of occupancy, in order to baseline the efficiency of the existing building and offer opportunities for cost-effective energy upgrades. The audit must include a blower door test and a thermographic scan.

Section C501.7 Thermostatic controls is added as follows:

Section C501.7 Thermostatic controls. Alterations, additions, and changes of occupancy that involve replacing or expanding a heating or cooling system shall comply with section C403.4.1 Thermostatic controls.

Section C501.8 Replacement of electric equipment is added as follows:

C501.8 Replacement of electric equipment. Combustion equipment shall not be permitted to be installed to replace electric equipment.

Section C503.3.3 Electrification retrofit feasibility report is added as follows:

C503.3.3 Electrification retrofit feasibility report. Where a gas-fired warm-air furnace is replaced with a gas-fired warm-air furnace, or when a unitary air conditioner or condensing unit serving a heated space is replaced with another unitary air conditioner or condensing unit, an Electrification Retrofit Feasibility Report is required.

Section C503.3.4 Mechanical system acceptance testing is added as follows:

C503.3.4 Mechanical system acceptance testing. Where an alteration requires compliance with Section C403 or any of its subsections, mechanical systems that serve the

alteration shall comply with Sections C408.2.2, C408.2.3 and C408.2.5.

Exceptions:

1. Mechanical systems and service water heater systems in buildings where the total mechanical equipment capacity is less than 480,000 Btu/h (140.7 kW) cooling capacity and 600,000 Btu/h (175.8 kW) combined service water-heating and space-heating capacity.
2. Systems included in Section C403.5 that serve individual dwelling units and sleeping units.

Section C503.4.1 Service hot water system acceptance testing is added as follows:

C503.4.1 Service hot water system acceptance testing. Where an alteration requires compliance with Section C404 or any of its subsections, service hot water systems that serve the alteration shall comply with Sections C408.2.3 and C408.2.5.

Exceptions:

1. Service water heater systems in buildings where the total mechanical equipment capacity is less than 600,000 Btu/h (175.8 kW) combined service water-heating and space-heating capacity.
2. Systems included in Section C403.5 that serve individual dwelling units and sleeping units.

Commercial Appendix Table is added as follows:

COMMERCIAL APPENDIX ADOPTION TABLE

APPENDIX CHAPTER	TITLE – SUBJECT	STATUS
CA	Board of Appeals	Not adopted
CB	Solar-Ready Zones	Adopted
CC	Zero Energy Commercial Building Provisions	Not adopted
CD	EV Readiness – Commercial	Adopted
CE	Exterior Energy Offset Program (EEOP)	Adopted

1.12.1.1 Appendix CB – Solar Ready Zones

Section CB103.1, first sentence, is amended to read as follows, with the exceptions to remain:

CB103.1 General. A solar-ready zone shall be located on the roof of all new buildings that are subject to the commercial provisions of the IECC and that are oriented between 110

degrees and 270 degrees of true north or have low-slope roofs. Solar-ready zones shall comply with Sections CB103.2 through CB103.9.

1.12.1.2 Appendix CD. A newly-created Appendix Chapter CD is hereby added and shall read as follows:

APPENDIX CD EV READINESS - COMMERCIAL

CD101. Purpose and intent. The purpose and intent of this Appendix CD is to accommodate the growing need for EV charging infrastructure. Including these measures during initial commercial construction substantially reduces the costs and difficulty of installing EV infrastructure at a later date.

CD102. Applicability. This Appendix CD shall apply to all new commercial construction to which the current International Building Code applies.

Section CD103. Definitions.

AUTOMOBILE PARKING SPACE. A space within a building or private or public parking lot, exclusive of driveways, ramps, columns, office, and work areas, for the parking of an automobile.

DIRECT CURRENT FAST CHARGING (DCFC) EVSE: EV power transfer infrastructure capable of fast charging on a 100A or higher 480VAC three-phase branch circuit. AC power is converted into a controlled DC voltage and current within the *EVSE* that will then directly charge the *electric vehicle*.

EV LOAD MANAGEMENT SYSTEM: A system designed to allocate charging capacity among multiple *EVSE* and that complies with the current National Electric Code.

ELECTRIC VEHICLE (EV). An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood *electric vehicles*, and electric motorcycles, primarily powered by an electric motor that draws current from an electric source.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). Equipment for plug-in power transfer including the ungrounded, grounded, and equipment grounding conductors, and the *electric vehicle* connectors, attachment plugs, personal protection system and all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the *electric vehicle*.

ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLED SPACE (EVSE space). An automobile parking space that is provided with a dedicated *EVSE* connection.

ELECTRIC VEHICLE CAPABLE SPACE (EV CAPABLE SPACE). A designated automobile parking space that is provided with electrical infrastructure, such as, but not limited to, raceways, cables, electrical capacity, and panelboard or other electrical distribution equipment space, necessary for the future installation of an *EVSE*.

ELECTRIC VEHICLE READY SPACE (EV READY SPACE). An automobile parking space that is provided with a branch circuit and a ground fault circuit interrupter (GFCI/GFI) outlet, junction box, or receptacle, that will support an installed *EVSE*.

UNIVERSAL VEHICLE CHARGING STATION. A charging station installed in a parking space for a minimum vehicle width of 120 inches (3048 mm) with 36-inch access aisles (915 mm) on each side.

CD104 Electric vehicle power transfer infrastructure. New parking facilities shall be provided with *electric vehicle* power transfer infrastructure in compliance with Sections CD104.1 through CD104.6, CD105, and CD106.

CD104.1 Quantity. The number of required *EVSE spaces*, *EV ready spaces*, and *EV capable spaces* shall be determined in accordance with this Section and Table CD104.1 based on the total number of *automobile parking spaces* and shall be rounded up to the nearest whole number. For multifamily buildings, the Table requirements shall be based on the total number of dwelling units or the total number of *automobile parking spaces*, whichever is less.

1. Where more than one parking facility is provided on a building site, the number of required *automobile parking spaces* required to have EV power transfer infrastructure shall be calculated separately for each parking facility.
2. Where one shared parking facility serves multiple building occupancies, the required number of spaces shall be determined proportionally based on the floor area of each building occupancy.
3. Installed *EVSE spaces* that exceed the minimum requirements of this section may be used to meet minimum requirements for *EV ready spaces* and *EV capable spaces*.
4. Installed *EV ready spaces* that exceed the minimum requirements of this section may be used to meet minimum requirements for *EV capable spaces*.
5. Where the number of *EV ready spaces* allocated for multifamily occupancies is equal to the number of dwelling units or to the number of *automobile parking spaces*, whichever is less, requirements for *EVSE spaces* shall not apply.
6. In multifamily complexes that contain multiple buildings, required EV spaces shall be dispersed throughout parking areas so that each building has access to a similar number of spaces per dwelling unit.
7. Direct Current Fast Charging. The number of *EVSE spaces* may be reduced by up to ten per *DCFC EVSE* provided that the building includes not less than one parking space equipped with a *DCFC EVSE* and not less than one *EV ready space*. A maximum of fifty spaces may be reduced from the total number of *EVSE spaces*.

Exception: Parking facilities, serving occupancies other than multifamily, with fewer than 10 *automobile parking spaces*.

TABLE CD104.1
REQUIRED EV POWER TRANSFER INFRASTRUCTURE

BUILDING TYPE	MINIMUM EV INSTALLED SPACES	MINIMUM EV READY SPACES	MINIMUM EV CAPABLE SPACES
Multifamily ^a	5%	10%	40%
All Other Commercial	5%	0%	40%

a. Where all (100%) parking serving multifamily are EV ready spaces, requirements for *EVSE* spaces shall not apply.

CD104.2 EV capable spaces. Each *EV capable space* used to meet the requirements of Section CD104.1 shall comply with all of the following:

1. A continuous raceway or cable assembly shall be installed between an enclosure or outlet located within 3 feet (914 mm) of the *EV capable space* and a suitable panelboard or other onsite electrical distribution equipment.
2. Installed raceway or cable assembly shall be sized and rated to supply a minimum circuit capacity in accordance with CD104.5
3. The electrical distribution equipment to which the raceway or cable assembly connects shall have sufficient dedicated space and spare electrical capacity for a 2-pole circuit breaker or set of fuses.
4. The electrical enclosure or outlet and the electrical distribution equipment directory shall be marked: "For future electric vehicle supply equipment (EVSE)."
5. Reserved capacity shall be no less than 4.1 kVA (20A 208/240V) for each *EV capable space*.

CD104.3 EV ready spaces. Each branch circuit serving *EV ready spaces* used to meet the requirements of Section CD104.1 shall comply with all of the following:

1. Terminate at an outlet or enclosure, located within 3 feet (914 mm) of each *EV ready space* it serves.
2. Have a minimum circuit capacity in accordance with CD104.5.
3. Branch circuit on the panelboard or other electrical distribution equipment directory designated as "For electric vehicle supply equipment (EVSE)" and the outlet or enclosure marked "For electric vehicle supply equipment (EVSE)."

CD104.4 EVSE spaces. An installed *EVSE* with multiple output connections shall be permitted to serve multiple *EVSE spaces*. Each *EVSE* installed to meet the requirements of Section

CD104.1, serving either a single *EVSE space* or multiple *EVSE spaces*, shall comply with all of the following:

1. Have a minimum circuit capacity in accordance with CD104.5.
2. Have a minimum charging rate in accordance with CD104.4.1.
3. Be located within 3 feet (914 mm) of each *EVSE space* it serves.
4. Be installed in accordance with Section CD104.6 and CD104.7.

CD104.4.1 EVSE minimum charging rate. Each installed *EVSE* shall comply with one of the following:

1. Be capable of charging at a minimum rate of 6.2 kVA (or 30A at 208/240V).
2. When serving multiple *EVSE spaces* and controlled by an energy management system providing load management, be capable of simultaneously charging each *EVSE space* at a minimum rate of no less than 3.3 kVA.
3. When serving *EVSE spaces* allowed to have a minimum circuit capacity of 2.7 kVA in accordance with CD104.5.1 and controlled by an energy management system providing load management, be capable of simultaneously charging each *EVSE space* at a minimum rate of no less than 2.1 kVA.

CD104.5 Circuit capacity. The capacity of electrical infrastructure serving each *EV capable space*, *EV ready space*, and *EVSE space* shall comply with one of the following:

1. A branch circuit with a rated capacity not less than 8.3 kVA (or 40A at 208/240V) for each *EV ready space* or *EVSE space* it serves.
2. The requirements of CD104.5.1.

CD104.5.1 Circuit capacity management. The capacity of each branch circuit serving multiple *EVSE spaces*, *EV ready spaces* or *EV capable spaces* designed to be controlled by an energy management system providing load management in accordance with NFPA 70, shall comply with one of the following:

1. Have a minimum capacity of 4.1 kVA per space.
2. Have a minimum capacity of 2.7 kVA per space when serving *EV ready spaces* or *EVSE spaces* for a building site where all (100%) of the automobile parking spaces are designed to be *EV ready* or *EVSE spaces*.

CD104.6 EVSE installation. *EVSE* shall be installed in accordance with NFPA 70 and shall be listed and labeled in accordance with UL 2202 or UL 2594.

CD104.7. EVSE ENERGY STAR. All *EVSE* shall be ENERGY STAR certified.

CD105. Universal vehicle charging stations. Where *electric vehicle* charging stations are provided for public use, or where *electric vehicle* charging stations are shared by multiple multifamily dwelling units, the number of universal vehicle charging stations shall be provided in accordance with Table CD104.1. When multiple stalls are required, access aisles may be shared.

**TABLE CD105.1
UNIVERSAL EV SPACE REQUIREMENTS**

TOTAL # OF EV CHARGING STATIONS	MINIMUM # OF UNIVERSAL VEHICLE CHARGING STATIONS
1 or more	25%

CD106. Identification. Construction documents shall designate all *EV capable spaces*, *EV ready spaces*, and *EVSE spaces* and indicate the locations of conduit and termination points serving them. The circuit breakers or circuit breaker spaces reserved for the *EV capable spaces*, *EV ready spaces*, and *EVSE spaces* shall be clearly identified in the panel board directory. The conduit for *EV capable spaces* shall be clearly identified at both the panel board and the termination point at the parking space.

1.12.1.3 Appendix CE. A newly-created Appendix Chapter CE is hereby added and shall read as follows:

APPENDIX CE

Exterior Energy Offset Program (EEOP) - Commercial

User note: Exterior amenities are energy intensive and have an oversized environmental impact when compared to other building energy uses. The intent of Eagle County's Exterior Energy Offset Program is to encourage energy efficiency of exterior amenity energy uses and offset them through the installation of on-site renewable energy systems and/or battery storage. The amount of onsite renewable energy required for offset, or the amount of the fee to be paid, is based on the type and size of exterior energy uses and the expected energy consumption per year.

Scope. Eagle County's Exterior Energy Offset Program (EEOP) applies to specific exterior energy uses in residential and commercial building projects. The EEOP requires project owners to offset 100% of these energy uses (with some exemptions) through onsite installation of renewable energy and energy storage resources, or payment of a fee, or a combination of the two.

Exterior Energy Uses	Energy Use	Exemptions / Exceptions
Snowmelt for driveways, patios and walkways.	82,863 BTU's / SF / yr	No exemption
Spa/Hot Tub	428,937 BTU / SF / yr	first 64 ft2 are exempt
Exterior Pool	331,451 BTU / SF / yr	No exemption
Heat Tape, Trace Cable, Mats	5,323 BTU (1.56 kWh) / watt / yr	No exemption

For comparison, the average residential building energy use in Colorado is around 44,000 BTU / SF / Yr.
Source: <https://www.eia.gov/consumption/residential/index.php>

Project owners (or their representative) can document compliance with this section via the free Public Domain tool “Eagle County EEOP Calculation Worksheet”, in the most current version at the time of permit application. Access to the calculation worksheet is through Eagle County’s website at www.EagleCounty.US. Project owners download a copy of the worksheet and enter the specific information about their proposed exterior energy uses and equipment. Projected energy use, associated energy offsets required, and requirements for fees are defined within this tool. Completed worksheets are submitted to the Building Division as a part of the permit application.

The EEOP applies to both new energy uses, and replacement of pre-existing energy uses. Pre-existing systems, for which a prior EEOP fee was paid, shall receive a prorated credit, calculated as a fraction of the number of years since prior EEOP payment for the system, divided by 20 years. For example, an EEOP payment made for a system permitted 10 years prior to the current replacement permit submission, would receive credit for 50% of the prior EEOP payment. That amount shall be deducted from the EEOP payment owed for the replacement system. Replacement systems that were not previously offset through onsite renewable energy or fees are considered to be new projects, and all requirements apply.

Upgrades to existing mechanical equipment, renewable energy systems, or other system repairs that do not increase their pre-existing energy consumption, will not require a re-submittal to the EEOP. However, additions or replacement of exterior energy uses (as listed above) will require a submittal of the EEOP calculation worksheet with the permit application.

All EEOP fees must be paid prior to TCO or CO for new construction and prior to final inspection for additions/remodels.

Fees collected by Eagle County are used to facilitate additional energy efficiency, electrification, and renewable energy within the community. For any questions, or assistance with the EEOP Calculation Sheet to determine offsets and/or fees, please contact the Building Division at (970) 328-8761 or email comdev@EagleCounty.US

1.12.2 RESIDENTIAL PROVISIONS

Section R101.1 Title. Section R101.1 Title is amended to read as follows: This code shall be known as the Energy Conservation Code of Eagle County, and shall be cited as such. It is referred to herein as “this Code”.

Sections R104, R109 and R110 shall be deleted and the applicable and corresponding sections of Chapter 1 of the IBC and IRC shall apply.

Section R202 GENERAL DEFINITIONS is amended to add the following definitions in alphabetical order:

ALL-ELECTRIC BUILDING. A *building* and building site that contains no *combustion equipment*, or plumbing for *combustion equipment*, and that uses heat pump technology as the primary supply for heating, cooling, and service water heating loads.

COMBUSTION EQUIPMENT: Any equipment or appliances used for space heating, cooling, water heating (including pools and spas), cooking, clothes drying or lighting that uses natural gas, propane, other fuel gas, or fuel oil.

ELECTRIFICATION RETROFIT BID means a contractor bid showing the cost of replacing *combustion equipment* with an electric heat pump-based system.

MIXED-FUEL BUILDING. A *building* and building site that contains *combustion equipment*, or plumbing for *combustion equipment*, for space heating, cooling, water heating (including pools and spas), cooking, or clothes drying.

Section R303.2 is amended as follows:

R303.2 Installation. Materials, systems and equipment shall be installed in accordance with the manufacturer’s instructions and the *International Building Code* or the *International Residential Code*, as applicable. Insulation shall meet the requirements of the Grade I standard in ICC/RESNET 301 Normative Appendix A.

Section R401.2.4 Tropical Climate Region Option is deleted in its entirety.

Section R401.2.5 Additional energy efficiency is amended as follows:

R401.2.5 Additional energy efficiency. This section establishes additional requirements applicable to all compliance approaches to achieve additional energy efficiency.

1. For buildings complying with Section R401.2.1, the building shall meet one of the following:
 - 1.1. For *all-electric buildings*, one of the additional efficiency package options shall be installed according to Section R408.2.
 - 1.2. For *mixed-fuel buildings*, three of the additional efficiency packages shall be installed, at least one of which addresses the envelope.
2. For buildings complying with Section R401.2.2, the building shall meet one of the following:
 - 2.1. For *all-electric buildings*, one of the additional efficiency package options in Section R408.2 shall be installed without including such measures in the proposed design under Section R405.
 - 2.2. For *mixed-fuel buildings*, three of the additional efficiency packages shall be installed, at least one of which addresses the envelope, without including such measures in the proposed design under Section R405.
 - 2.3. For *all-electric buildings*, the proposed design of the building under Section R405.3 shall have an annual energy cost that is less than or equal to 95 percent of the annual energy cost of the standard reference design.
 - 2.4. For *mixed-fuel buildings*, the proposed design of the building under Section R405.3 shall have an annual energy cost that is less than or equal to 80 percent of the annual energy cost of the standard reference design.
3. For buildings complying with the Energy Rating Index alternative Section R401.2.3, the Energy Rating Index value shall be at least 5 percent less than the Energy Rating Index target specified in Table R406.5.

The options selected for compliance shall be identified in the certificate required by Section R401.3.

Section R401.3 is amended as follows (remainder of section unchanged):

1. The types, sizes, fuel sources, and efficiencies of heating, cooling and service water heating equipment. Where a gas-fired unvented room heater, electric furnace or baseboard electric heater is installed in the residence, the certificate shall indicate “gas-fired unvented room heater,” “electric furnace” or “baseboard electric heater,” as appropriate. An efficiency shall not be indicated for gas-fired unvented room heaters, electric furnaces and electric baseboard heaters.

2. The code edition under which the structure was permitted, and the compliance path used, and where applicable, the additional efficiency measures selected for compliance with R408.
3. The fuel sources for cooking and clothes drying equipment.
4. Where combustion equipment is installed, the certificate shall indicate information on the installation of additional electric infrastructure including which equipment and/or appliances include additional electric infrastructure, capacity reserved on the electrical service panel for replacement of each piece of combustion equipment and/or appliance.
5. Where a solar-ready zone is provided, the certificate shall indicate the location, and dimensions.

403.1.2 is amended as follows:

R403.1.2 Heat pump supplementary heat. Heat pumps having supplementary electric resistance heat shall have controls that, are configured to prevent supplemental heat operation when the capacity of the heat pump compressor can meet the heating load. Limit supplemental heat operation to only those times when one of the following applies:

1. The vapor compression cycle cannot provide the necessary heating energy to satisfy the thermostat setting.
2. The heat pump is operating in defrost mode.
3. The vapor compression cycle malfunctions.
4. The thermostat malfunctions.

Section R403.5 Service hot water systems is amended as follows:

R403.5 Service hot water systems. Energy conservation measures for service hot water systems shall be in accordance with Sections R403.5.1 through ~~R403.5.3~~ R403.5.4.

Section R403.5.4 Water heating equipment location is added as follows:

R403.5.4 Water heating equipment location. Water heaters with *combustion equipment* shall be located in a space with the following characteristics:

1. Minimum dimensions of 3 feet by 3 feet by 7 feet high.
2. Minimum volume of 760 cubic feet, or the equivalent of one 16-inch by 24-inch grill to a heated space and one 8-inch duct of no more than 10 feet in length for cool exhaust air.
3. Contains a condensate drain that is no more than 2 inches higher than the base of the installed water heater and allows natural draining without pump assistance, installed within 3 feet of the water heater.

Exception: Water heaters with an input capacity of greater than 300,000 Btu/h that serves multiple *dwelling units* or *sleeping units*.

Section R403.10 Roof and gutter deicing controls is added as follows:

R403.10 Roof and gutter deicing controls. Roof and gutter deicing systems, including but not limited to self-regulating cable, shall include automatic controls configured to shut off the system when the outdoor temperature is above 40°F (4.8°C) maximum and shall include one of the following:

1. A moisture sensor configured to shut off the system in the absence of moisture, or
2. A programmable timer configured to shut off the system for 8 hours minimum at night.

Section R404.1.1 Fuel gas lighting is amended to read as follows:

Section R404.1.1. Fuel gas lighting. Fuel gas lighting systems are prohibited.

A new **Section R404.4 Additional electric infrastructure** is added as follows:

R404.4 Additional electric infrastructure. All *combustion equipment* shall be installed in accordance with Section R403.5.4 and shall be provided with a junction box that is connected to an electrical panel by continuous raceways and conductors that meet the following requirements:

1. The junction box, raceway, and bus bar in the electric panel and conductors serving the electric panel and future equipment shall be sized to accommodate electric equipment sized to serve the same load as the *combustion equipment*.
2. The panel shall have reserved physical space for a dual-pole circuit breaker.
3. The junction box and electrical panel directory entry for the dedicated circuit breaker space shall have labels stating “For future electric equipment.”
4. The junction box shall allow for the electric equipment to be installed within the same place of the *combustion equipment* that it replaces.

Exceptions:

1. Fossil fuel space heating equipment where a 208/240-volt electrical circuit with a minimum capacity of 40 amps exists for space cooling equipment.
2. Water heating equipment with an input capacity greater than 300,000 Btu/h that serves multiple dwelling units or sleeping units.

Table R405.2 Requirements for Total Building Performance adds a new row under Mechanical as follows:

TABLE R405.2 REQUIREMENTS FOR TOTAL BUILDING PERFORMANCE

SECTION	TITLE
Mechanical	
R403.5.4	Water heating equipment location

Table R406.2 Requirements for Energy Rating Index adds a new row under Mechanical as follows:

TABLE R406.2 REQUIREMENTS FOR ENERGY RATING INDEX

SECTION	TITLE
Mechanical	
R403.5.4	Water heating equipment

Section R406.5 ERI-based compliance is amended as follows:

R406.5 ERI-based compliance. Compliance based on an ERI analysis requires that the rated proposed design and confirmed built dwelling be shown to have an ERI less than or equal to the appropriate value for the proposed all-electric or mixed-fuel building as indicated in Table R406.4 when compared to the ERI reference design.

TABLE R406.5 MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ALL-ELECTRIC BUILDING	MIXED FUEL BUILDING
5	55	52

Chapter R5 Existing Buildings is amended as follows:

Section R501.7 Energy audit is added as follows:

R501.7 Energy audit. A RESNET, Building Performance Institute, or other approved energy audit shall be performed and provided to the code official prior to a permit application for any *addition* or *alteration*, in order to baseline the efficiency of the existing building and offer opportunities for cost-effective energy upgrades. The audit must include a blower door test and a thermographic scan.

Section R501.8 Programmable thermostat is added as follows:

Section R501.8 Programmable thermostat. *Alterations, additions,* and changes of occupancy that involve replacing or expanding a heating or cooling system shall comply with section R403.1.1 Programmable thermostat.

Section R501.9 Replacement of electric equipment is added as follows:

R501.9 Replacement of electric equipment. *Combustion equipment* shall not be permitted to be installed to replace electric equipment.

Section R501.10 Electrification retrofit bid is added as follows:

R501.10 Electrification retrofit bid. Where a gas-fired warm-air furnace is replaced with a gas-fired warm-air furnace, or when a unitary air conditioner or condensing unit serving a heated space is replaced with another unitary air conditioner or condensing unit, an *Electrification Retrofit Bid* shall be obtained and submitted.

Residential Appendix Table is added as follows:

RESIDENTIAL APPENDIX ADOPTION TABLE

APPENDIX	TITLE – SUBJECT	STATUS
RA	Board of Appeals	Not adopted
RB	Solar-Ready Provisions	Adopted
RC	Zero Energy Residential Building Provisions	Not adopted
RD	EV Readiness – Residential	Adopted
RE	Exterior Energy Offset Program (EEOP)	Adopted

1.12.2.1 Appendix RB – Solar Ready Provisions – Detached One- and Two-Family Dwellings and Townhouses

Section RB103.1 is amended to read as follows, with the exceptions to remain:

RB103.1 General. New detached one- and two-family dwellings, and townhouses with not less than 600 square feet of roof area oriented between 110 degrees and 270 degrees of true north shall comply with Sections RB103.2 through CB103.10

1.12.2.2 Appendix RD. A newly-created Appendix Chapter RD is hereby added and shall read as follows:

APPENDIX RD EV READINESS - RESIDENTIAL

RD101. Purpose and intent. The purpose and intent of this Appendix RD is to accommodate the growing need for EV charging infrastructure, in particular meeting preferences for charging at home. Including these measures during initial construction substantially reduces the costs and difficulty of installing EV infrastructure at a later date.

RD102. Applicability. This Appendix RD shall apply to all new residential construction to which the International Residential Code applies.

RD103. Definitions.

AUTOMOBILE PARKING SPACE. A space within a *building* or private or public parking lot, exclusive of driveways, ramps, columns, office, and work areas, for the parking of an automobile.

DIRECT CURRENT FAST CHARGING (DCFC) EVSE: EV power transfer infrastructure capable of fast charging on a 100A or higher 480VAC three-phase branch circuit. AC power is converted into a controlled DC voltage and current within the *EVSE* that will then directly charge the *electric vehicle*.

EV LOAD MANAGEMENT SYSTEM: A system designed to allocate charging capacity among multiple *EVSE* and that complies with the current National Electric Code.

ELECTRIC VEHICLE (EV). An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood *electric vehicles*, and electric motorcycles, primarily powered by an electric motor that draws current from an electric source.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). Equipment for plug-in power transfer including the ungrounded, grounded, and equipment grounding conductors, and the *electric vehicle* connectors, attachment plugs, personal protection system and all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the *electric vehicle*.

ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLED SPACE (EVSE space). An automobile parking space that is provided with a dedicated *EVSE* connection.

ELECTRIC VEHICLE CAPABLE SPACE (EV CAPABLE SPACE). A designated automobile parking space that is provided with electrical infrastructure, such as, but not limited to, raceways, cables, electrical capacity, and panelboard or other electrical distribution equipment space, necessary for the future installation of an *EVSE*.

ELECTRIC VEHICLE READY SPACE (EV READY SPACE). An automobile parking space that is provided with a branch circuit and receptacle that will support an installed *EVSE*.

UNIVERSAL VEHICLE CHARGING STATION. A charging station installed in a parking space for a minimum vehicle width of 120 inches (3048 mm) with 36-inch access aisles (915 mm) on each side.

RD104 One- and two- family dwellings and townhouses. One *EV ready* space shall be provided for each dwelling unit. The branch circuit shall be identified as *EV ready* in the service panel or subpanel directory, and the termination location shall be marked as *EV ready*.

Exception: Dwelling units where no parking spaces are either required or provided.

RD105 Residential multifamily dwellings, 3-stories or less. New dwelling units for residential multifamily buildings, other than duplexes and townhomes, shall be provided with *electric vehicle* power transfer infrastructure in compliance with Sections RD105.1 through RD105.6 and Sections RD106 through RD107.

RD105.1 Quantity. The number of required *EVSE spaces*, *EV ready spaces*, and *EV capable spaces* shall be determined in accordance with this Section and Table RD105.1 based on the total number of *automobile parking spaces* and shall be rounded up to the nearest whole number. For multifamily buildings, the Table requirements shall be based on the total number of dwelling units or the total number of *automobile parking spaces*, whichever is less.

1. Where more than one parking facility is provided on a building site, the number of required *automobile parking spaces* required to have EV power transfer infrastructure shall be calculated separately for each parking facility.
2. Installed *EVSE spaces* that exceed the minimum requirements of this section may be used to meet minimum requirements for *EV ready spaces* and *EV capable spaces*.
3. Installed *EV ready spaces* that exceed the minimum requirements of this section may be used to meet minimum requirements for *EV capable spaces*.
4. Where the number of *EV ready spaces* allocated for multifamily occupancies is equal to the number of dwelling units or to the number of *automobile parking spaces* allocated to multifamily occupancies, whichever is less, requirements for *EVSE spaces* shall not apply.
5. In multifamily complexes that contain multiple buildings, required EV spaces shall be dispersed throughout parking areas so that each building has access to a similar number of spaces per dwelling unit.

**TABLE RD105.1
REQUIRED EV POWER TRANSFER INFRASTRUCTURE FOR MULTIFAMILY**

BUILDING TYPE	MINIMUM EV INSTALLED SPACES	MINIMUM EV READY SPACES	MINIMUM EV CAPABLE SPACES
Multifamily	5%	10%	40%

- a. Where all (100%) parking serving multifamily occupancies are EV ready spaces, requirements for *EVSE* spaces shall not apply.

RD105.2 EV capable spaces. Each *EV capable space* used to meet the requirements of Section RD105.1 shall comply with all of the following:

1. A continuous raceway or cable assembly shall be installed between an enclosure or outlet located within 3 feet (914 mm) of the *EV capable space* and a suitable panelboard or other onsite electrical distribution equipment.
2. Installed raceway or cable assembly shall be sized and rated to supply a minimum circuit capacity in accordance with RD105.5
3. The electrical distribution equipment to which the raceway or cable assembly connects shall have sufficient dedicated space and spare electrical capacity for a 2-pole circuit breaker or set of fuses.
4. The electrical enclosure or outlet and the electrical distribution equipment directory shall be marked: “For future electric vehicle supply equipment (EVSE).”
5. Reserved capacity shall be no less than 4.1 kVA (20A 208/240V) for each *EV capable space*.

RD105.3 EV ready spaces. Each branch circuit serving *EV ready spaces* used to meet the requirements of Section RD105.1 shall comply with all of the following:

1. Terminate at a receptacle with overcurrent protection and GFCI protection as required by NFPA 70, located within 3 feet (914 mm) of each *EV ready space* it serves.
2. Have a minimum circuit capacity in accordance with RD105.5.
3. Have a branch circuit on the panelboard or other electrical distribution equipment directory designated as “For electric vehicle supply equipment (EVSE)” and the outlet or enclosure shall be marked “For electric vehicle supply equipment (EVSE).”

RD105.4 EVSE spaces. An installed *EVSE* with multiple output connections shall be permitted to serve multiple EVSE spaces. Each *EVSE* installed to meet the requirements of Section RD105.1, serving either a single *EVSE space* or multiple *EVSE spaces*, shall comply with all of the following:

1. Have a minimum circuit capacity in accordance with RD105.5.
2. Have a minimum charging rate in accordance with RD105.4.1.
3. Be located within 3 feet (914 mm) of each *EVSE space* it serves.
4. Be installed in accordance with Section RD105.6 and RD105.7

RD105.4.1 EVSE minimum charging rate. Each installed *EVSE* shall comply with one of the following:

1. Be capable of charging at a minimum rate of 6.2 kVA (or 30A at 208/240V).
2. When serving multiple *EVSE spaces* and controlled by an energy management system providing load management, be capable of simultaneously charging each *EVSE space* at a minimum rate of no less than 3.3 kVA.
3. When serving *EVSE* spaces allowed to have a minimum circuit capacity of 2.7 kVA in accordance with RD105.5.1 and controlled by an energy management system providing load management, be capable of simultaneously charging each *EVSE* space at a minimum rate of no less than 2.1 kVA.

RD105.5 Circuit capacity. The capacity of electrical infrastructure serving each *EV capable space*, *EV ready space*, and *EVSE space* shall comply with one of the following:

1. A branch circuit with a rated capacity not less than 8.3 kVA (or 40A at 208/240V) for each *EV ready space* or *EVSE* space it serves.
2. The requirements of RD105.5.1.

RD105.5.1 Circuit capacity management. The capacity of each branch circuit serving multiple *EVSE* spaces, *EV ready spaces* or *EV capable spaces* designed to be controlled by an energy management system providing load management in accordance with NFPA 70, shall comply with one of the following:

1. Have a minimum capacity of 4.1 kVA per space.
2. Have a minimum capacity of 2.7 kVA per space when serving *EV ready spaces* or *EVSE spaces* for a building site when all (100%) of the automobile parking spaces are designed to be *EV ready* or *EVSE spaces*.

RD105.6 EVSE installation. *EVSE* shall be installed in accordance with NFPA 70 and shall be listed and labeled in accordance with UL 2202 or UL 2594.

RD105.7. EVSE ENERGY STAR. All *EVSE* shall be ENERGY STAR certified.

RD106. Universal vehicle charging stations. Where *electric vehicle* charging stations are provided for public use, or where *electric vehicle* charging stations are shared by multiple multifamily dwelling units, the number of universal vehicle charging stations shall be provided in accordance with Table RD106.1. When multiple stalls are required, access aisles may be shared.

**TABLE RD106.1
UNIVERSAL EV SPACE REQUIREMENTS**

TOTAL # OF EV CHARGING STATIONS	MINIMUM # OF UNIVERSAL VEHICLE CHARGING STATIONS
1 or more	25%

RD107. Identification. Construction documents shall designate all *EV capable spaces*, *EV ready spaces*, and *EVSE spaces* and indicate the locations of conduit and termination points serving them. The circuit breakers or circuit breaker spaces reserved for the *EV capable spaces*, *EV ready spaces*, and *EVSE spaces* shall be clearly identified in the panel board directory. The conduit for *EV capable spaces* shall be clearly identified at both the panel board and the termination point at the parking space.

1.12.2.3 Appendix RE. A newly-created Appendix Chapter RE is hereby added and shall read as follows:

APPENDIX RE Exterior Energy Offset Program (EEOP) - Residential

User note: Exterior amenities are energy intensive and have an oversized environmental impact when compared to other building energy uses. The intent of Eagle County's Exterior Energy Offset Program is to encourage energy efficiency of exterior amenity energy uses and offset them through the installation of on-site renewable energy systems and/or battery storage. The amount of onsite renewable energy required for offset, or the amount of the fee to be paid, is based on the type and size of exterior energy uses and the expected energy consumption per year.

Scope. Eagle County's Exterior Energy Offset Program (EEOP) applies to specific exterior energy uses in residential and commercial building projects. The EEOP requires project owners to offset 100% of these energy uses (with some exemptions) through onsite installation of renewable energy and energy storage resources, or payment of a fee, or a combination of the two.

Exterior Energy Uses	Energy Use	Exemptions / Exceptions
Snowmelt for driveways, patios and walkways.	82,863 BTU's / SF / yr	No exemption
Spa/Hot Tub	428,937 BTU / SF / yr	first 64 ft2 are exempt
Exterior Pool	331,451 BTU / SF / yr	No exemption
Heat Tape, Trace Cable, Mats	5,323 BTU (1.56 kWh) / watt / yr	No exemption

For comparison, the average residential building energy use in Colorado is around 44,000 BTU / SF / Yr.
Source: <https://www.eia.gov/consumption/residential/index.php>

Project owners (or their representative) can document compliance with this section via the free Public Domain tool “Eagle County EEOP Calculation Worksheet”, in the most current version at the time of permit application. Access to the calculation worksheet is through Eagle County’s website at www.eaglecount.us. Project owners download a copy of the worksheet and enter the specific information about their proposed exterior energy uses and equipment. Projected energy use, associated energy offsets required, and requirements for fees are defined within this tool. Completed worksheets are submitted to the Building Division as a part of the permit application.

The EEOP applies to both new energy uses, and replacement of pre-existing energy uses. Pre-existing systems, for which a prior EEOP fee was paid, shall receive a prorated credit, calculated as a fraction of the number of years since prior EEOP payment for the system, divided by 20 years. For example, an EEOP payment made for a system permitted 10 years prior to the current replacement permit submission, would receive credit for 50% of the prior EEOP payment. That amount shall be deducted from the EEOP payment owed for the replacement system. Replacement systems that were not previously offset through onsite renewable energy or fees are considered to be new projects, and all requirements apply.

Upgrades to existing mechanical equipment, renewable energy systems, or other system repairs that do not increase their pre-existing energy consumption, will not require a re-submittal to the EEOP. However, additions or replacement of exterior energy uses (as listed above) will require a submittal of the EEOP calculation worksheet with the permit application.

All EEOP fees must be paid prior to TCO or CO for new construction and prior to final inspection for additions/remodels.

Fees collected by Eagle County are used to facilitate additional energy efficiency, electrification, and renewable energy within the community. For any questions, or assistance with the EEOP Calculation Sheet to determine offsets and/or fees, please contact the Building Division at (970) 328-8761 or email comdev@EagleCounty.us

INTERNATIONAL SWIMMING POOL AND SPA CODE (ISPSC) AMENDMENTS

1.13 THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2021 EDITION, IS SPECIFICALLY AMENDED AS FOLLOWS:

Section 101.1 Title. Section 101.1 Title is amended to read as follows: These regulations shall be known as the Swimming Pool and Spa Code of Eagle County,

hereinafter referred to as “this Code”.

INTERNATIONAL EXISTING BUILDING CODE (IEBC) AMENDMENTS

1.14 THE INTERNATIONAL EXISTING BUILDING CODE, 2021 EDITION, IS SPECIFICALLY AMENDED AS FOLLOWS:

Section 101.1 Title. Section 101.1 Title is amended to read as follows: These regulations shall be known as the Existing Building Code of Eagle County, hereinafter referred to as “this Code”.

1.15 GENERAL BUILDING PERMIT RESTRICTIONS

- 1.15.1 No work shall commence or continue any on site work in respect to any building, structure, factory-built housing unit, mobile home equipment, road cut permit, grading permit, construction parking or storage of materials, without first obtaining the necessary permits from Eagle County.
- 1.15.2 No person shall commence or continue any work in respect to any OWTS without first obtaining an OWTS Permit from the Environmental Health Department.
- 1.15.3 Written approval of the Environmental Health Department shall be obtained before the backfilling of any OWTS.
- 1.15.4 With respect to any work undertaken in violation of the provisions of subsection 3.12.03 of this Section, the Building Official or Environment Health Director or their duly authorized representatives, may at any time require that such work, in whole or in part, be exposed for inspection.
- 1.15.5 No person shall occupy any new building, factory-built housing unit, or mobile home until sewage disposal facilities, meeting the minimum standards of the regulations of the Colorado Water Quality Control Commission or any of the Eagle County Public Health Agency OWTS Regulations, have been installed and have been approved, in writing, by the Environmental Health Department.
- 1.15.6 Building and grading permit applications for new construction shall comply with all site development standards delineated in the Eagle County Land Use Regulations and Eagle County Engineering Criteria Manual.

1.15.7 The General Contractor shall be required to provide adequate sanitary facilities during construction of any project.

1.16 WILDFIRE REGULATIONS

1.16.1 Purpose: The purpose of this regulation is to establish minimum design and construction standards for the protection of life and property from fire within the Wildland/Urban Interface. These provisions are meant to aid in the prevention and suppression of fires, lessen the hazards to structures from wildland fires and lessen the hazards to wildlands from structure fires.

1.16.2 Applicability: These wildfire regulations are applicable to all new construction in the unincorporated areas of Eagle County and shall supersede the provisions of any previously approved Planned Unit Development, which may contain language contradictory in nature to the intent of these regulations. In the event that a previously approved Planned Unit Development contains language, which is more restrictive than the language found in these regulations, then the more restrictive language shall apply.

1.16.3 All new building construction, exterior modification to existing buildings, and/or additions that increase an existing building's footprint or number of stories in moderate, high and extreme hazard zones shall cause the entire building to comply with the provisions of this regulation with regard to the creation of Defensible Space. Pursuant to Section 3.12.4.5 Roofing or Siding of Existing Buildings of this Resolution, re-roofing permits will not require Defensible Space. Only exterior modifications to existing buildings shall comply with the provisions of this regulation with regard to ignition- resistant construction. Buildings or structures that do not require a building permit are exempt from this regulation, although their proximity to a permitted structure may modify the requirement for Defensible Space on the property.

1.16.4 All communities and/or subdivisions in existence prior to the effective date of these wildfire regulations may opt to prepare a Comprehensive Wildfire Mitigation Plan, which includes all lands and buildings within a definitive boundary delineated by said Plan. The Comprehensive Wildfire Mitigation Plan will be evaluated and may be approved at the sole discretion of the Board of County Commissioners through application for a Special Use Permit pursuant to Chapter 2, Article 5 of the Eagle County Land Use Regulations. The Board will render their decision based upon recommendations from the Planning Commission, the Colorado State Forest Service, the local Fire Authority having jurisdiction and any other applicable federal, state or local authority or agency.

If the Special Use Permit for the Comprehensive Wildfire Mitigation Plan is approved and adopted by the Board of County Commissioners, then the land area

defined within the Plan will not be required to conform to this Chapter III with regard to wildfire mitigation. Rather, the land area defined within the Plan will be bound via Board of County Commissioner Resolution for the Special Use Permit to fully implement the elements of the Comprehensive Wildfire Mitigation Plan within a time frame established by the Board of County Commissioners through the Special Use Permit. The Comprehensive Wildfire Mitigation Plan shall remain in full force and effect and all wildfire mitigation measures established within the Plan shall be maintained in perpetuity, unless otherwise amended by the Board of County Commissioners.

The County shall be authorized to set limits on the length of any Special Use Permit that it issues and to obtain assurances that the ongoing operation of the use will comply with all of the applicant's representations and all conditions of approval, including, but not limited to, requiring an annual compliance review. All conditions imposed in any Special Use Permit shall be expressly set forth in the resolution approving the Special Use Permit.

Revocation or suspension of a Special Use Permit issued pursuant to the Eagle County Land Use Regulations shall be made under the procedures and standards of Article 7 of the Eagle County Land Use Regulations, upon a finding that the Special Use Permit was issued on the basis of erroneous or misleading information or representation, the development violates the terms or conditions of any permit issued pursuant to the Eagle County Land Use Regulations, the terms or conditions of the Special Use Permit or the Eagle County Land Use Regulations.

- 1.16.5** All communities and/or subdivisions in existence prior to the effective date of these wildfire regulations opting to submit a **Comprehensive Wildfire Mitigation Plan** must have the plan prepared by a natural resource professional with expertise in the field of vegetation management and wildfire mitigation. Variable topography, diverse natural vegetative cover, as well as unique access and water supply characteristics typify each existing development in Eagle County. It is therefore, imperative that a plan be designed specifically for the community or subdivision seeking special consideration. The plan shall contain strategies to implement wildfire mitigation measures that will provide equal, if not superior, protection from the hazards inherent to wildfire. The plan may include but not be limited to: Strategic vegetation management incorporating the creation of strategic fire breaks in common areas, along access routes and subdivision perimeter and on each privately owned property; creation of Defensible Space around all existing structures within the boundaries of the **Comprehensive Wildfire Mitigation Plan**; Removal of dead and diseased trees, clean-up and maintenance of under-story growth and ground debris within common areas and on each privately owned property; Provision of or

improvement of an existing firefighting water supply; Community/subdivision ingress/egress and individual driveway improvements designed to accommodate adequate emergency vehicle access and turnaround areas; Create at least two usable points of ingress/egress to the community/subdivision; Provision of adequate road and address signage; Inclusion of new technology designed to mitigate wildfire hazards such as fire- retardant foam or gel applications, and/Retrofit existing structures with fire-resistive construction materials, particularly, fire-resistive deck and roofing materials. The Board may also consider preexisting Wildfire mitigation measures.

1.16.6 DEFINITIONS For the purpose of these Wildfire Regulation, certain terms are defined as follows:

COMPREHENSIVE WILDFIRE MITIGATION PLAN means an exhaustive, substantive compilation of commonly accepted practices designed to substantially decrease the hazards to life, property and the natural environment caused by wildfire.

DEFENSIBLE SPACE is a designated area surrounding a building or buildings that will be subject to fuel modification measures intended to reduce fire-spread potential between the structure and adjacent vegetation.

FIRE HYDRANT means a valve connection on a piped water supply system having one or more outlets that is used to supply hose and fire pumpers with water as approved by the Local Fire Authority Having Jurisdiction.

IGNITION RESISTANT CONSTRUCTION Ignition resistant building materials shall be one of the following types:

- Non-combustible materials (cement stucco, brick, stone, metal, cement fiber board, etc.)
- Logs greater than 6 inches in diameter
- Exterior walls listed as a one-hour fire-resistive assembly (i.e. 5/8" type X gypsum board behind exterior wood walls)
- Fire-retardant treated wood materials, identified for exterior use and tested to ASTM E-84 standard
- Type IV (Heavy Timber) construction as defined in the International Building Code

TREE CROWN is the needle or leaf bearing part of a tree. The crown edge is the tree's drip edge.

1.16.7 PROCEDURE

1.16.7.1 Hazard Rating Assignment Prior to the approval of a building permit applicable to these regulations, a Wildfire Hazard Rating must be determined for the subject property. The rating will determine the level of mitigation required for construction.

1.16.7.2 Wildfire Hazard Rating. Pursuant to the Eagle County Land Use Regulations, plans for subdivisions, Planned Unit Developments or Special Use Permits in Eagle County may be referred to the Colorado State Forest Service, or reviewed by the county's Wildfire Mitigation Specialist. The Wildfire Mitigation Specialist reviews the application and determines a wildfire hazard rating of low, moderate, high or extreme for the project.

Wildfire Hazard Rating, Not Assigned. A wildfire hazard rating must be obtained on properties for which the owner is applying for a building permit. Eagle County Wildfire Mitigation Staff, the Local Fire Authority Having Jurisdiction or the Colorado State Forest Service, using identical criteria, will determine site-specific wildfire hazard ratings.

Inspection. The level and type of Wildfire Hazard mitigation shall be determined by Eagle County Wildfire Mitigation Staff at the time of building permit plan check. During construction, the following site inspections shall be required.

Initial site inspections. Two (2) inspections shall be required prior to the issuance of a building permit. A wildfire hazard rating for the property must be available. Prior to the initial inspection being scheduled, the footprint of the proposed structure must be staked out on the ground. The first inspection shall establish the **Defensible Space**, identify trees and shrubs to be removed or pruned and list other mitigation measures to be performed within the **Defensible Space**. The second inspection shall be made to verify that **Defensible Space** actions identified during the first inspection have been completed.

Final Site Inspection. A final inspection to verify that all required mitigation actions have been completed or property utilized shall be conducted prior to the issuance of a Temporary Certificate of Occupancy (TCO) for the structure.

1.16.8 REQUIRED MITIGATION

1.16.8.1 Defensible Space Vegetation Management Zones. Defensible Space shall extend the distances specified in Table A set forth below (a minimum 70 feet for flat lots), or to the property lines, whichever is less. Defensible Space measurements shall commence from the building plane, and follow all projections and recessions on each side of the building. A Defensible Space required under these provisions shall also encompass, and extend from, all buildings on the property located within a 50-foot radius of the affected building. Within the **Defensible Space** identified through application of Table A, the following mitigation shall be provided (Reference Figure 1):

Zone 1: Is the area of maximum modification and treatment. The intent of Zone 1 is to reduce fuels that are immediately adjacent to flammable elements of the structure and to provide a clear access area for firefighting operations. Zone 1 is an area measured 15-30 feet from the edges of the structure. Ideally, all trees within Zone 1 should be removed to reduce the fire hazard. If a tree or cluster of trees must remain, it will be considered as an integral part of the structure and **Defensible Space** pursuant to Table A will be measured from the drip line of the tree or tree cluster.

This is particularly important if the building is sided with wood or other flammable materials. Decorative rock or irrigated, mowed grass creates an attractive, easily maintained nonflammable ground cover. If the house has noncombustible siding, widely spaced foundation plantings of low growing shrubs or other fire-resistant plants are acceptable (**Reference CSFS Publication 6.305, *Fire wise Plant Materials* or, the version of this publication currently in effect.**).

Frequent pruning and maintenance of plants in this zone is necessary. All dead branches, stems and leaves must be regularly removed. All trees within Zone 1 must be pruned to at least 10 feet above the ground, but no more than 1/3 the overall height of the tree (aspen trees, individual spruce, fir and pine specimens are exempt). All branches that interfere with the structure's roof or chimney must be removed. All ladder fuels (small shrubs, trees, tree limbs and other materials that allow fire to climb into the tree crown) must be removed from beneath the tree or tree cluster.

Zone 2: Is an area of fuel reduction. The size of Zone 2 depends on the slope of the ground where the structure is built (Reference Table A). Within this zone, the continuity and arrangement of vegetation is modified to reduce the intensity of any fire approaching the structure. Trees and shrubs must be thinned so that there is a minimum of 10 feet between crowns. Crown separation is measured from the furthest branch of one tree to the nearest branch on the next tree. All ladder fuels from under these trees must be removed. All trees must be pruned to at least 10 feet above the ground, but no more than 1/3 the overall height of the tree (aspen trees, individual spruce, fir and pine specimens are exempt). Dead stems and shrubs must be removed. No more than 2 dead trees per acre should remain for wildlife habitat. Dead trees, which can fall onto a structure or block an access, must be removed.

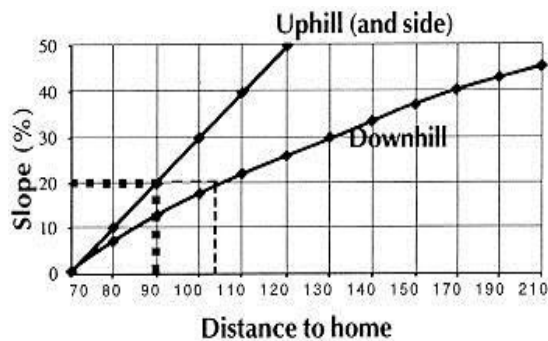


Table A: This chart indicates the minimum dimensions for defensible space from the home to the outer edge of Zone 2.

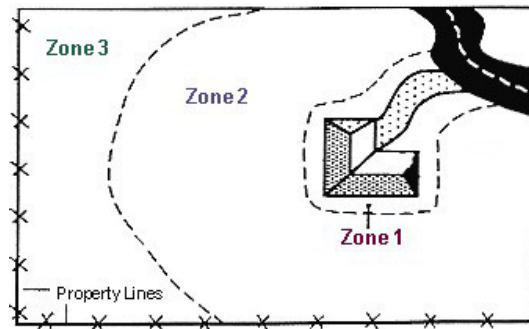


Figure 1: Property showing the three fire defensible zones around a home or other structure.

1.16.8.2 Construction. The following construction specific requirements shall be enforced based on a site's assigned Hazard Rating. The establishment of a **Defensible Space** shall be required in moderate, high and extreme hazard areas in accordance with the requirements of this regulation and Table A.

1.16.8.3 Low Hazard Construction. No additional construction mitigation measures required.

1.16.8.4 Moderate Hazard Construction. Structures located within a Moderate Wildfire Hazard area shall be required to implement **Defensible Space** pursuant to Table A. All roof assemblies shall be class A or class B as defined in the building code in effect at the time of building permit application. Decks shall be of ignition-resistant construction. Decking materials shall be tested to ASTM E-84 standards and given a flame-spread ratio less than or equal to 75. Horizontal soffits greater than 48 inches shall be of ignition-resistant construction. Vents for roof ventilation shall have a non-combustible cover, and metal screening no greater ¼".

1.16.8.5 High Hazard Construction. Structures located within High Wildfire Hazard areas shall be required to implement **Defensible Space** pursuant to Table A and shall incorporate ignition-resistant construction as defined in this regulation. All roofs shall be class A as defined in the building code in effect at the time of building permit application. Decks, eaves and soffits shall be of ignition-resistant construction. Decking materials shall be tested to ASTM E-84 standards and given a flame-spread ratio less than or equal to 25. Vents for roof ventilation shall have a non-combustible cover, and metal screening no greater ¼". The creation of an area of non-combustible landscaping surrounding the structure (i.e. stone, gravel, concrete, etc.) extending 3-5 feet from the foundation walls, may be acceptable in lieu of ignition-resistant exterior walls in some circumstances depending on site-specific wildfire hazards determined by the Wildfire Mitigation Specialist.

1.16.8.6 Extreme Hazard Construction. Site and construction-specific requirements for structures proposed in areas that have been assigned an Extreme Wildfire Hazard rating shall be determined by the Wildfire Mitigation Specialist and the Local Fire Authority Having Jurisdiction on a case by case basis. The extreme rating may be downgraded through implementation of various vegetation management techniques designed to mitigate the overall wildfire hazard present on the site and/or by providing a reliable year-round source of water for firefighting purposes. Fire hydrant(s) must conform to the requirements of the fire code in effect at the time of application or, as otherwise determined by the Local Fire Authority Having Jurisdiction. Water tanks, cisterns and/or dry hydrants shall meet the requirements of the *National Fire Protection Association (NFPA) Bulletin Number 1142, Suburban and Rural Fire Fighting, 2001 Edition* or, the edition of the referenced publication currently in effect. The Local Fire Authority Having Jurisdiction may approve an alternative standard.

1.16.8.7 Additions. Additions requiring a building permit in moderate, high or extreme hazard areas will require that **Defensible Space** be developed around the addition as well as the existing structure in accordance with the requirements of this regulation and Table A. Construction of the addition shall be in accordance with the requirements of Section 3.12.4.2 of this regulation.

1.16.8.8 Exterior Decks. Exterior decks requiring a building permit will require that **Defensible Space** be developed around the deck as well as the existing structure in accordance with the requirements of this regulation and Table A and shall also be constructed in a manner consistent with this regulation per the fire hazard rating assigned to the property.

1.16.8.9 Roofing or Siding of Existing Buildings. When re-siding or re-roofing an existing building requires a building permit, materials and construction shall comply with this regulation based on the fire hazard rating assigned to the property.

1.17 PERMITS

1.17.1 The Building Division shall issue a permit where:

A. An application for a permit has been made in accordance with the provisions of this Building Resolution.

B. The proposed work set out in the application conforms to this Building

Resolution and all other laws, regulations, resolutions, or orders having application in Eagle County.

- C. All construction drawings, applications, and permit fees have been submitted and approved.
- D. A separate right of way construction permit for driveways will not be required prior to building permit issuance, unless otherwise determined by the County Engineer. This will apply to all driveways connected to Eagle County Roads and in accordance with the Eagle County Land Use Regulations and Engineering Criteria Manual. The right-of-way construction, permit application, and permit fees will be enforced and regulated by the Eagle County Engineer.

1.17.2 The Building Division shall not issue a permit where:

- A. The proposed work, as set forth in the application, or the proposed use of the building or structure when completed, does not comply with the provisions of the Eagle County Land Use Regulations;
- B. The owner or applicant, in relation to the proposed lot or site, has not complied with the provisions of the Eagle County Land Use Regulations controlling the subdivision, platting, partitioning, or other division of land;
- C. An OWTS is necessary, and the proposed site does not meet the requirements, conditions, or imposed provisions of State law or regulation of the Colorado Water Quality Control Commission, or of any Eagle County Public Health Agency OWTS Regulations. Where an OWTS is necessary and the proposed site meets the requirements or conditions therefore imposed by a provision of the aforesaid laws, regulations, or resolutions, the Building Official shall not issue a permit until an OWTS permit has first been issued in writing by the Environmental Health Department;
- D. The proposed site is located, all or in part, within any area determined by the Code Official to necessitate special building requirements as a result of geological hazards or Flood Plain Hazard Area in any county resolution; and the special permit required by such resolution has not been obtained by the applicant. All special building requirements included in any such special permit shall be incorporated into the permit issued to the applicant under this Building Resolution;

E. The proposed work is to be done within a subdivision (including a re-subdivision) for which a final plat (including any relevant amended final plat) has not been approved and for which a Subdivision Improvements Agreement, if required by or for the final plat approval, has not been entered into.

F. No Building Permit shall be issued until site plans are presented that show an on- site area that is and will remain available for off-street parking and storage of construction materials.

1.18 FEES

1.18.1 The schedule of fees to be charged for the issuance of a permit under this Resolution shall be as set forth in Section 1.1 above.

1.18.2 The estimated value of the work shall be reviewed by the Building Official. The Building Official shall account for all fees paid under this Building Resolution for any building, mobile-home placement and all fees shall be deposited in the County General Fund. (See 3.05, Section 109.3. of the ECBR).

Each application for a permit shall include a permit checklist that is available at www.eaglecounty.us or at any of the Eagle County Community Development Offices.

1.19 DOCUMENTS ON THE SITE

1.19.1 The person to whom the permit is issued shall, during construction, keep:

1.19.1.1 Posted in a conspicuous place on the property in respect of which the permit was issued, a copy of the building permit throughout the construction process.

1.19.1.2 The approved field set of construction drawings and specifications including any plan addendums, modifications or other documents required by the Building Official.

1.20 APPEALS

- 1.20.1 A Board of Review is hereby created pursuant to Colorado Revised Statutes Section 30-28-206, as amended. This Section 3.15 shall replace and supersede the following code sections: IBC 113, IRC R112, IPC 109, IMC 109 and IFGC 109.
- 1.20.2 Appeals to the Board of Review may be taken by any person aggrieved by that person's inability to obtain a building permit or by an officer, department, board or bureau of the county affected by the grant or refusal of a building permit. Any person, officer, department, board or bureau may appeal to the Board of Review from the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of the provision of the Building Resolution.
- 1.20.3 Appeals to the Board of Review:
- 1.20.3.1 Membership of the Board of Review: A Board of Review, consisting of a minimum of three (3) and maximum of five (5) members, shall be appointed by the Board of Commissioners to hear and decide appeals as provided hereunder. The Board of Review shall appoint from its membership, a Chairman and a Secretary who shall keep a written record of all proceeding of the Board.
 - 1.20.3.2 Qualifications of Board Members: If any such persons are available in the County, each member shall be a licensed professional engineer or architect or a building contractor or superintendent of building construction, or other person qualified by experience and training to pass on matters pertaining to building construction and at least one member shall, if possible, be a licensed architect and one member shall be a licensed structural or civil engineer.
 - 1.20.3.3 Terms of Office. The term of office of each member of the Board of Review appointed under this Building Resolution shall be for five (5) years. Said terms shall be so arranged that the terms of at least one member will expire each year. When a person is appointed to fill out the term of a departing member, that person's term shall end at the time the departing member's term would have ended.
 - 1.20.3.4 Removal from Office. Any member of the Board of Review may be removed for cause by the Board of County Commissioners upon written charges and after a public hearing.
 - 1.20.3.5 Vacancies. Whenever a vacancy occurs on the Board of Review, the member's position shall remain vacant until a new

member can be appointed by the Board of County Commissioners.

- 1.20.3.6 Application for Appeal: The Board of Review shall have the authority to hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of this Building Resolution. The Board of Review shall have no authority relative to interpretation of the administrative provisions of this Building Resolution nor shall the Board be empowered to waive requirements of the building, plumbing, mechanical, fuel gas, fire, energy conservation codes or this Building Resolution.
- 1.20.3.7 Fees: Fees for a Board of Review hearing shall be \$100.00 payable to the Eagle County Treasurer at the time of application for appeal.
- 1.20.3.8 Time for Appeal: An appeal shall be commenced within 10 days from the date of the decision appealed from by filing a written Notice of Appeal with the Secretary of the Board of Review. The Notice of Appeal shall set forth the decision appealed from.
- 1.20.3.9 Board Action on Appeal: Upon receipt of a Notice of Appeal, the Secretary shall schedule said appeal for hearing within 30 days of receipt of said Notice, or if the Board has adopted a regular schedule of meetings, not later than the third regular meeting following receipt of the Notice. The Secretary shall there upon mail written notice of the date, time, and place of the hearing to the Building Official and to the appellant.
- 1.20.3.10 Meetings. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board in its rules of procedure may specify. The Chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and it shall keep records of its examinations and other official actions, all of which shall be filed in the office of the Board and shall be a public record. The Board shall adopt reasonable rules and regulations for the conduct of meetings.
- 1.20.3.11 Rulings: The Board shall issue its findings and rulings thereon in writing not later than 30 days after the hearing, or not later than the second regular meeting following the hearing, if a regular schedule of meetings has been adopted by the Board. The Secretary shall mail copies of the findings and rulings to the Building Official and appellant.

1.20.4 APPEALS TO THE BOARD OF COUNTY COMMISSIONERS

A. Grievances: Any person aggrieved by a decision of the Board of Review shall have the right of appeal therefrom to the Board of County Commissioners. Such appeal shall be made within thirty (30) days from the date of the decision of the Board of Review, In the case of an appeal by the Building Official, the original appellant shall be notified within five (5) days from the date of the decision that the Building Official intends to appeal the decision.

B. Procedure: Appeals hereunder shall be commenced by filing a written Notice of Appeal with the Clerk to the Board of County Commissioners, who shall schedule the appeal for hearing not later than the second regular meeting following receipt of said Notice. The Clerk shall notify the Secretary of the Board of Review, the Building Official and the appellant in writing of the date, time and place of the hearing.

C. Fees: The fee for appeals to the Board of County Commissioners shall be \$100.00 payable to the Eagle County Treasurer at the time of application for appeal.

D. Transmission of Files: Upon receipt of the Notice from the Clerk, the Secretary of the Board of Review shall transmit the file containing all exhibits, testimony and evidence of whatsoever kind to the Clerk not later than ten (10) days prior to the scheduled hearing.

E. Hearing: At the hearing, the Board of County Commissioners shall examine the file and consider any additional evidence which it deems appropriate. Strict rules of evidence shall not apply.

F. Ruling: Within ten (10) days from the date of the hearing the Board of County Commissioners shall issue its written ruling affirming, modifying, or reversing the ruling of the Board of Appeals. Copies of the ruling shall be mailed to the Secretary of the Board of Appeals, the Building Official, and the appellant. The Building Official shall then take whatever action is indicated by the ruling of the Board of County Commissioners.

1.21 PENALTY

1.21.1 The Building Official, or authorized representative, is authorized to administer and enforce this Building Resolution. It shall be unlawful to erect, construct, reconstruct, alter or remodel any building, structure or dwelling, except buildings or structures used for the sole purpose of providing shelter for agricultural implements, farm products, livestock, or poultry, without first obtaining a building permit from the County Building Official. The County Building Official shall not issue any permit unless the plans for the proposed erection, construction,

reconstruction, alteration, or use fully conform to all County zoning and general regulations then in effect. No person, firm, or corporation shall occupy or use any building, structure, or dwelling or OWTS in violation of the provisions of this Building Resolution.

- 1.21.2 The Building Official, or authorized representative, is authorized to enter upon private property for the purpose of administering this Building Resolution. The owner of the property shall give the Building Official free access after Eagle County has given reasonable notice for such survey or inspection. If access is denied, the Building Official may apply to the District Court of Eagle County for an order authorizing entry.
- 1.21.3 Whenever the Building Official, or authorized representative, has personal knowledge of any violation of this Building Resolution, the Building Official shall give written notice to the violator to correct the violation within ten (10) calendar days after the date of the notice. Where the violator fails to correct the violation within the ten (10) day period, the County Building Inspector or Code Enforcement Officer may request that the County Sheriff issue a summons and complaint to the violator, stating the nature of the violation with sufficient particularity to give notice of the charge to the violator. Any violation of the County Building Code shall be deemed a nuisance.
- 1.21.4 Any person or entity who violates the provisions of this Building Resolution commits a civil infraction and shall be subject to a fine of not more than one hundred dollars (\$100). Each day during which such illegal erection, construction, reconstruction, alteration, maintenance, or use continues shall be deemed a separate offense.
- 1.21.5 In addition to the penalties set forth in Section 3.19.2 of this Building Resolution, any person or entity violating the provisions of this Building Resolution may also be subject to the imposition, by order of the county court, of a civil penalty in an amount of not less than five hundred dollars (\$500), nor more than one thousand dollars (\$1,000). Each day after the issuance of the order of the county court during which such unlawful activity continues shall be deemed a separate violation and shall be the subject of a continuing penalty in an amount not to exceed one hundred dollars (\$100) for each such day. Until paid, any civil penalty ordered by the county court and assessed under this subsection shall, as of recording, be a lien against the property on which the violation has been found to exist. In case the assessment is not paid within thirty days, it may be certified by the county attorney to the county treasurer, who shall collect the assessment, together with a ten

percent penalty for the cost of collection, in the same manner as other taxes are collected. The laws of this state for assessment and collection of general taxes, including the laws for the sale and redemption of property for taxes, shall apply to the collection of assessments pursuant to this subsection. Any lien placed against the property pursuant to this subsection shall be recorded with the clerk and recorder.

1.21.6 In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, remodeled, used or maintained in violation of the provisions of this Building Resolution, the Board of County Commissioners, the Building Official, the County Attorney, or the District Attorney of the District, in addition to other remedies provided by law, may institute an appropriate action for injunction, a lien, mandamus, or abatement to prevent, enjoin, abate, or to remove such unlawful erection, construction, reconstruction, alteration, remodeling, maintenance, or use.

1.22 WAIVER

The Building Official may waive any permit requirements set forth in this Building Resolution only after a determination that the effect of such a waiver is minor and will not affect the health, safety and welfare of the persons occupying buildings of Eagle County.

1.23 REPEAL

Upon the approval and adoption of this Building Resolution by the Board of County Commissioners, all existing or previously adopted Building Resolutions be and the same are hereby repealed and superseded by this Resolution.

1.24 SEVERABILITY

The Eagle County Board of Commissioners hereby declares that if any section, subsection, clause or phrase of this Building Resolution or of the **2021** Codes adopted by this Resolution, is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Building Resolution and/or the **2021** Codes.

1.25 EFFECTIVE DATE

This Building Resolution shall be effective as of January 21, 2025, the date of approval by the Board of County Commissioners. Building permit applications submitted to the County prior to January 21, 2025, shall be reviewed under the requirements of the previous version of the Building Resolution.

TABLE 1
Eagle County Permit Requirements

(1) BUILDING (2) PLUMBING (3) ELECTRICAL (4) MECHANICAL (5) GRADING (6)
ON-SITE WASTEWATER TREATMENT SYSTEM (7) SIGN (8) MANUFACTURED
HOUSING HOOKUP (9) FIRE ALARM SYSTEM (10) FIRE SPRINKLER SYSTEM (11)
RIGHT OF WAY CONSTRUCTION PERMIT*

ROUTING ABBREVIATIONS: BUILDING DIVISION=BD ENVIRONMENTAL HEALTH=EH

PLANNING DIVISION=PD ENGINEERING=EG

(This Table is a Permit Requirement Guideline **ONLY**, and does not take precedence over the International Codes as adopted
by Eagle County)

CLASSIFICATION OF PROJECTS	SPECIFIC PROJECTS	NO PERMIT REQUIRED	PERMIT (S) REQUIRED	REVIEW REQUIRED	SITE PLAN REQUIRED
New Structures & Factory Built Structures & Manufactured on Private Land	Building of New Residential Structures		1, 2, 3, 4, 5, 6, 9, 10, 11	BD, EH, PD, EG	X
	Building of New Non-Residential Commercial Structure		1, 2, 3, 4, 5, 6, 9, 10, 11	BD, EH, PD, EG	X
	Moving of Existing Structure to New Location		1, 6, 11	BD, EH, PD, EG	X
	Moving of Manufactured Housing into a Mobile Home Park		3, 8	BD, PD	X
	Moving & Setting of Factory Built Structure on Building Site		1, 2, 3, 4, 5, 6, 11	BD, EH, PD, EG	X
Grading with No Other Construction	All Grading		5	EG	X
	One story detached buildings used as tool and storage sheds playhouses and similar uses provided the projected roof area does not exceed 120 s.f. and the height of said buildings does not exceed 10 feet at peak of roof.	X			
Condemned Buildings	Demolition of the Whole or Part of Building, Factory Built Structures, or Manufactured Housing		1	BD, PD	

Additions & Alterations to Exterior Construction & On-Site Accessory Construction	Additions & alterations involving bedroom, bathroom, kitchen, living room, or other accessory rooms		1, 2, 3, 4, 6, 9, 10	BD, EH, PD, EG	X
	Additions & alterations involving an attached or detached garage or shop		1, 2, 3, 4, 5, 6	BD, PD, EH, EG	X
	Non-structural sidewalks/slabs	X			

CLASSIFICATION OF PROJECTS	SPECIFIC PROJECTS	NO PERMIT REQUIRED	PERMIT (S) REQUIRED	REVIEW REQUIRED	SITE PLAN REQUIRED
Additions & Exterior Construction & On Site Accessory Construction	Decks and Patios not over 30 inches above grade with no permanent construction above the floor line Decks, Entry Porches, Etc.	X	1, 3	BD, PD	X
	Retaining Walls, over 4 feet in height (Engineering Required)		1,11	BD, EG	X
	Fences over 6 feet in height		1,11	BD, PD,EG	X
	Fences used for Agricultural purposes only or those fences under 6 feet in height	X			
	Erection of Exterior Signs (Except as Exempt in Zoning Resolutions)		7,11	BD, PD,EG	X
	All Non-Structural Landscaping	X			
Exterior Repair & Replacement &/or Addition	Replacement of Roof Repair or Replacement of Exterior Siding	X	1	BD	
	Replacement or Addition of Exterior Window		1	BD	
	Repair of Existing Exterior Window		1		
	Addition of Exterior Door		1	BD, PD	
	Repair or Replacement of Existing Exterior Door		1		
Interior Repair & Replacement &/or Addition	Repair or Replacement of floor covering	X			
	Painting, Papering or Similar Finish Work-Exterior or Interior	X			
	Installation of Wood burning Stove or Fireplace		4	BD	

TABLE 2
Building Permit Fees

Each application shall include an additional plan review fee equal to 65% of Permit Fee.

Total Valuation	Fee
\$1.00 to \$500.00	\$27.50
\$501.00 to 2,000.00	\$27.50 for the first \$500.00 plus \$3.60 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$80.25 for the first \$2,000.00 plus \$16.30 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$456.75 for the first \$25,000.00 plus \$11.75 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$745.50 for the first \$50,000.00 plus \$8.15 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1150.00 for the first \$100,000.00 plus \$6.55 each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3738.00 for the first \$500,000.00 plus \$5.55 for each additional \$1,000.00, or fraction thereof to and including \$1,000,000.00
\$1,000,001.00 and up	\$6480.00 for the first \$1,000,000.00 plus \$4.30 for each additional \$1,000.00, or fraction thereof

Other Inspections and Fees:

1. Inspections outside of normal business hours \$55.00 per hour (minimum charge 2 hours)
2. Re-inspection fees.....\$100.00
3. Inspections for which no fee is specifically indicated..... \$55 per hour
4. Additional plan review required by changes, additions or revisions to plans \$55 per hour
5. For use of outside consultants for plan checking and inspections, or both Actual costs
6. Requests for specialized reports will be charged (1/2 hour minimum) \$55 per hour
7. Moving or demolishing any building or structure..... \$55 per inspection

TABLE 3
Wildfire Inspection and Review Fees

Inspections are not necessary for properties with a low hazard rating. Inspections: Three (3) field inspections and one (1) hour plan review time..... \$200.00
Additional inspections \$55 per inspection

TABLE 4
Fees for Factory built, Manufactured Housing/Mobile Homes

Single Wide Unit (includes 2 inspections and 1-hour plan review)..... \$140.25
Double Wide Unit (includes 3 field inspections and 2-hour plan review)..... \$233.75

TABLE 5
Mechanical Permit Fees

Total Valuation	Fee
\$1.00 to \$2,000.00	\$40.00
\$2,001.00 to \$25,000.00	\$40.00 for the first \$2,000.00 plus \$20.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 and up	\$500.00 for the first \$25,000.00 plus \$10.00 for each additional \$1,000.00 or fraction thereof
Re-inspection fees.....	\$100.00

Total Valuation shall be actual value of work or calculated at a minimum 5% of the building valuation. Fireplaces shall require a separate permit based on the valuation of the work for the fireplaces.

TABLE 6
Plumbing Permit Fees

Total Valuation	Fee
\$1.00 to \$2,000.00	\$40.00
\$2,001.00 to \$25,000.00	\$40.00 for the first \$2,000 plus \$20.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 and up	\$500.00 for the first \$25,000.00 plus \$10.00 for each Additional \$1,000.00, or fraction thereof
Re-inspection fees.....	\$100.00

Total Valuation shall be actual value of work or calculated at a minimum 5% of the building valuation.

TABLE 7
Electrical and Fire
Alarm Permit Fees

A. Residential (Single Ownership Residence)

This fee (based on the enclosed living area only) includes construction of, or remodeling or addition to a: single family home, duplex, condominium, town house. *If you are ONLY changing or providing a service and not wiring any portion on the above, see section B below for correct permit fee.*

Not more than 1,000 square feet	\$ 120.00
Over 1,000 square feet and not more than 1,500 square feet.....	\$168.00
Over 1,500 square feet and not more than 2,000 square feet.....	\$216.00
Per 100 square feet in excess of 2,000 square feet	\$ 9.60

B. All Other Fees

All other fees, including service hookups to modular home and temporary construction meters, shall be computed on the dollar value of the electrical installation, including time and materials, whether they are provided by the contractor or the property owner. Such fees shall be computed as follows: (See Section C for the fees for inspections in mobile home and travel parks)

Valuation of work: (Actual cost to customer) Fee

\$1.00 to \$2,000.00	\$ 120.00
\$2,001.00 and above	\$ 9.60 per thousand or fraction thereof plus \$120.00

C. Mobile home and travel trailer parks, per space..... \$ 120.00

D. Re-inspection fee for all of the above..... \$ 57.50

E. Temporary power permits \$ 65.00

F. For issuing each transfer permit \$20.00

G. Other Inspection fees

Inspections outside of normal business hours (minimum 2 hour)	\$55.00 per hour
Re-inspection fee.....	\$57.50
Inspections for which no fee is specifically indicated (minimum 1 hour)....	\$55.00 per hour
Additional plan review required by changes, additions or revisions to approved plans (minimum 1 hour)	\$55.00 per hour

TABLE 8
Grading Permit Fees

A. Grading permit fees.

50 cubic yards or less	\$32.50
51 to 100 cubic yards	\$65
101 to 1,000 cubic yards	\$130
1,001 to 10,000 cubic yards	\$260
10,001 to 100,000 cubic yards	\$520
100,001 cubic yards or more	\$1,040

B. Grading plan review fees

50 cubic yards or less	\$50
51 to 100 cubic yards	\$100
101 to 1,000 cubic yards	\$200
1,001 to 10,000 cubic yards	\$400
10,001 to 100,000 cubic yards	\$800
100,001 cubic yards or more	\$1,600

Other inspections and fees

Inspections outside of normal business hours (minimum 2 hours).....	\$100.00 per hour**
Re-inspection fees	\$100.00 per hour**
Inspections for which no fee is specifically indicated (minimum ½ hour)	
.....	\$100.00 per hour**
Additional plan review required by changes, additions or revisions to approved plans	
(minimum ½ hour).....	\$100.00 per hour**

1. The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.
- 2.

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

TABLE 9
Address Sign Requirements

An addressing sign board will be required at all building sites for construction permitted through the Eagle County Building Division. A County Sign Permit is not required in this case.

This requirement will help County Building Inspectors, as well as subcontractors and suppliers, find the job site.

The dimensions shown are intended as guidelines only. Your sign must be legible and visible from the road that serves your driveway.

PERMIT NO. RES (COM) 00-00-0000
OWNERS NAME
ADDRESS
1234 YOUR STREET
LOT # BLOCK # FILING #
CONTRACTOR'S NAME

TABLE 10

**A-VENT AND SOLID-FUEL BURNING STOVE
CHIMNEY ENCLOSURE**

