



Town of Frederick Board of Trustees Agenda

Frederick Town Hall
Board Chambers
401 Locust Street
Tuesday, June 8, 2021

**6:30 P.M.
Work Session**

**7:00 P.M.
Regular Meeting**

In order to promote social distancing and to protect the health and safety of our Board members, staff, and community this meeting will be conducted via Zoom Video Communications. Interested parties are encouraged to access the meeting either via the web or by telephone. The meeting information is as follows:

Join Zoom Meeting

<https://zoom.us/j/98755304808>

Meeting ID: 987 5530 4808

One tap mobile

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Dial by your location

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Meeting ID: 987 5530 4808

Find your local number: <https://zoom.us/u/azjSLdSJh>

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Public Comment at a Virtual Meeting Board of Trustee Meeting

Interested parties who would like to address the Board of Trustees during the Public Comment portion of the agenda may address the Board of Trustees virtually or in person. **To address the Board in person, individuals may also appear at Town Hall (401 Locust Street Frederick, CO) and are asked to sign up on the sign-up sheet in the Board Room. Individuals who would like to attend virtually are asked to sign up to speak during public comment by emailing the Town Clerk at mmartinez@frederickco.gov. Individuals are asked to provide the Town Clerk the following information:

1. Name
2. Address
3. Topic for Comment
4. Phone Number or Name that will be utilized in the zoom meeting application
5. Any documents that will be shared in the meeting.

The Town Clerk will verify your attendance prior to the meeting and will test your connection and microphone.

If there are public hearings scheduled for the Board of Trustee meeting, individuals who wish to address the Board of Trustees virtually are asked to contact the Town Clerk via email at mmartinez@frederickco.gov by 5:00 PM on date of the meeting. Individuals are asked to provide the Town Clerk the following information:

1. Name
2. Address
3. Public Hearing Item for Comment
4. Phone Number or Name that will be utilized in the zoom meeting application
5. Any documents that will be shared in the meeting

**Individuals that would like to attend the meeting at Town Hall are asked to sign up on the public comment sheet in the board room.

Any individual who is attending the meeting and wishes to be address the Board of Trustees during Public Comment or a Public Hearing may utilize the “raise your hand” feature in the Zoom Meeting App.

How to raise your hand in Zoom

1. During the meeting, click on the icon labeled “Participants” at the bottom center of your PC or Mac screen
2. At the bottom of the window on the right side of the screen, click on the button labeled “Raise Hand.”



3. Your digital hand is now raised. Lower it by clicking the same button, now labeled “Lower Hand”
4. If you are on a mobile device, simply tap “Raise Hand” at the bottom left corner of the screen. The lower hand icon will turn blue and the text below it will switch to say “Lower Hand” while your hand is raised.

****In the interest of public safety in person attendees will be asked to wear a mask, have their temperature taken by the Frederick PD and sanitize their hands up entry to the building. Town Staff will be on hand to assist attendees****



Town of Frederick Board of Trustees Agenda

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Board Chambers
401 Locust Street
Tuesday, June 8, 2021

**6:30 P.M.
Work Session**

**7:00 P.M.
Regular Meeting**

Call to Order – Roll Call:

Pledge of Allegiance:

Approval of Agenda:

Special Presentations:

Public Comment: This portion of the agenda is provided to allow members of the audience to provide comments to the Town Board. Please sign in and the Mayor will call you. If your comments or concerns require an action, that item(s) will need to be placed on a later Agenda. Please limit the time of your comments to three (3) minutes.

Staff Reports:

- A. Administrative Report – Bryan Ostler, Town Manager
- B. Town Clerk’s Report – Meghan Martinez, Town Clerk

Consent Agenda: Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless a Board member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

- C. Resolution 21-R-28 Cancelling the Town Board Meetings on November 23, 2021, December 21, 2021, and December 28, 2021 – Meghan Martinez, Town Clerk

Action Agenda:

- D. Public Hearing on Adoption of the 2018 I Codes and the 2020 NEC – Chuck Sandifer, Chief Building Official

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1. Ordinance 1361 Amending Portions of Chapter 18 Building Regulations of the Frederick Municipal Code
 2. Ordinance 1362 Amending Chapter 18, Article III of the Frederick Municipal Code Regarding Regulations by Adoption of the 2018 International Fire Code with Local Amendments; and Providing a Penalty
- E. Resolution 21-R-29 Authorizing Full-Time Positions and Amending the Calendar Year 2021 Budget – Jason Leslie, Administrative Services Officer

Mayor and Trustee Reports:

Executive Sessions:

For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); regarding pending litigation

Adjournment:



Town of Frederick Memorandum

TO: Honorable Mayor and Board of Trustees

FROM: Bryan Ostler, Town Manager

DATE: June 8, 2021

CC: Town Staff
Local Media

SUBJECT: Departmental Report

Upcoming Board of Trustees Work Sessions – If there are topics that the Board would like staff to schedule for discussion, please let me know. The following topics are recommended for Board discussion (all meetings will be held in the Town Board Chambers unless otherwise indicated):

- June 8th - Regular Meeting
- June 15th - Work Session- Strategic Plan Update, Storm water Master Plan Update
- June 22nd - Regular Meeting
- June 29th -5th Tuesday- No Meeting

Police Department

- *Training* – Detective Billings recently attended training to be certified as a Computer Voice Stress Analyzer (CVSA) operator. CVSA is a very useful investigative tool that unlike the polygraph requires no wires be attached to the subject being tested. The CVSA uses only a microphone plugged into the computer to analyze the subject's responses and will infer truthfulness or deception in the subject's answer. The CVSA is effective in investigative situations such as homicide, sex crimes, robbery, white-collar crimes, and in internal affairs investigations, as well as pre-employment examinations for background investigators.
- *Leadership Retreat* – The command staff of the police department recently spent an afternoon in a retreat facilitated by Higher Ground Inc. The retreat was very successful and focused on ways to improve communication, especially in a 24/7 operation where it is difficult for all members of the command staff to gather on a regular basis. It should be noted, that the relationship amongst the command staff has far more strength than weakness, but communication is a topic that can always be approved.

Municipal Court

- Upcoming court dates:
 - June 10th
 - July 8th
 - July 29th (Replaces 8/11/2021 court date)
 - 8:30 Traffic Violations
 - 10:00 Criminal & Ordinance Violations

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- 11:00 Review Docket
- 11:30 Trial Docket/Zoom Docket

<i>Cases per month</i>	April	May	
Traffic Adult	61	48	
Traffic Juvenile	2	5	
Animal Violations	2	3	
Criminal Adult	0	3	
Criminal Juvenile	1	0	
Ordinance Violations	0	3	
Parking Tickets	0	1	
<i>Citations per month</i>	66	63	
<i>Court Revenue per month</i>	\$11,700.00	\$7615.00	

Administrative Services

Communications and Engagement

- *Events* – There are 7 event days in June:

6/1 – Tee & Tea Time with the Mayor at Bella Rosa

6/2 - Community Tour & Talk @ Prairie Greens 6 PM

6/11- Farmers Market 4 PM

6/16 - Community Tour & Talk @ Crist Park 6 PM (Georgia Boys)

6/25 - 6/27 - Frederick In Flight 6 AM

6/25 - Finale Friday & Farmers Market 4 PM

6/30 - Community Tour & Talk @ Johnson Farm 6 PM (Butcher and the Blonde)

- *Community Tour & Talk* – Our second Community Tour & Talk was hosted in Prairie Greens on June 3. We had beautiful weather, engaged residents, and served 65 meals. We had 5 submitted questions and comments from RSVP's. The next CT&T is in Crist Park on June 16 with Georgia Boys. It will be held near the gazebo. We are adding yard signs to each park the week prior to each event “Community Tour & Talk Here Next Wednesday”.
- *Event Sponsorship* – To date, we have \$37,550 in event sponsorships. We are actively seeking hot air balloon sponsors. We are \$9,300 shy of our sponsor goal.
- *Community Partnerships* – Angela volunteered for the FHS Education Foundation, driving a golf cart for graduation on May 29. Angela participated in the monthly Carbon Valley Networking (local nonprofits and agencies) meeting on June 3.
- *Training* – Angela and Zach participated in the Carbon Valley Emergency Operations Group - Interactive EOC on May 27.
- *Social Media* – We are working on a fireworks awareness campaign to include local stories and resident video testimonials.
- *Digital Media* – Golf tip videos are in production and on our Youtube channel. New Police ID cards are in production.
- *Training* – Jessica and Angela participated in the May ESPIOC (Emergency Services Public Information Officers of Colorado) Training on Storytelling on Social Media. Zach did website Civic Plus Training and Tricaster Training (in person and virtual).
- *Social Media* – We reached 3,418 people with the four posts we did on Instagram in regards to the Economic Development Week campaign.

Finance Department

- *Financial Statements* – Statement of Activities for April 2021 were generated, reviewed, and sent to Department Directors for budget to actual analysis. Our intent is to have department heads more involved in monitoring their monthly revenue and expenditures.
- *CAFR* – Generation of the Town's 2020 Comprehensive Annual Financial Report is underway, to include Financial Statements, MD&A, and related schedules

- *Administrative Receptionist* – After an extensive recruitment process, Becky Meier has been selected as the Receptionist for our Administrative Services location. Onboarding and training is underway.

Human Resources

- *Recruiting and Hiring* – Our staff keeps growing! We recently welcomed Tyler Farson, a new Police Officer, and Becky Meier, who will be filling Lori’s shoes as the new Receptionist at the Administrative Services Building. Lori is transitioning to her new role as the Human Resources Specialist, and will complete her transition once Becky is trained and ready to go. Welcome Tyler and Becky!

Planning Department

- *Development Applications* –

<i>Project Name (Date of Application)</i>	<i>Subdivision</i>	<i>General Location</i>	<i>Brief Description</i>
Bear Industrial Park, Block 1, Lot 8 4210 Bruin Site Plan (02/16/2021)	Bear Industrial Park	4210 Bruin	Site plan for 15,000 sf office and warehouse building for crane company.
Bear Industrial Park Replat 5, Block 1, Lot 1 – 4021 Kodiak Ct. Site Plan (02/18/2020)	Bear Industrial Park	4021 Kodiak Court	Site plan for a 1,000 square foot facility with outdoor storage.
Bear Industrial Park, Block 1 Lot 7 (4/5/2021)	Bear Industrial Park	9251 Bruin	Site plan amendment to add an 15,000 sq. ft. warehouse addition onto existing building.
CDOT Annexation- QT site Plan (10/26/2020)		Northwest corner of Hwy 52 and I-25	Annex approximately 7.52 into 5 lots, QT site plan to include a gas station and convenience store.
Colorado Blvd & Godding Hollow 7-11 Zoning and Final Plat (5/3/2021)		Southwest corner of Colorado Blvd and Godding Hollow	Zone 5.35 acre parcel and plat to create two lots. Northern lot will have a site plan processed for 7-11.
Colorado Blvd & Godding Hollow Conditional Use Site Plan (5/3/2021)		Southwest corner of Colorado Blvd and Godding Hollow	Development of southern parcel of land. Users not yet determined.
Eagle Business Park Filing 3, Lot 1B – Black Diamond Site Plan (10/21/19)	Eagle Business Park Filing 3	7400 Eagle Blvd.	Site plan for a 11,800 square foot office/warehouse.
Eagle Business Park Lot 1- Agilent Site Plan Amendment (2/22/2021)	Agilent	7051 Eagle Blvd.	Adding a storage building and walkway between buildings.

Frederick West Business Park Replat J Lot A Site Plan Amendment (1/15/2021)	Frederick West Business Park	Near Southwest corner of Miller Ave and Godding Hollow	Amendment to reduce the size of office/industrial building to single story.
Glacier West Business Park Lot 6 5792 Ideal Elmore and Spelts (2/01/201)	Glacier West Business Park	5792 Ideal	Amendment to add access drive to proposed outdoor storage area and making changes to update lot to compliance.
McDonald Farms Zoning and Conditional Use		7440 E. I-25 Frontage Road	Rezoning 2 parcels into industrial and requesting a conditional use permit for a recycling facility.
Meadowlark Business Park Filing 3 Replat A Lot 1 Block 1 Subdivision Amendment and Site Plan (5/17/2021)	Meadowlark Business Park		Amendment proposes to divide the lot into two separate lots. One lots for a 14,000 sq. ft. building for an office and fabrication warehouse.
Meadowlark Business Park Filing 2 Block 3 Lot 6 Conditional Use and Site Plan (1/15/2021)	Meadowlark Business Park	7613 Esther Circle	Site plan for single story 4,536 sq ft dental office building.
Nelson Lakes MOAPI Amendment	Nelson Lakes		Updating MOAPI conditions
<i>Project Name (Date of Application)</i>	<i>Subdivision</i>	<i>General Location</i>	<i>Brief Description</i>
Prairie Greens II (12/7/2020)	Prairie Greens	6460 Frederick Way	Request for vacation of easement and preliminary design for phase 4.
Prosperity- Final Plat (10/05/2020)	Prosperity	Prosperity	Approximately 70 acres developed into 206 single residential homes
Shores On Plum Creek No.2 Replat A Subdivision Amendment (5/3/2021)	Shores on Plum Creek	North of Hwy 52 and West of road 3.	Proposing 8.360 acres into a minor subdivision.
Silvers Minor Subdivision-Arrowleaf Landscaping (09/08/2020)	Silvers	10580 County Rd. 7	Site plan to make improvements to existing landscaping business.

Wyndham Hill Filing 10 Final Plat and Final Development Plan (11/16/2020)	Wyndham Hill	Generally west of WCR7, between WCR 14.5 and WCR 16.	Approximately 139 acres to be developed into 495 single family homes.
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Engineering Department

- *Building Permits* – Permits continue to turn in strong numbers in 2021. Numbers through May include: 223 single family building permits, 0 multi-family building permits and 4 commercial building permits. Comparatively, permit numbers through May 2020 included: 118 single family building permits, 4 multi-family building permits and 4 commercial building permits.
- *Building Code Updates* – An update to move to the IBC 2018 from 2012, as well as an update to move to the 2020 NEC from 2017 has been completed and came to the Board at the May 25th meeting. A second reading is scheduled for the June 8th Board meeting. The new codes are scheduled to take effect the end of June.
- *Colorado Blvd/Tipple Pkwy Intersection Improvements* – A contract for design services was awarded to Martin/Martin Consulting Engineers at the April 13th Board meeting. Location of existing utilities, surveying, traffic counts have all been completed. Geotechnical borings are scheduled for the week of June 7th. Design is scheduled to complete the end of October 2021.
- *Neighborhood Speed Control and Parking Program (no change)* – Staff is collecting data and putting together a program to help address concerns about local traffic issues. A draft version of the program will be ready to take to the Board in July 2021. Once we have Board feedback, the program will be directed toward various subdivisions and HOAs throughout Town.
- *Concrete Alleyway Project 2021 (no change)* – Continuing our annual concrete alley maintenance program, the 2021 project will improve the alley between 2nd Street and 3rd Street from Locust Street east to Maple Street. A contract for construction was awarded to Northstar Concrete at the April 13th Board meeting. A construction schedule for the alley project is being negotiated.
- *Pavement Maintenance Program 2021* – Contracts for our annual pavement maintenance program was awarded at the April 13th Board meeting. Asphalt Specialties will be providing the Crackseal and Mill/Overlay work. Vance Brothers will be providing the Slurry Seal work. The project includes the following:
 - Crackseal areas include:
 - No Name Creek subdivision
 - Eagle Valley subdivision
 - Rinn Valley subdivision
 - Old Town Frederick
 - Slurry seal application areas include:
 - Angel View subdivision
 - Countryside subdivision
 - Fox Run subdivision (specifically Bobcat)
 - No Name Creek subdivision
 - Mill and Overlay areas include:
 - Aggregate Blvd roundabout – Wyndham Hill subdivision
 - Savannah subdivision – Lincoln St, Emerson Ave and Gorham Ct
 - Moore Farm subdivision – Shetland Dr and Triple Crown Dr

- Crackseal work and patching is ongoing and most recently on Aggregate Blvd and Colorado Blvd.
- *Tipple Pkwy/Frontage Rd Streetlight (no change)* – Coordination efforts continue with CDOT and United Power regarding installation of a streetlight at this intersection. CDOT has requested an engineering study on the pros/cons of a light at this intersection. One concern that has been raised is how a new light would reflect onto the Interstate and negatively impact traffic. Staff has received a proposal from FHU to provide the evaluation that CDOT requires and we are advancing with this study. A meeting with CDOT and the Town is being scheduled to discuss further details.
 - *Raw Water Change of Use* – Engineering staff is coordinating with its water attorney and water rights consultant to evaluate its current raw water portfolio to support filing a change of use application in water court so that these raw water shares could be used for future town use. Preliminary data shows the Town having approximately 72 shares of Lower Boulder water or about 1,000 acre feet of water that can be changed to use for all municipal purposes within the Town's service area. Our initial submittal of the application (Catlin Application) to the Lower Boulder Ditch Company has been met with some resistance and the Town did attend the Lower Boulder Board Meeting on May 14th and made a case for supporting our application. The Lower Boulder has requested an in-person meeting with the Town to discuss our application in more detail and we expect a final determination. A final application to water court has been delayed a few months, but is expected to be filed in July, 2021.
 - *Windy Gap (no change)* – Engineering staff has finalized the agreement with Central Weld for storage of our 7 Windy Gap units into Dry Creek. With the Windy Gap decree finalized, the Little Thompson Water District accepted the Town and Central Weld's agreement to store the 2,000 acre-feet of water. Storage will firm the units so that the Town will be able to use this valuable water.
 - *Milavec Lake Raw Water Delivery* – Construction is complete. Milavec Lake has been filling and the level has risen 2.5' as of 6/3. Town staff has delivered a punchlist of items for the contractor to finalize over the next couple of weeks.
 - *FEMA Floodplain Updates (no change)* – FEMA has completed a new flood hazard study for our community. Preliminary Firm Maps have been delivered and the 90-day appeal is now underway. After the appeal time, these revised maps will become effective.
 - *Stormwater Master Plan (no change)* – Frederick and Dacono jointly submitted a Department of Local Affairs Energy Impact Grant application in December 2019 to develop a stormwater master plan and on April 3, the Town received notification that they were awarded funding! A contract was approved to Anderson Consulting Engineers at the June 23rd Town Board meeting. This project is underway and the consultant has completed an existing conditions model and has begun a draft of future conditions. An update to the Board is scheduled for a work session on June 15th. This contract is scheduled to take 18 months and complete the end of 2021.

Public Works Department

- *Streets* – Street sweeping continued in Countryside, Westview, Savannah, Angel View, Carriage Hills, Raspberry Hill, Eagle Valley, Summit View, Fox Run, The Farm, No Name, Moore Farms. Potholes and cracks reported by residents were filled along Majestic. Public Works crews graded CR 16.5, 5, 20.5 and prepared for magchloride treatment.
- *Parks* – Mowing and ongoing summer care of Town parks is in full force. Sunshades were installed in Centennial and No Name parks. The Splash Pad is up and running.
- *Water* – Spring flushing of 120 fire hydrants were completed in Coal Ridge, Angel View, and Savannah subdivisions. PW responded to a reported possible water leak at 318 4th St. A leak was not found. The service line was intact. Monthly water reads were completed.
- *Buildings* – Alan Isaac and Derrick Schmidt finished setting the generator at the Administration building. A small leak was repaired in the Town Hall restroom. The water heater in the Administration building was enclosed in a closet. At the PD/Sally Port, a roof leak was repaired. Thermostats in the Skate Park restroom were moved to the Supply Room to prevent vandalism.
- *Open Space* – Open Space mowing began – Summer is HERE! PW crews cut and mowed an Open Space trouble area behind Brophy Ct to the south group of trees.
- *Storm Water* – PW crews checked inlets and outlets around town after the rain storms, and around the Prairie Greens ponds.

- *Miscellaneous* – The Public Works Department recognized Public Works Week (May 17th thru 22nd) with a barbecue onsite. PW decorated Colorado Blvd with American flags honoring Memorial Day. Saturday, May 29th, PW offered a tree limb drop off for residents with 39 total drop offs participants. PW crews picked up trash along CR 5 and 17 (TV's, playground pieces and trash bags). Mosquito spraying began on 6/1/21. PW will spray twice every week, Tuesday and Thursday evenings, weather permitting. Installation of a hose reel and lights were installed at the new fuel station at Public Works.
- *Training* – PW crews were given a Safety Training on “Heat and Working Outside”. Rusty Ribble attended a webinar on high voltage, by speaker, Curtis Weber. Steve Johnson continues hands on training in PW Fleet Dept with John Ober and Steve Smith.



Town of Frederick Memorandum

TO: Honorable Mayor Tracie Crites and Board of Trustees

FROM: Meghan Martinez, Town Clerk

DATE: June 4, 2021

SUBJECT: Town Clerk's Report

- *Commissions Updates*
 - Frederick Arts Commission
 - Conducted condition surveys of all wood carvings, public works will begin sealing the carvings and a few will be removed due to safety concerns.
- *AV Updates*
 - Staff has completed testing of the system and we plan to go live with the new setup at the June 8th meeting. We are excited for you to see the advances we have made.
 - The broken monitor on the dais has been replaced by our vendor and staff is working to mount the monitors to the dais to help with space issues.
- *Liquor Licensing*
 - Working on a number of renewal applications
- *Records Management*
 - Our records management system has been upgraded and we will start rolling out new tools to staff to help provide solutions and efficiencies for processes across the organization.
 - Working with our vendor to implement workflow and forms to help increase efficiencies for departments. We will be piloting a small project for testing and to see how it can help the organization as a whole.

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TOWN OF FREDERICK

Board of Trustees

Action Memorandum

Tracie Crites, Mayor

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Adam Mahan, Trustee


Rusty O'Neal, Trustee
Kevin Brown, Trustee
Windi Padia, Trustee

Resolution Canceling the Board Meetings on November 23rd, December 21st, and December 28th.

Agenda Date: Town Board Meeting – June 4, 2021

Attachments: a. Resolution

Submitted by: 
Town Clerk

Approved for Presentation: 
Town Manager

Quasi-Judicial

Legislative

Administrative

Summary Statement:

The attached resolution would cancel the board meetings scheduled November 23rd, December 21st, and December 28th of the 2021 calendar year.

Detail of Issue/Request:

Typically, the Board of Trustees cancels the board meetings on the weeks around the Thanksgiving and Christmas Holidays. Approval of the attached resolution would cancel the meetings on November 23rd, December 21st, and December 28th.

Legal Comments:

The Town Attorney reviewed the resolution.

Alternatives/Options:

The Board may choose not to cancel the meetings.

Financial Considerations:

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Not applicable.

Staff Recommendation:

Staff takes no position on the cancelation as this is strictly a decision by the governing body.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 21-R-28**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO,
CANCELLING THE TOWN BOARD MEETINGS ON NOVEMBER 23,
2021, DECEMBER 21, 2021 AND DECEMBER 28, 2021**

WHEREAS, the Board of Trustees of the Town of Frederick recognizes that Thanksgiving week and days leading up to and following the Christmas holiday are significant holidays and traditionally the Board has not held regularly scheduled meetings during Thanksgiving week or prior to and immediately following Christmas.

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. The regularly scheduled Town Board meetings on November 23, 2021, December 21, 2021 and on December 28, 2021 are cancelled.

Section 2. Effective Date. This resolution shall become effective immediately upon adoption.

Section 3. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 4. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND SIGNED 8th DAY OF JUNE, 2021

ATTEST:

TOWN OF FREDERICK

By _____
Meghan C. Martinez, CMC, Town Clerk

By _____
Tracie Crites, Mayor



TOWN OF FREDERICK

Board of Trustees

Action Memorandum

Tracie Crites, Mayor

Dan March, Mayor Pro Tem
Adam Mahan, Trustee
Kevin Brown, Trustee

Mark Lamach, Trustee
Rusty O'Neal, Trustee
Windi Padia, Trustee

Public Hearing on Adoption of the 2018 I Codes and the 2020 NEC


Agenda Date: Town Board Meeting – June 8, 2021

Attachments:

- a. Revised draft of Section 18 of the Frederick Municipal Code
 - 1. Ordinance 1361
 - 2. Ordinance 1362

Finance Review: _____
Finance Director

Submitted by: Chuck Sandifer
Chief Building Official

Approved for Presentation: 
Town Manager

Quasi-Judicial Legislative Administrative

Summary Statement:

The Town of Frederick has been in the 2012 I-Codes and the 2017 NEC since 2015. It is time to update our codes and code requirements. The State of Colorado is mandating the 2020 NEC go into effect in August of 2021 for all jurisdictions.

The 2012 code cycle is 9 years old and there have been many improvements regarding newer building concepts such as approved materials and methods of construction. Some sections have been removed in their entirety, some have been modified and other sections have been added for clarification. There has been a tremendous amount of newer technology over the last 9 years and we need to be proactive, not reactive, to those changes.

Detail of Issue/Request:

Update the following codes:
2017 NEC to the 2020 NEC (National Electric Code)

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2012 IRC to the 2018 IRC (International Residential Code)
2012 IBC to the 2018 IBC (International Building Code)
2012 IPC to the 2018 IPC (International Plumbing Code)
2012 IMC to the 2018 IMC (International Mechanical Code)
2012 IFGC to the 2018 IFGC (International Fuel Gas Code)
2012 IECC to the 2018 IECC (International Energy Conservation Code)
2012 IPMC to the 2018 IPMC (International Property Maintenance Code)
2012 IFC to the 2018 IFC (International Fire Code)
Add 2018 ISPSC (International Swimming Pool & Spa Code)

Adopting the newer codes would make the Town of Frederick consistent with other municipalities. There would be better code consistency for contractors coming into Frederick to do work. Most are already accustomed to the 2018 codes and currently are having to revert back to the 2012 I-codes to do business with the Town of Frederick.

Notifications have been sent to all licensed contractors. In addition, the Building Department worked with the communications team to notify the community of these changes via the Frederick Flash, Facebook, Twitter, and the Town of Frederick Newsletter. Staff received a few inquiries regarding roofing but no other inquiries were received regarding the changes.

The Building Department worked with the Town Clerk to meet the requirements of state statute for adoption by reference. Those requirements have been.

Legal/Political Considerations:

New code verbiage has been reviewed and edited. The Town Attorney has drafted the ordinances as resolutions.

Alternatives/Options:

The Town has the option of not approving the 2018 I-Codes and staying with the 2012 I-Codes. The 2020 NEC will have to be adopted by the Town of Frederick by August 2021 as per the State of Colorado's requirements.

Financial Considerations:

There will be no cost impact for adopting all updated I-Codes and NEC.

Staff Recommendation:

Staff recommends the Board of Trustees approve the ordinances are presented.

ORDINANCE NO. 1361

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, AMENDING
PORTIONS OF CHAPTER 18 BUILDING REGULATIONS OF THE
FREDERICK MUNICIPAL CODE.**

WHEREAS, the Town of Frederick is a statutory municipality created and organized pursuant to Title 31, Colorado Revised Statutes; and,

WHEREAS, the Town of Frederick has authority, pursuant to Colorado Revised Statutes § 31-15-401 et. seq. and C.R.S. § 31-15-601 et. seq. to enact and enforce building codes for the orderly and safe development within the Town; and,

WHEREAS, the Town of Frederick has adopted building regulations as codified in Chapter 18 of the Frederick Municipal Code; and,

WHEREAS, pursuant to C.R.S. §31-15-602, the Town is required to adopt and enforce an energy code that complies with the requirements of the State of Colorado; and,

WHEREAS, pursuant to C.R.S. §12-155-106, the Town is required to adopt and enforce a plumbing code that complies with the requirements of the State of Colorado; and,

WHEREAS, pursuant to C.R.S. §12-115-107, the Town is required to adopt and enforce an electric code that complies with the requirements of the State of Colorado; and,

WHEREAS, many of the State standards are adopted model codes produced by the International Code Council and contain references between codes; and

WHEREAS, many of the State has recently adopted updated versions of several codes to a more recent edition; and

WHEREAS, the Board of Trustees has determined that the various adopted code editions for the Town must be updated to be compliant with the State of Colorado; and,

WHEREAS, pursuant to C.R.S. §31-16-202, the adoption of the various codes may be done by reference.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF FREDERICK, AS FOLLOWS:**

Section 1. Section 18-1-60, Frederick Municipal Code, entitled “Adopted” is hereby amended with deleted language struck through and added language underlined as follows:

Sec. 18-1-60. Adopted.

The following codes are hereby adopted and enacted by reference:

(1) The ~~2012~~ 2018 *International Building Code*, as published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, ~~June 2014~~ August 31, 2017, Chapters 1 through 35 inclusive and Appendices A and I, is hereby incorporated by this reference as part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The adopted code includes comprehensive provisions and standards regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of buildings and structures for the purpose of safeguarding the public health, safety and general welfare. All references in this Code to the *International Building Code* are to the edition referenced above.

(2) The ~~2012~~ 2018 *International Residential Code*, as published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, ~~February 2012~~ August 31, 2017, Chapters 1 through 44 inclusive and Appendices F, H and K, is hereby incorporated by this reference as part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The adopted code includes comprehensive provisions and standards regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of the attached one (1) and two (2) family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories in height with a separate means of egress and their accessory structures. The purpose of this Code is to provide minimum requirements to safeguard the public health, safety and general welfare, through affordability, structural strength, means of the egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment. All references in this Code to the *International Residential Code* are to the edition referenced above.

(3) The ~~2011~~ 2020 *National Electric Code*, as published by the NFPA, 1 Batterymarch Park, Quincy, MA 02169-7471, ~~August 2010~~ August 5, 2019, Chapters 1 through 9 and Appendices A through I, as adopted by the Colorado State Electrical Board, including appendices, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The purpose of this Code is regulating the installation of electric conductors and equipment within or on public and private buildings or other structures, including mobile homes, recreational vehicles, floating buildings and other premises such as yards, carnivals, parking lots and

industrial substations; the installation of conductors and equipment that connect to the supply of electricity; the installation of other outside conductors and equipment on premises; and the installation of optical fiber cable in the Town. All references in this Code to the *National Electric Code* are to the edition referenced above.

(4) The ~~2012~~2018 *International Mechanical Code*, as published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, ~~June 2011~~August 31, 2017, Chapters 1 through 15 inclusive and Appendix A, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. This Code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This Code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. All references in this Code to the *International Mechanical Code* are to the edition referenced above.

(5) The ~~2012~~2018 *International Fuel Gas Code*, as published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, ~~June 2011~~August 31, 2017, Chapters 1 through 8 and Appendices A and B, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The adopted code includes comprehensive provisions and standards regulating the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of fuel gas piping systems, fuel gas utilization equipment and related accessories within this jurisdiction. All references in this Code to the *International Fuel Gas Code* are to the edition referenced above.

(6) The ~~2012~~2018 *International Plumbing Code*, as published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, ~~April 2011~~August 31, 2017, Chapters 1 through ~~14-16~~ and Appendices B, C and E, ~~F, and G~~, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The adopted code includes comprehensive provisions and standards regulating the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. This Code shall also regulate nonflammable medical gas, inhalation anesthetic, vacuum typing, nonmedical oxygen systems and sanitary and condensate vacuum collection systems. All references in this Code to the *International Plumbing Code* are to the edition referenced above.

(7) The ~~2012~~2018 *International Existing Building Code*, as published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, ~~May 2012~~August 2017, Chapters 1 through 16 inclusive and Appendices A, B, and C and Resource Chapter A, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The adopted code is intended to provide alternative approaches to remodeling, repair or alteration of existing buildings. A large number of existing buildings and structures do not comply with the current building code requirements for new construction. Although many of these buildings are potentially salvageable, rehabilitation is often cost-prohibitive because compliance with all the requirements for new construction could require extensive changes that go well beyond the value of the building or the original scope of the rehabilitation. At the same time, it is necessary to regulate construction in existing buildings that undergo additions, alterations, renovations, extensive repairs or change of occupancy. Such activity represents an opportunity to ensure that new construction complies with the current building codes and that existing conditions are maintained, at a minimum, to their current level of compliance or are improved as required to meet basic safety levels. To accomplish this objective, and to make the rehabilitation process easier, this Code allows for options for controlled departure from full compliance with the *International Codes* dealing with new construction, while maintaining basic levels for fire prevention, structural and life safety features of the rehabilitated building. All references in this Code to the *International Existing Building Code* are to the edition referenced above.

(8) The ~~2012~~2018 *International Energy Conservation Code*, as published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, ~~May 2011~~August 2017, Chapters 1 through ~~5-6~~, inclusive including appendices, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The adopted code regulates minimum energy conservation requirements for new buildings. The IECC addresses energy conservation requirements for all aspects of energy uses in both commercial and residential construction, including heating and ventilating, lighting, water heating, and power usage for appliances and building systems. All references in this Code to the *International Energy Conservation Code* are to the edition referenced above.

(9) The ~~2012~~2018 *International Property Maintenance Code* as published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, ~~February 2012~~August 31, 2017, Chapters 1 through 8 inclusive and Appendix A, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. This Code is intended to establish minimum maintenance standards for

basic equipment, light, ventilation, heating, sanitation and fire safety. Responsibility is fixed among owners, operators and occupants for code compliance. The IPMC provides for the regulation and safe use of existing structures in the interest of the social and economic welfare of the community. All references in this Code to the *International Property Maintenance Code* are to the edition referenced above.

(10) The 2018 International Swimming Pool and Spa Code as published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, August 31, 2017, Chapters 1 through 11 inclusive, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. This Code is intended to regulate the minimum requirements for the design, construction, alteration, repair and maintenance of swimming pools, spas, hot tubes and aquatic facilities to adequately protect public health, safety and welfare of the community. All references in this Code to the *International Swimming Pool and Spa Code* are to the edition referenced above.

Section 2. Section 18-1-70, Frederick Municipal Code, entitled “Amendments” is hereby amended in the various subparagraphs with deleted language struck through and added language underlined as follows (sections without changes are omitted from this ordinance and remain within the code):

(3) Section 109.2 of the ~~2012~~ *International Building Code* is deleted in its entirety and reenacted to read as follows:

"109.2 Scheduled permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the Board of Trustees. The Board of Trustees may amend the tables and schedules providing for fees by the adoption of a resolution.

109.2.1 Plan review. A plan review fee shall be paid when a permit application is submitted ."

(4) Section 109.4 of the ~~2012~~ *International Building Code* is deleted in its entirety and reenacted to read as follows:

"109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, gas, mechanical, electrical or plumbing system before obtaining the necessary permits shall be subject to an additional fee equal to the permit fee."

(5) Section 113.1 of the ~~2012~~ *International Building Code* is deleted in its entirety and reenacted to read as follows:

"113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Board of

Adjustments, to be referred to as the "Building Appeals Board." The Building Appeals Board shall be comprised of at least one (1) member of the Board of Trustees and two (2) members of the community appointed by the Board of Trustees. The Board shall adopt rules and procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the building official."

(6) Section 113.2 of the ~~2012~~ *International Building Code* is deleted in its entirety and reenacted to read as follows:

"113.2 Application for appeal. A person shall have the right to appeal the decision of the building official to the Building Appeals Board. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code did not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served."

(7) Section 113.3 of the ~~2012~~ *International Building Code* is deleted in its entirety and reenacted to read as follows:

"113.3 Qualifications, limitations of authority. The Building Appeals Board shall consist of members who are qualified by expertise and training to pass on matters pertaining to building construction and are not Town employees. The Building Appeals Board shall have no authority relative to the interpretation of the administrative provisions of this code, nor shall the Board be empowered to waive requirements of this code."

(8) Section 113 of the ~~2012~~ *International Building Code* is amended by the addition of the following Section 113.4 to read as follows:

"113.4 Records. The building official shall maintain a permanent record of all variance actions, including justification for their issuance. The building official, or his designee, shall attend all meetings of the Building Appeals Board and shall maintain a record of such proceedings, including all conclusions and findings underlying the Board's decisions."

(9) Section 114 of the ~~2012~~ *International Building Code* is hereby deleted in its entirety.

(15) Add Section R105.1.1 of the *International Residential Code* ~~is amended~~ to read as follows:

"R105.1.1 Excavation permit. No person shall excavate for a foundation for a building or a structure without first having obtained a permit from the building official."

(16) Section ~~R106.1.3~~ R106.1.4 of the *International Residential Code* is amended to read as follows:

~~"R106.1.3~~ **R106.1.4 Information for construction in areas prone to flooding.** If design flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the Town Flood Plain Administrator and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources."

(22) Section R112.2 of the ~~2012~~*International Residential Code* is deleted in its entirety and reenacted to read as follows:

"R112.2 Application for appeal. A person shall have the right to appeal the decision of the building official to the Building Appeals Board. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code did not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served."

(28) Section G2415.12 of the ~~2012~~*International Residential Code* is deleted in its entirety and reenacted to read as follows:

"G2415.12 (404.12) Minimum burial depth. Underground piping systems shall be installed a minimum depth of 18" (457 mm) below grade, except as provided for in Section 2415.10.1."

(46) Section A108 of the ~~2012~~*International Mechanical Code* is deleted in its entirety.

(47) Section A109.1 of the ~~2012~~*International Mechanical Code* is deleted in its entirety and reenacted to read as follows:

"A109.1 General, qualifications. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Adjustments, to be referred to as the "Building Appeals Board." The Building Appeals Board shall be comprised of at least one (1) member of the Board of Trustees and two (2) members of the community appointed by the Board of Trustees. The Board shall adopt rules and procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the building official. The Building Appeals Board shall consist of members who are qualified by expertise and training to pass on matters pertaining to building construction and are not Town employees."

(48) Section A109.2 of the ~~2012~~*International Mechanical Code* is deleted in its entirety and reenacted to read as follows:

"A109.2 Application for appeal. A person shall have the right to appeal the decision of the building official to the Building Appeals Board. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code did not fully apply or an equally good or better form of construction is proposed. The application

shall be filed on a form obtained from the building official within 20 days after the notice was served."

(49) Section A109.3 of the *2012-International Mechanical Code* is deleted in its entirety and reenacted to read as follows:

"A109.3 Limitations of authority. The Building Appeals Board shall have no authority relative to the interpretation of the administrative provisions of this Code, nor shall the board be empowered to waive requirements of this Code."

(50) Section A109.4 of the *2012-International Mechanical Code* is deleted in its entirety and reenacted to read as follows:

"A109.4 Records. The building official shall maintain a permanent record of all variance actions, including justification for their issuance. The building official, or his designee, shall attend all meetings of the Building Appeals Board and shall maintain a record of such proceedings, including all conclusions and findings underlying the Board's decisions."

(51) Section A109 of the *2012-International Mechanical Code* is hereby amended by the deletion of the following sections: A109.5, Postponed hearings; A109.64, Decision; A109.7, Court review.

(56) Section [A]106.6.2 of the *2012-International Fuel Gas Code* is hereby deleted in its entirety and reenacted to read as follows:

"[A]106.6.2 Fee schedule. The fees for work shall be in accordance with the schedule as established by the Board of Trustees. The Board of Trustees may amend the tables and schedules providing for fees by the adoption of a resolution."

(57) Section [A]108 of the *2012-International Fuel Gas Code* is hereby deleted in its entirety.

(58) Section [A]109.1 of the *2012-International Fuel Gas Code* is hereby deleted in its entirety and reenacted to read as follows:

"A109.1 General, qualifications. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Adjustments, to be referred to as the "Building Appeals Board." The Building Appeals Board shall be comprised of at least one (1) member of the Board of Trustees and two (2) members of the community appointed by the Board of Trustees. The Board shall adopt rules and procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the building official. The Building Appeals Board shall consist of members who are qualified by expertise and training to pass on matters pertaining to building construction and are not Town employees."

(59) Section [A]109.2 of the *2012-International Fuel Gas Code* is hereby deleted in its entirety and reenacted to read as follows:

"[A] **109.2 Application for appeal.** A person shall have the right to appeal the decision of the building official to the Building Appeals Board. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code did not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served."

(60) Section [A]109.3 of the *2012-International Fuel Gas Code* is hereby deleted in its entirety and reenacted to read as follows:

"**A109.3 Limitations of authority.** The Building Appeals Board shall have no authority relative to the interpretation of the administrative provisions of this Code, nor shall the Board be empowered to waive requirements of this Code."

(61) Section [A]109.4 of the *2012-International Fuel Gas Code* is hereby deleted in its entirety and reenacted to read as follows:

"**A109.4 Records.** The building official shall maintain a permanent record of all variance actions, including justification for their issuance. The building official, or his designee, shall attend all meetings of the Building Appeals Board and shall maintain a record of such proceedings, including all conclusions and findings underlying the Board's decisions."

(62) Section [A]109 of the *2012-International Fuel Gas Code* is hereby amended by the deletion of the following sections: [A]109.5, Postponed hearing; [A]109.6, Board decision; A109.7, Court review.

(70) Section [A]106.6.2 of the *2012-International Plumbing Code* is hereby deleted in its entirety and reenacted to read as follows:

"[A] **106.6.2 Fee schedule.** The fees for all plumbing work shall be in accordance with the schedule as established by the Board of Trustees. The Board of Trustees may amend the tables and schedules providing for fees by the adoption of a resolution."

(73) Section [A]109.2 of the *2012-International Plumbing Code* is hereby deleted in its entirety and reenacted to read as follows:

"[A] **109.2 Application for appeal.** A person shall have the right to appeal the decision of the building official to the Building Appeals Board. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code did not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served."

(74) Section [A]109.3 of the *2012-International Plumbing Code* is hereby deleted in its entirety and reenacted to read as follows:

"[A] **109.3 Limitations of authority.** The Board of Adjustments shall have no authority relative to the interpretation of the administrative provisions of this Code, nor shall the Board be empowered to waive requirements of this Code."

(75) Section [A]109.4 of the *2012-International Plumbing Code* is hereby deleted in its entirety and reenacted to read as follows:

"[A] **109.4 Records.** The building official shall maintain a permanent record of all variance actions, including justification for their issuance. The building official, or his designee, shall attend all meetings of the Building Appeals Board and shall maintain a record of such proceedings, including all conclusions and findings underlying the Board's decisions."

(76) Section [A]109 of the *2012-International Plumbing Code* is hereby amended by the deletion of the following sections: [A]109.5, Postponed hearing; [A]109.6, Board decision; [A]109.7, Court review.

(79) Subsection ~~N1101.11~~N1101.9 (R302.1) of the *International Residential Code* is hereby amended to read as follows:

"~~N1101.11~~N1101.9 (R302.1) **Interior design conditions.** The interior design temperatures used for heating and cooling load calculations shall be a maximum of 70°F (21°C) for heating and minimum of 75°F (24°C) for cooling."

(80) ~~Add~~ Subsection N1102.3.6 (R402.3.6) of the *International Residential Code* ~~is hereby amended~~ to read as follows:

"**N1102.3.6 (R402.3.6) Replacement fenestration.** When a permit is required and where some or all of an existing fenestration unit is replaced with a new fenestration product, including sash and glazing, the replacement fenestration unit shall meet the applicable requirements for U-factor and SHGC in Table N1102.1.1. (R402.1.1.)"

(81) Subsection ~~N1103.4~~ (R403.4) N1103.5 (R403.5) of the 2018 *International Residential Code* is hereby amended to read as follows:

"~~N1103.4~~ (R403.4) N1103.5 (R403.5) **Service hot water systems.** Energy conservation measures for service hot water system shall be in accordance with Section N1103.4.1 (R403.4.1)."

(83) ~~RESERVED~~ Subsection ~~C101.4.3, Exception 5,~~ of the *International Energy Conservation Code* ~~is hereby amended as follows:~~

~~"5. Reroofing of roofs where the insulation is not exposed. Roofs without insulation in the cavity and where the insulation is exposed during reroofing shall be insulated either above or below the sheathing."~~

(85) ~~RESERVED~~ Subsection ~~C401.2~~ of the *International Energy Conservation Code* ~~is hereby amended as follows:~~

~~"C401.2 Application. Commercial buildings shall comply with one of the following:
1. The requirements of ANSI/ASHRAE/IESNA 90.1.~~

2. The requirements of Sections C402, C403, C404 and C405.

3. The requirements of Section ~~C407, C402.4, C403.2, C404, C405.2, C405.3, C405.4, C405.6 and C405.7.~~"

(86) Subsection ~~C402.2.8~~C402.2.6 of the *International Energy Conservation Code* is hereby amended as follows:

C402.2.8C402.2.6 Insulation of radiant heating systems. Radiant panels, and associated U-bends and headers, designed for sensible heating of an indoor space through heat transfer from the thermally effective panel surfaces to the occupants or indoor space by thermal radiation and natural convection and the bottom surfaces of floor structures incorporating radiant heating shall be insulated with a minimum of R-5."

(87) ~~RESERVED. Table C402.3 of the *International Energy Conservation Code* is hereby deleted in its entirety and replaced with the following:~~

TABLE C402.3 BUILDING ENVELOPE REQUIREMENTS

<u>Climate Zone</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4 Except Marine</u>	<u>5 And Marine 4</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Vertical fenestration (40% maximum of above-grade wall)</u>								
<u>U-factor</u>	<u>1.20</u>	<u>0.75</u>	<u>0.65</u>	<u>0.55</u>	<u>0.55</u>	<u>0.55</u>	<u>0.45</u>	<u>0.45</u>
<u>Framing materials other than metal with or without metal reinforcement or cladding</u>								
<u>U-factor</u>	<u>1.20</u>	<u>0.75</u>	<u>0.65</u>	<u>0.40</u>	<u>0.35</u>	<u>0.35</u>	<u>0.35</u>	<u>0.35</u>
<u>Metal framing with or without thermal break</u>								
<u>Curtain wall/ storefront U-factor</u>	<u>1.20</u>	<u>0.70</u>	<u>0.60</u>	<u>0.50</u>	<u>0.45</u>	<u>0.45</u>	<u>0.40</u>	<u>0.40</u>
<u>Entrance Door U-factor</u>	<u>1.20</u>	<u>1.10</u>	<u>0.90</u>	<u>0.85</u>	<u>0.80</u>	<u>0.80</u>	<u>0.80</u>	<u>0.80</u>
<u>All other U-factor^a</u>	<u>1.20</u>	<u>0.75</u>	<u>0.65</u>	<u>0.55</u>	<u>0.55</u>	<u>0.55</u>	<u>0.45</u>	<u>0.45</u>
<u>SHGC— all frame types</u>								
<u>SHGC: PF < 0.25</u>	<u>0.25</u>	<u>0.25</u>	<u>0.25</u>	<u>0.40</u>	<u>0.40</u>	<u>0.40</u>	<u>0.45</u>	<u>0.45</u>
<u>SHGC: 0.25 < PF < 0.5</u>	<u>0.33</u>	<u>0.33</u>	<u>0.33</u>	<u>NR</u>	<u>NR</u>	<u>NR</u>	<u>NR</u>	<u>NR</u>
<u>SHGC: PF < 0.5</u>	<u>0.40</u>	<u>0.40</u>	<u>0.40</u>	<u>NR</u>	<u>NR</u>	<u>NR</u>	<u>NR</u>	<u>NR</u>
<u>Skylights (3% maximum)</u>								
<u>U-factor</u>	<u>0.75</u>	<u>0.75</u>	<u>0.65</u>	<u>0.60</u>	<u>0.60</u>	<u>0.60</u>	<u>0.60</u>	<u>0.60</u>
<u>SHGC</u>	<u>0.35</u>	<u>0.35</u>	<u>0.35</u>	<u>0.40</u>	<u>0.40</u>	<u>0.40</u>	<u>NR</u>	<u>NR</u>

NR = No requirement.

PF = Projection factor (402.3.3).

*: All others includes operable windows, fixed windows and nonentrance doors.

(88) RESERVED. Subsection C402.3.3.1 and Table C402.3.3.1 of the *International Energy Conservation Code* are hereby deleted in their entirety.

(94) Section 101.1 of the *International Swimming Pool and Spa Code* is amended to by substituting the words "The Town of Frederick" in lieu of the words "[NAME OF JURISDICTION]"

(95) Sections 105.6.2, 105.6.3, 107.4, and 107.5 of the *International Swimming Pool and Spa Code* are hereby deleted in their entirety.

(96) Section 108 of the *International Swimming Pool and Spa Code* are hereby deleted in their entirety and replaced with the following:

“**Section 108. Means of Appeal.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Adjustments, to be referred to as the "Building Appeals Board." The Building Appeals Board shall be comprised of at least one (1) member of the Board of Trustees and two (2) members of the community appointed by the Board of Trustees. The Board shall adopt rules and procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the building official. The Building Appeals Board shall consist of members who are qualified by expertise and training to pass on matters pertaining to building construction and are not Town employees.”

Section 3. Section 18-92, Frederick Municipal Code, entitled “Amendments” is hereby amended in the various subparagraphs with deleted language struck through and added language underlined as follows (sections without changes are omitted from this ordinance and remain within the code):

(6) Section 1103.01 is hereby amended to read as follows:

"1103.01. Fence.

"1. Fence materials shall conform to the Town of Frederick Zoning Codes and Subdivision Regulations, Section 16-16-10, Fences and walls.

"a. Steel components: All steel components including fabric, pipe and fittings shall be first quality, full weight, hot-dipped galvanized materials. Zinc coating shall be applied to the interior and exterior of materials and shall conform to ASTM B6, Specification for Zinc-Prime Western Grade. Materials for fence posts and rails shall meet the strength testing requirements for Group 1A or Group 1C piping in accordance with ASTM F669, Strength

Requirements of Metal Posts and Rails for Industrial Chain Link Fence. Gates shall be constructed in accordance with ASTM F900.

"b. Wood components. Unless otherwise specified, wood fences shall be composed of the following:

"1. Posts: 4 inches by 6 inches rough sawn, No. 2 Grade, Red Cedar with chamfered tops, no knot holes.

"2. Boards: 2 ~~inch~~-inches by 8 ~~inch~~-inches rough sawn, No. 2 Grade, Red Cedar, no knot holes.

"3. Stain: Olympic No. 721 Semi-Transparent stain, color as selected by the Town Engineer."

Section 4. Severance Clause. If an article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees of the Town of Frederick, Colorado hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

Section 5. Repeal. All other ordinances, or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed.

Section 6. Effective Date. This ordinance shall take effect on June 30, 2021.

**INTRODUCED, PASSED, ADOPTED AND ORDERED PUBLISHED IN FULL BY
THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK THIS ____ DAY OF
_____, 2021**

TOWN OF FREDERICK, a Colorado municipal corporation

By: _____
Tracie Crites, Mayor

ATTEST:

By: _____
Meghan Martinez, Town Clerk

TOWN OF FREDERICK, COLORADO
ORDINANCE NO. 1362

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, AMENDING
CHAPTER 18, ARTICLE III OF THE *FREDERICK MUNICIPAL CODE*
REGARDING BUILDING REGULATIONS BY ADOPTION OF THE *2018
INTERNATIONAL FIRE CODE WITH LOCAL AMENDMENTS*; AND
PROVIDING A PENALTY.**

WHEREAS, the adoption of the codes enumerated in this chapter is necessary to protect life, health, and property within the Town, to prevent nuisances within the Town, to preserve and enforce the general welfare, and to protect safety, order and security of the Town and the inhabitants thereof.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:

Section 1. Section 18-71 of the *Frederick Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

“18-71 2018 International Fire Code, adopted.

(a) Subject to the amendments set forth in Section 18-71.5 below, the *2018 International Fire Code*[®] as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001, August 2018, including the outline of contents, index, Chapters 1 through 80 inclusive, and Appendices B through N, is hereby adopted and incorporated by this reference as part of this Building Code. The *2018 International Fire Code*[®] shall have the same force and effect as if set forth in this chapter in every particular, save and except such portions as are added, amended, deleted or replaced in this chapter. All references in this code to the *International Fire Code*[®] are to the 2018 edition referenced above with the local amendments set forth in Section 18-71.5. The purpose and subject matter of the *International Fire Code*[®] is to:

- (1) Regulate and govern the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices;
- (2) Provide greater safety and protection to the public from conditions hazardous to life or property in the occupancy of buildings or premises; and
- (3) Provide for the issuance of permits and collection of fees therefor.

(b) The Town Clerk shall maintain sufficient copies of the International Fire Code as required by law in the Town Hall.

(c) The code adopted herein shall be enforced by the Frederick-Firestone Fire Protection District having jurisdiction within the Town and which shall serve as the Bureau of Fire Prevention of the Town.

18-71.5 Additions and deletions.

The following additions, amendments and deletions are made to the International Fire Code.

Section 109.1 of the International Fire Code is amended to read:

In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official in the application and interpretation of this code, there is hereby created a board of appeals. The three-member board of appeals shall be comprised of the Chief Building Official, the Fire Chief, and an independent fire safety engineer, architect, industrial hygienist or other qualified individual with expertise in interpreting and applying this code with respect to the specific issues being appealed, and who is mutually agreed upon by the Chief Building Official and the Fire Chief. The board of appeals may adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a copy to the Fire Code Official.

Section 109.3 is deleted in its entirety.

In Chapter 2, the definition of Educational Group E is amended to read:

Educational Group E. Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by seven or more persons at any one time for educational purposes through the 12th grade.

Group E, day care facilities. This group includes buildings and structures or portions thereof occupied by more than six children who receive educational, supervision or personal care services for less than 24 hours per day.

Six or fewer children. A facility having six or fewer children receiving such care shall be classified as part of the primary occupancy.

Six or fewer children in a dwelling unit. A facility such as the above within a dwelling unit and having six or fewer children receiving such care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

Section 904.1 is amended to read:

General. Automatic fire-extinguishing systems, other than automatic sprinkler systems, shall be designed, installed, inspected, tested and maintained in accordance with the provisions of this section and the applicable referenced standards. Alarms shall be required to indicate the operation of alternative automatic fire-extinguishing systems, distinctive audible, visible alarms and warning signs shall be provided to warn of pending agent discharge. All alternative automatic fire-extinguishing systems shall be monitored by a building fire alarm system in accordance with NFPA 72.

Section 904.3.4 is amended to read:

Alarms and warning signs. Alarms shall be required to indicate the operation of automatic fire-extinguishing systems, distinctive audible, visible alarms and warning signs shall be provided to warn of pending agent discharge. Where exposure to automatic-extinguishing agents poses a hazard to persons, and a delay is required to ensure the evacuation of occupants before agent discharge, a separate warning signal shall be provided to alert occupants once agent discharge has begun. Audible signals shall be in accordance with Section 907.5.2.

Section 904.3.5 is amended to read:

Monitoring. All automatic fire-extinguishing systems shall be monitored by a building fire alarm system in accordance with NFPA 72.

Section 907.2.7.1 is deleted in its entirety.

Appendix A of the International Fire Code is deleted in its entirety, and the following new Appendix A is added:

Appendix A – Board of Appeals

Section A101 – General.

A101.1 Scope. A board of appeals shall be established within the jurisdiction for the purpose of hearing applications for modification of the requirements of the International Fire Code pursuant to the provisions of Section 108. The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants, the Fire Code Official, and other interested parties pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.

A101.2 Membership. The three-member board shall consist of the Chief Building Official, the Fire Chief, and an independent fire safety engineer, architect, industrial hygienist or other qualified individual with expertise in interpreting and applying this code with respect to the issues being appealed. The Fire Chief and the Chief Building Official shall mutually agree upon the individual to serve as the third board member.

A101.3 Quorum. All three members of the board are required for a quorum. In varying the application of any provisions of this code or in modifying an order of the Fire Code Official, an affirmative vote of at least two of the three board members is required.

A101.4 Secretary of the Board. The Fire District's Administrative Assistant shall serve as the secretary of the board and shall keep a detailed record of all its proceedings, which shall set forth the reasons for its decisions, and the vote of each member.

A101.5 Meetings. The board shall meet within ten (10) days after notice of appeal has been received, or as soon thereafter as practicable.

A101.6 Procedures. The board shall establish rules and regulations for its own procedures not inconsistent with the provisions of the Frederick Municipal Code and laws of the State of Colorado.

A101.7 Decisions. Every decision shall be promptly filed in writing in the office of the Fire Code Official, the town administrator, and town clerk and shall be open to public inspection. A copy of such decision shall be kept publicly posted in the office of the Fire Code Official for twenty-one (21) days after filing. A certified copy of the board's decision shall be sent by mail or otherwise to the appellant by the Fire Code Official.

A101.8 Board of Trustees Review. The town board of trustees, at its discretion and by motion, may review any decision of the board of appeals within twenty-one (21) days after the date of issuance of the board's written decision. In the event of such review, the following procedures shall apply:

A101.8.1 The board of trustees shall consider the board's decision at a public hearing held subsequent to the meeting at which the decision review was made, and notice of such public hearing shall be provided to the appellant at least five (5) days in advance of the public hearing.

A101.8.2 The board of trustees call up review process shall be discretionary; in addition to the information submitted at its public hearing, the board of trustees may receive and consider the board's minutes, any staff reports, and reviews and recommendations provided by town staff or fire district staff, and such other information as the board of trustees determines relevant to review of the decision subject to its call up.

A101.8.3. The board of trustees may uphold, reverse or modify the decision of the board of appeals. The board of trustees' decision shall be promptly filed in writing in the office of the Fire Code Official and the town clerk and shall be open to public inspection. A copy of such board of trustees decision shall be kept publicly posted in the office of the Fire Code Official for twenty-one days (21) days after filing. A certified copy of the board of trustees' decision shall be sent by mail or otherwise to the appellant by the town clerk.

A101.8.4 Failure of the board of trustees to formally determine to review a decision of the board of appeals prior to the expiration of twenty-one (21) days after the date of issuance of the board's written decision shall render the board's decision final for purposes of judicial review.

Section 2. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 3. Certification. The Town Clerk shall certify to the passage of the ordinance codified herein, and not less than one (1) copy of the codes adopted by this Article, shall be kept in the office of the Town Clerk at all times and may be inspected by any interested person at any time during regular offices hours but may not be removed from the Town Clerk's office except upon proper order of a court of law. Copies of the codes adopted by this Article may be purchased from the Town Clerk upon the payment of a fee to be set by resolution of the Board of Trustees.

Section 4. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

Section 5. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof, in conflict with this ordinance are to the extent of such conflict hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution or motion thereby.

**INTRODUCED, READ, PASSED AND ADOPTED FOLLOWING A PUBLIC HEARING
THIS _____ DAY OF _____, 2020.**

ATTEST:

TOWN OF FREDERICK

By _____
Meghan C. Martinez, Town Clerk

By _____
Tracie Crites, Mayor

**ADOPTED AS THE FIRE CODE OF THE FREDERICK-FIRESTONE FIRE PROTECTION
DISTRICT AS OF THE EFFECTIVE DATE OF THIS ORDINANCE- C.R.S. §32-1-1002(1)(d)**

Board of Directors
Frederick-Firestone Fire Protection District,
a Political Subdivision of the State of Colorado

ATTESTED:

By: _____
Clyde A. Walb, President Date

By: _____
Christopher Vigil, Secretary Date



TOWN OF FREDERICK

Board of Trustees

Action Memorandum

Tracie Crites, Mayor

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Adam Mahan, Trustee

Rusty O'Neal, Trustee
Kevin Brown, Trustee
Windi Padia, Trustee

A Resolution of the Town of Frederick, Colorado Authorizing Additional Full-time Positions and Amending the Calendar Year 2021 Budget

Agenda Date: Town Board Meeting – June 8, 2021

Attachments: a. Resolution 21-R-29

Finance Review: _____
Administrative Services Officer

Submitted by: 
_____ Administrative Services Officer

Approved for Presentation: 
_____ Town Manager

Quasi-Judicial

Legislative

Administrative

Summary Statement:

The proposed resolution will modify the 2021 budget to allow additional Full-time employees in the Public Works and Police departments without increasing the 2021 adopted budget appropriated amount.

Detail of Issue/Request:

The 2021 budget was initially presented to the Board of Trustees on October, 6, 2020. During this presentation, the budget philosophy was explained outlining that new positions are budgeted at midpoint of the salary range, and family plan on all benefits. Eleven (11) new full-time positions were included in the final 2021 budget which included a Receptionist, Digital Media Specialist, Construction Inspector, Building Inspector, Development Review Engineer, Police Commander, Police Officer, Assistant Public Works Director, Facility Supervisor, and Public Works Maintenance Tech. Additional full-time positions were identified as priority, but requiring review of the First Quarter financials of 2021 and impact of the actual costs of the new full-time employees. This is a request to amend the 2021 budget to include additional full-time positions for an Irrigation Technician in the Public Works department, and for a Police Officer in the Police department. The Irrigation Technician position is a swap from the original second Building Inspector position. Staff worked in collaboration to prioritize immediate needs

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and concluded the higher priority of the Irrigation Technician position at this time. The additional Police Officer position does not require additional funding for vehicles and equipment and is solely for the salary and benefit costs of the position. Having this additional police officer will have an almost net neutral budgetary impact as the department will see lower overtime costs with this position. Having staff in the Police department out on medical leave, vacations, trainings, etc., the constraints on the department are growing without this additional full-time position. Budget savings during the hiring of the initially approve positions, along with an analysis of the recurring revenues and expenditures through April 2021, shows the sustainability to move forward with these position requests at this time. Current appropriated funds are adequate to fund this position now and in future budget years.

Legal Comments:

Resolution was reviewed by legal counsel.

Alternatives/Options:

The Board could choose not to allocate the additional Full-time positions.

Financial Considerations:

Available funds are in the 2021 adopted budget. This would utilize current budgeted amounts within the General Fund and not impact any future financial obligations.

Staff Recommendation:

Staff recommends approval of the resolution as presented.

**TOWN OF FREDERICK, COLORADO
RESOLUTION 21-R-29**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO,
AUTHORIZING ADDITIONAL FULL-TIME POSITIONS AND
AMENDING THE CALENDAR YEAR 2021 BUDGET**

WHEREAS, the Board of Trustees is amending the 2021 Adopted budget to add two additional full-time positions.

Whereas, this amendment will not change the adopted 2021 budget figures only the total full-time position counts in the 2021 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO;

Section 1. The budget for 2021 shall be amended to include two full-time positions in the General Fund and Park Improvement Fund without increasing the 2021 budget appropriated funds.

Section 2. Effective Date. This resolution shall become effective immediately upon adoption.

Section 3. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 4. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 8th DAY OF
JUNE, 2021.**

TOWN OF FREDERICK

By _____
Tracie Crites, Mayor

ATTEST:

By _____
Meghan C. Martinez, CMC, Town Clerk