

PLANNING AND DEVELOPMENT MEMORANDUM
#08-32

August 7, 2008

TO: Honorable Mayor Kathleen M. Novak and City Council members

FROM: David Allen, Acting City Manager *DA*
James Hayes, Director of Planning and Development *JH*
Rick Davis, Chief Building Official *RD*

SUBJECT: CB-1666, Adopt by reference the 2006 International Energy Conservation Code with amendments.

RECOMMENDATION:

Attached to this memorandum is a proposed Ordinance which, if approved, would adopt the 2006 International Energy Conservation Code with amendments. Staff recommends approval of this proposed Ordinance.

BACKGROUND:

The periodic adoption of new Building Codes is standard practice for the City of Northglenn. Public Comment on these proposed Building Code Amendments and adoptions was accepted from June 20, 2008, until July 18, 2008. The codes proposed for adoption by reference were available for public review at the Office of the City Clerk. Codes were also available for review on the City of Northglenn website at www.northglenn.org. Results of the Public Comments are attached for City Council consideration.

In 2003, pursuant to Ordinance No. 1358, Series of 2003, the City Council of Northglenn adopted the 2003 International Energy Conservation Code (IECC), which was codified at Article 11, Chapter 10 of the Northglenn Municipal Code. The International Energy Conservation Code is updated every three years. The most current edition is the 2006 edition, and adopting this version will allow the City to stay up to date, and maintain a favorable Insurance Services Organization (ISO) rating. The proposed amendments are consistent with previously adopted version of the Code.

BUDGET/TIME IMPLICATIONS:

Adoption of the 2006 International Energy Conservation Code has no budgetary impacts.

STAFF REFERENCE:

If Council members have any comments or questions they may contact James Hayes, 303-450-8937, or jhayes@northglenn.org

SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1666
Series of 2008

Series of 2008

A BILL FOR AN ORDINANCE AMENDING ARTICLE 11 CHAPTER 10 OF THE NORTHGLENN MUNICIPAL CODE TO ADOPT BY REFERENCE WITH AMENDMENTS AS A PRIMARY CODE OF THE CITY OF NORTHGLENN, THE INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION

WHEREAS, by Ordinance Number 1358, Series 2003, the City adopted the 2003 International Energy Conservation Code with amendments; and

WHEREAS, the City Council desires to adopt the 2006 International Energy Conservation Code to update the city's standards.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Article 11, Chapter 10 of the Northglenn Municipal Code is hereby amended as follows:

Section 10-11-1. Title. This ordinance shall be known and cited as the International Energy Conservation Code.

Section 10-11-2. Adoption of the International Energy Conservation Code. The International Energy Conservation Code, 2003~~6~~ Edition of the International Code Council, ~~4051 W. Flossmoor Rd., Country Club Hills, IL 60478~~ 500 NEW JERSEY AVENUE, NW, 6TH FLOOR, WASHINGTON, DC 20001 is adopted by reference as a primary code.

Section 10-11-3. Copies on File. At least one certified copy of the International Energy Conservation Code, 2003~~6~~ Edition, as adopted is on file in the office of the City Clerk and may be inspected during regular business hours. ~~In addition, copies may be available for sale and distribution to the public at a price not to exceed the actual cost thereof to the City.~~

Section 10-11-4. Purpose. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating energy efficient buildings and structures.

SECTION 10-11-5. APPLICATION. THE PROVISIONS OF THIS ARTICLE AND THE PROVISIONS OF THE INTERNATIONAL ENERGY CONSERVATION CODE AND APPENDICES, 2006 EDITION, ADOPTED BY REFERENCE SHALL APPLY TO EVERY BUILDING OR STRUCTURE

LOCATED EITHER WITHIN OR WITHOUT THE CORPORATE LIMITS OF THE CITY OF NORTHGLENN, THE USE OF WHICH THE CITY HAS JURISDICTION AND AUTHORITY TO REGULATE.

SECTION 10-11-6. AMENDMENTS TO THE INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION.

(1) SECTION 101.1 IS DELETED IN ITS ENTIRETY AND HEREBY AMENDED TO READ AS FOLLOWS:

THESE REGULATIONS SHALL BE KNOWN AS THE INTERNATIONAL ENERGY CONSERVATION CODE OF THE CITY OF NORTHGLENN, HEREINAFTER REFERRED TO AS "THIS CODE."

Section 10-11-57. Violations--Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of the International Energy Conservation Code, 20036 Edition, or the provisions of this ordinance.

(b) Any violation of the provisions of this ordinance and any violation of any of the provisions of the International Energy Conservation Code, 20036 Edition, shall, upon conviction, be punishable as provided in Section 1-1-10(a) of this Code.

Section 10-11-68. Severability Clause. If any 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 City Council 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 be declared invalid or unconstitutional.

Section 10-11-79. Safety Clause. The City Council hereby finds, determines, and declares that this ordinance is necessary for the preservation of the public health, safety and welfare.

SECTION 10-11-10. CONFLICTS. IF THE PROVISIONS OF THIS CODE, AS ADOPTED IN THIS ARTICLE, CONFLICT WITH ANY OTHER PROVISIONS OF THE MUNICIPAL CODE THEN THE MORE RESTRICTIVE OF THE TWO SHALL GOVERN. WHERE THERE IS A CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL BE APPLICABLE.

Section 10-11-811. Effective Date. This ordinance shall become effective five (5) days after public notice following final passage.

INTRODUCED, READ AND ORDERED POSTED this ____ day of _____,
2008.

KATHLEEN M. NOVAK
Mayor

ATTEST:

JOHANNA SMALL, CMC
Acting City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____,
2008.

KATHLEEN M. NOVAK
Mayor

ATTEST:

JOHANNA SMALL, CMC
Acting City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney