

PLANNING AND DEVELOPMENT MEMORANDUM
#08-12

June 5, 2008

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

FROM: David Allen, Interim City Manager *DA*
James Hayes, Director, Planning and Development Department *JH*
Rick Davis, Chief Building Official *RD*
Patrick Breitenstein, Zoning Administrator *PB*
Travis Reynolds, Senior Planner *TR*

SUBJECT:

1) Adoption of 2006 International Codes, 2008 National Electric Code, and a new Elevator/Escalator Ordinance and 2) Reorganization and adoption of revisions to the Zoning and Subdivision Ordinances (Chapters 11 and 12 of the Northglenn Municipal Code).

RECOMMENDATION:

Staff is requesting discussion and direction on the future adoption of these new codes at future public hearings.

BACKGROUND:

Staff prepared this memorandum and presentation as a follow-up to the memorandum dated March 24, 2008 (#08-06). There are two distinct projects for consideration by the City Council, but both relate to codes regulating the built environment in the City. Neither item is currently scheduled for public hearing at this time, and staff is requesting discussion and direction.

2006 International Codes, 2008 National Electric Code, and new Elevator/Escalator Ordinance

Every three years, new International Building Codes are released and historically, the City has adopted the codes with some minor amendments. The Building Division is currently operating under the 2003 International Codes and 2005 National Electric Code and is requesting to schedule the 2006 International Codes, 2008 National Electric Code, and a new Elevator/Escalator Ordinance for adoption by the City Council. Minor amendments, consistent with previous adoptions, have been made and reviewed by North Metro Fire Rescue Authority and City Attorney.

Current Adopted Code

2003 International Residential Code (IRC)
2003 International Property Maintenance Code (IPMC)
2003 International Plumbing Code (IPC)
2003 International Mechanical Code (IMC)
2003 International Fuel Gas Code (IFGC)
2003 International Fire Code (IFC)
2003 International Energy Conservation Code (IECC)
2003 International Existing Building Code (IEBC)
2003 International Building Code (IBC)

Proposed Code Adoption

2006 IRC
2006 IMPC
2006 IPC
2006 IMC
2006 IFGC
2006 IFC
2006 IECC
2006 IEBC
2006 IBC

2005 National Electric Code (NEC)
None

2008 NEC
New Elevator/Escalator Ordinance

With respect to the International Codes and National Electric Code, staff is proposing three alternatives for the Council's consideration:

1. Direct staff to prepare the appropriate Ordinances (Council Bills) for review;
2. Direct staff to convene a task force or committee of citizens to review the proposed changes;
3. Direct staff to conduct a study session on this topic after responding to specific questions.

If a special task force or committee is convened to review the changes, staff would recommend members of the Board of Adjustment and/or Planning Commission be included. The current fee structure may also be reviewed, with a formal recommendation to the City Council at a future meeting. The 2008 National Electric Code will be in effect July 1, 2008 and all contractors and homeowners within the City of Northglenn will be required to comply since this is the date of enforcement by the State Electrical Board. All Master and Journeyman Electricians, and Electrical contractors are licensed through the State Electrical Board. It is important for Northglenn to adopt the same codes to ensure consistency with the State mandate. Although this may also be discussed by the potential task force, the timing of adoption of the NEC is critical to ensure consistency with State law.

The 2006 International Plumbing Code, 2006 International Mechanical Code, 2006 International Fuel Gas Code, and several portions of the 2006 International Residential Code became effective January 1, 2008 and all contractors and homeowners within the City of Northglenn are required to comply since this is the date of enforcement by the State Plumbing Board. All Master and Journeyman Plumbers, and Plumbing contractors are licensed through the State Plumbing Board. It is important for Northglenn to adopt the same codes to ensure consistency with the State mandate. Although this may also be discussed by the potential task force, the timing of adoption of these codes is critical to ensure consistency with State law.

Colorado Revised Statute 9-5.5-101, Elevator and Escalator Certification Act became effective January 1, 2008. State law mandates local jurisdictions handle inspection and enforcement of elevators and escalators. Local jurisdictions may enter into a Memorandum of Agreement with the State Division of Oil and Gas, or contract inspection with an outside agency, such as DRCOG. In either case, the local jurisdiction is required to adopt no later than October 2, 2008, the following Codes: ASME A17.1-2000 Safety Code for Elevators and Escalators; ASME A17.3-2002 Safety Code for Existing Elevators and Escalators; ASME A18.1-2003 Safety Standard for Platform Lifts and Stairway Chairlifts; ASCE 21-96 Automated People Mover Standards.

Zoning and Subdivision Ordinances

In late 2007, staff met very briefly with the City Attorney to discuss an approach to adopting new Zoning and Subdivision Ordinances for the City of Northglenn. Staff is proposing to reorganize the document into one larger Chapter of the Municipal Code (Chapter 11) and repeal existing Chapters 11 and 12. The reorganization would simply take the existing document and make it

easier to administer through changes to the Municipal Code. There are no substantive changes to the language proposed as part of the reorganization. Existing Chapter 11 contains 55 Articles and there have been numerous amendments over the years, which have created inconsistencies within the document. A new document will be simpler to understand and reduce public confusion when applying for land use approvals.

The new Chapter 11 would contain only 6 Articles as follows:

- 1) Administration
- 2) Application and Permitting Procedures
- 3) Zone District Regulations
- 4) Design Requirements and Performance Standards
- 5) Subdivision Regulations
- 6) Definitions

If this is acceptable to the Council, staff may process the procedural changes through the Planning Commission for review and a recommendation of approval to the City Council. In the alternative, staff may complete the reorganization of the document and present it to the Council at a future study session and seek Planning Commission review following the study session. In either case, a public hearing would be scheduled before the City Council for first and second reading of the new ordinance.

Once the reorganization is completed, staff intends to start a review of the substantive changes of the document. The second step of the process would not commence until later in the year. Updating Zoning and Subdivision Ordinances is a typical implementation strategy of a new Comprehensive Plan. It is anticipated the Comprehensive Plan process will be underway this year, but not completed until 2009. Staff plans to utilize the time to evaluate all of the potential changes to the document and elicit responses from various stakeholders throughout 2009.

With respect to the Zoning and Subdivision Ordinances, staff is proposing two alternatives for the Council's consideration:

1. Direct staff to draft the appropriate Ordinances (Council Bills) and schedule the public hearings; or
2. Direct staff to conduct a second study session on this topic with a draft of the reorganized document and responses to specific questions.

POTENTIAL OBJECTION:

Staff is not aware of any objections to the adoption of the new International Codes, National Electric Code, new Elevator/Escalator Ordinance, and reorganized Zoning and Subdivision Ordinances.

BUDGET/TIME IMPLICATIONS:

There are potential budget implications in keeping a lower fee structure compared to other municipalities and it may be an important issue for the staff and task force to review. The 2006 International Codes have been available for two years and it is important to adopt the latest version in advance of the 2009 International Codes becoming available next year. The 2008 NEC will be used by the State Electrical Board as of July 1, 2008 and the 2006 IPC, IMC, IFGC, and

portions of IRC became effective January 1, 2008. The Elevator and Escalator Certification Act became effective January 1, 2008 and local jurisdictions shall adopt codes no later than October 2, 2008. Adoption of all of these codes is critical to ensure consistency with State law.

There are no time implications with the adoption of the new Zoning and Subdivision Ordinance, but it is important to complete to provide a baseline for substantive amendments. Although staff does not anticipate any substantive changes immediately, it is the first step in the process in creating a list of improvements to the current ordinances. Staff intends to complete all of this work using existing staff expertise and no outside consultant is anticipated at this time.

STAFF REFERENCE:

If Council members have any comments or questions they may contact Rick Davis (Building Codes), rdavis@northglenn.org, Pat Breitenstein, pbreitenstein@northglenn.org, (Zoning and Subdivision Ordinance), or James Hayes, jhayes@northglenn.org.

SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-118
Series of 2008

Series of 2008

A RESOLUTION ESTABLISHING FEES FOR ELEVATOR INSPECTIONS

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

Section 1. The fee schedule attached hereto as **Exhibit A** is hereby adopted and approved as the established fee schedule for elevator inspections conducted by the City or the City's designee.

Section 2. This Resolution shall be effective on the same day Ordinance No. _____ (adopting elevator inspection standards) becomes effective.

DATED at Northglenn, Colorado, this ____ day of _____, 2008.

KATHLEEN M. NOVAK
Mayor

ATTEST:

JOHANNA SMALL, CMC
Acting City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

Exhibit A

Service to Conveyance Owners	Billing Increment	Cost
Twice yearly safety inspections and generation of Annual Certificates of Operation	Per unit (annually)	\$205
Certificate of Operation Re-issuance Fee	Per unit	\$102.50
Service to Elevator Contractors	Billing Increment	Cost
Request for acceptance inspection	Per job site	\$25
Acceptance/initial inspection of new or altered equipment	Per unit	\$500
Re-inspection	Per unit	\$450
Special inspections not otherwise covered (such as construction use/temporary use)	Per hour (2 hour minimum)	\$75