

O-2023-9

AN ORDINANCE

AN ORDINANCE REPEALING AND REENACTING CHAPTER 14.09 OF TITLE 14 OF THE LAKEWOOD MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2021 EDITION OF THE INTERNATIONAL CODE COUNCIL'S INTERNATIONAL RESIDENTIAL CODE WITH APPENDICES E, F, H, J, AND Q, WITH DELETIONS AND AMENDMENTS AS SET FORTH BELOW, AND ESTABLISHING PENALTIES FOR VIOLATION THEREOF

WHEREAS, Public Works Department Staff, including the Building Official and City Engineer, have presented for adoption by reference the 2021 International Residential Code with Appendices E, F, H, J, and Q, including amendments and modifications thereto, to replace the current versions thereof;

WHEREAS, the City of Lakewood Board of Appeals was established by Lakewood Municipal Code section 14.12.010 and charged with reviewing proposed additions, changes or amendments to the City's building codes and to make recommendations to the City Council with respect to the adoption thereof;

WHEREAS, the Board of Appeals has reviewed, considered and recommended for adoption the 2021 edition of the International Residential Code, with Appendices E, F, H, J, and Q, including the amendments and modifications set forth herein;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Chapter 14.09 of the Lakewood Municipal Code is repealed and reenacted as follows:

14.09.010 - International Residential Code, 2021 Edition, with Appendices E, F, H, J, and Q, adopted by reference, generally.

In accordance with Colorado Revised Statutes Section 31-16-201, *et seq.*, and the Lakewood City Charter, the International Residential Code of the International Code Council, 2021 Edition, with Appendices E, F, H, J and Q as amended, hereinafter "International Residential Code", is hereby adopted by reference, subject to the deletions, amendments and additions contained herein.

14.09.020 Purpose of the International Residential Code.

The purpose of the International Residential Code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by the regulation of the design, construction, installation and quality of materials, location, operation, and maintenance of all one- and two-family dwellings and townhouses within the City of Lakewood and certain equipment specifically regulated in this Code.

All construction should conform to the International Residential Code set forth in or incorporated by this Chapter.

14.09.040 Local amendments to certain provisions of the International Residential Code.

Certain provisions of the International Residential Code, as indicated herein, are hereby amended.

A. The provisions of Chapter 1 shall include the following amendments:

1. Subsection R101.1 is deleted.
2. Section R103 is deleted.
3. The portion of subsection R105.2 under the heading of "Building" is replaced with the following:

R105.2 Work exempt from permit.

Building:

1. One story detached accessory structures used as tool and storage sheds, pergolas, playhouses, and similar uses, provided the floor area does not exceed 200 square feet.
2. Retaining walls not exceeding 30 inches in height, measuring from grade to top of the wall unless supporting a surcharge.
3. Water tanks supported directly upon grade if the capacity does not exceed 5000 gallons and the ratio of height to diameter or width does not exceed 2:1.
4. Private sidewalks and driveways not more than 30 inches above grade and not over any basement or story below.
5. Painting, paper, and similar finish work.
6. Prefabricated swimming pools that are less than 24 inches deep.
7. Window awnings supported by an exterior wall of group R-3 occupancies when projecting not more than 54 inches from the exterior wall and not requiring additional support.
8. Shutters, windows, gutters, door, and other minor cosmetic additions not affecting the structure.

9. Swings and other playground equipment accessory to a one- or two-family dwelling or townhouse.
10. Roof covering repairs of less than 100 square feet unless the repair requires removal of mechanical or electrical equipment.
11. Decks not over 200 square feet in area that are not more than 30 inches above grade at any point, are not structurally attached to the dwelling, do not serve the required exit door, and are not installed over a required emergency escape and rescue opening.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction.

4. Subsection R105.2.1 is replaced with the following:

R105.2.1 Emergency repairs. Any unforeseen emergency or unsafe condition whereby the lack of immediate corrective action creates a substantial risk to life, property, health, or welfare, and such emergency or unsafe condition must be rectified immediately, the person performing the work shall apply for an appropriate permit the next business day. Failure to apply for and obtain such required permit may be cause for suspension or revocation of the contractor's registration and the permit fee may be doubled.

5. Subsection R105.2.3 is deleted.

6. Subsection R105.5 is replaced with the following:

R105.5 Expiration. Every permit shall become invalid unless work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. Permits shall be extended automatically after each successful inspection for a period of 180 days until the work described in the permit is completed. Failed inspections do not extend the permit automatically.

7. A new subsection R105.5.1 is added to read as follows:

R105.5.1 Expired permit reinstatement. A permit that has expired must be re-applied for if any code has changed during the period the permit was expired.

8. Subsection R105.7 is replaced with the following:

R105.7 Placement of permit. The building permit or a copy shall be kept on the site of the work until the completion of the project. Permit placards must be posted in a conspicuous location visible from the public way. Inspections

will be failed should there be no permit placard visible from the public way on a construction site until a permit placard is posted on site.

9. A new subsection R106.6 is added to read as follows:

R106.6 Construction or Demolition waste management plan. For all new buildings, additions, or remodels with a total interior space over 2,500 square feet, or for developments with multiple buildings with a combined total interior space over 5,000 square feet, a construction waste management plan that demonstrates all recyclable concrete, asphalt, untreated wood, metal, recyclable or salvageable finish materials, and cardboard materials will be donated, reused, or recycled is required at the time of application for a building permit. In the case of any building demolition, a demolition waste management plan that demonstrates all recyclable concrete, asphalt, metal, untreated wood, and finish materials will be donated, reused, recycled and where possible, all remaining materials such as doors, windows, cabinets, and fixtures will be recycled, is required at the time of application for a demolition permit. The waste management plan shall be conspicuously posted on the construction site adjacent to the permit placard and labeled containers shall be provided at the construction site for use in capturing recyclable materials. Evidence of compliance with the waste management plan, such as hauler or recycling center receipts, shall be transmitted electronically before a certificate of occupancy is issued, or in the case of demolition, before a final inspection is completed.

10. Subsection R108.2 is replaced with the following:

R108.2 Fees. Fees and valuation for permits required by this Code shall be specified in Section 14.01.060 of the Lakewood Municipal Code.

11. A new subsection R109.1.5.2 is added to read as follows:

R109.1.5.2 Special Inspections. Special inspections by a qualified third-party inspector are required to verify the quality of materials and assemblies. Special inspections shall be required for the following:

1. Soils.
 - a. Open hole inspection for site conditions and load bearing requirements.
 - b. Verification of excavation depth.
 - c. Preparation for and testing of compacted fill materials.
 - d. Verification of materials, densities, and lift thickness during the placement of compacted fill.
2. Special Cases.
 - a. Floor elevation of foundation and set back survey are required for all projects where foundations occur within 10

feet of a property line or building setback line to verify location and elevation of foundation walls.

- b. Blower door tests are required for all new residential construction.

Exception: Residential additions do not require a blower door test.

- c. Duct leakage tests are required for all new residential construction.

Exception: Residential additions do not require a duct leakage test.

- d. Foundation drain tests are required for all projects where soil reports indicate foundation drains are required or where a crawl space or basement contains, or is under, habitable space.

3. Caissons

- a. Drilling operations with records.
- b. Placement locations, sizes, plumbness, depths end bearing strata capacity, or other necessary measurement.
- c. Placement of reinforcing steel per design documents.

Exception: Special inspections are not to include frost depth support for exterior decks, covers, stairs and similar uses.

Note: The included special inspections are to be made in addition to, not in place of, standard City of Lakewood inspections.

12. Section R112 is replaced by the following:

R112 Board of Appeals. Persons aggrieved under this Chapter 14.09 shall file an appeal with the Board of Appeals of the City of Lakewood as provided in Chapter 14.12 of the Lakewood Municipal Code.

B. The provisions of Chapter 2 shall include the following amendments:

- 1. Section R202 is amended to include the following new definitions:

Barn. A generally large and generally bare building for the storage of farm products or feed and usually for the housing of farm animals or farm equipment, or for storage of fleet vehicles, such as trolley cars, recreational vehicles, boats, or trucks.

Duplex. A grouping of two attached single family dwelling units in which each unit is extends from foundation to roof with a yard or public way on not less than two sides serviced by structurally independent water, sewer, electrical and gas utilities that do not pass through or under adjacent units and are inhabited by the owner or a lessee of the owner who has sole

possession of keys for access to the property and is not controlled by a management company.

2. Section R202[RB] Townhouse Unit definition is replaced with the following:

[RB] Townhouse Unit. A single family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof with a yard or public way on not less than two sides serviced by structurally independent water, sewer, electrical, and gas utilities that do not pass through or under adjacent units and are inhabited by the owner or a lessee of the owner who has sole possession of keys for access to the property and is not controlled by a management company.

- C. The provisions of Chapter 3 shall include the following amendments:

1. Table R301.2 is replaced with the following:

Table R301.2

Ground Snow loads	Wind Speed (mph)	Seismic Design category	Subject to damage from					Ice Barrier required	Flood hazards	Air Freezing index	Mean Annual temp
			weathering	Fros dept	termite	Accumulated snow	Winter Design temp				
30 PSF	Exposure C	B	Severe	36"	Slight To moderate	12 inches	1 F	NO	NFIP July 21, 1972' Firm June 17 2003	532	51 F

Footnote d is replaced with the following:

d. the City of Lakewood is located in a "Special Wind Region." Design wind speed for the City of Lakewood is established as 100mph V^{asd} and 130 mph V^{ult} , 3-second gust for all structures east of the 10,000 West block and 120 V^{asd} and 155 V^{ult} for all other structures in all other locations.

* Ground snow load is not reducible.

2. Subsection R302.11.1(7) is amended to read as follows:

R302.11.1(7). Batt or blankets of mineral wool or other approve materials installed in such a manner as to be securely retained in place. Glass Fiber may not be used for fireblocking but may be used for draftstopping.

3. Subsection R302.11.1.1 is replaced with the following:

R302.11.1.1 Batts or blankets of mineral wool. Batts or blankets of mineral wool or other approved nonrigid materials shall be permitted for compliance with the 10-foot (3084mm) horizontal fireblocking in walls constructed using parallel rows of studs or staggered studs.

4. Subsection R302.11.1.2 is deleted.

5. A new subsection R306.3.1 is added to read as follows:

R306.3.1 Sanitary independence. All townhouses, row homes and attached single family dwelling units shall be serviced by a structurally independent sanitary sewer that connects to a sanitary sewer main exterior of the unit and does not pass through or under any adjacent unit. For sanitary sewers that pass through or beneath an adjacent unit the International Building Code must be utilized.

6. A new subsection R308.4.8 is added to read as follows:

R308.4.8 Film on Glass. Film may be used for dry areas requiring tempered glazing per manufacturer's specifications.

7. A new subsection R309.6 is added to read as follows:

R309.6 Electric Vehicle Charging. Newly constructed one- or two- family dwellings and townhouses with a dedicated attached garage shall facilitate future installation and use of electric vehicle chargers. For each dwelling unit, a 208/240-volt individual branch circuit or a listed raceway to accommodate a future branch circuit shall be installed. The raceway shall not be less than trade size 1 (nominal 1-inch diameter). The raceway shall originate at the main service or subpanel and shall terminate into a listed cabinet, box or other enclosure in close proximity to the proposed location of the electric vehicle charger. Raceways are required to be continuous at enclosed, inaccessible, or concealed areas and spaces. The service panel or subpanel circuit directory shall provide capacity to install a 50-ampere minimum dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overcurrent device. Electrical vehicle supply equipment shall be installed in accordance with NFPA 70.

Exception. Additions and alterations to existing one- or two-family dwellings and townhomes constructed per the International Residential Code are exempt from this requirement.

8. A new subsection R309.6.1 is added to read as follows:

R309.6.1 Identification. The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s) reserved for future electrical vehicle charging as "EV CAPABLE". The raceway termination location shall be permanently and visibly marked as "EV CAPABLE".

9. Subsection R312.1.3 is replaced with the following:

R312.1.3 Opening Limitations. Required guards shall not have openings from the walking surface to the required guard height that allow passage of

a sphere 4 inches (102mm) in diameter. Cable railings require that 8 pounds of pressure exerted at a 90-degree angle to the cable space is required to pass a 4 inch ball between cables.

Exceptions:

1. The triangular openings at the open side of the stair, formed by the riser, tread, and bottom rail of a guard shall not allow passage of a sphere 6 inches (153mm) in diameter.
 2. Guards on the open side of a stair shall not have openings that allow passage of a sphere 4 3/8 inches (111mm) in diameter.
10. Subsection R315.3 is replaced with the following:

R315.3 Location. Carbon Monoxide alarms in dwellings shall be installed outside of each separate sleeping area within 15 feet of the entrance to each sleeping area/room. Where a fuel burning appliance is located within a sleeping area or its attached bathroom, a carbon monoxide alarm shall be installed within the sleeping area.

11. A new subsection R324.1.1 is added to read as follows:

R324.1.1 Solar ready zones. See Appendix RB of the International Energy Conservation Code for design criteria on required solar ready zones.

C. The provisions of Chapter 4 shall include the following amendments:

1. Subsection R401.4 is replaced with the following:

R401.4 Soils tests. Soils tests shall be required for all new construction, for all residential additions over 600 square feet, and for all accessory structures within 10 feet of an existing primary structure that are greater than 600 square feet in area.

2. Subsection R401.4.1 is replaced with the following:

R401.4.1 Location of geotechnical investigations: Geotechnical investigations must be performed on the subject property. Investigation reports from locations other than within the property lines of the subject property will not be accepted by the building official.

3. Subsection R401.4.2 is replaced with the following:

R401.4.2 Age of geotechnical reports: Geotechnical reports must be performed within 20 years of the date of submittal for permit.

Exception: Geotechnical reports that pre-date site disturbances on the subject property will not be accepted by the Building Official.

D. The provisions of Chapter 6 shall include the following amendments:

1. A new subsection R602.5.1 is added to read as follows:

R602.5.1 Floating walls in basement construction. All non-load bearing basement walls constructed on a concrete slab must be floated, allowing a

minimum one and one-half inch (1-1/2") of float space, and hold drywall at least 1 inch off the slab or use a spacer of the same thickness as a wall material to attach baseboard molding.

2. The following new figure R602.5.1(1) is added:

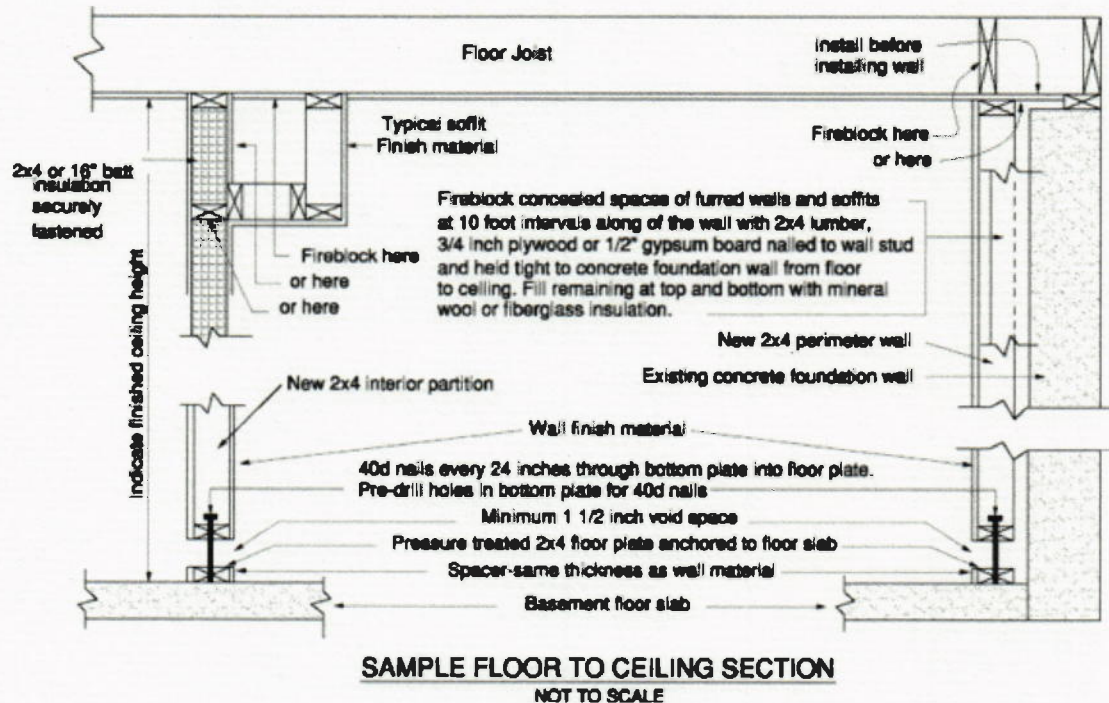


Figure R602.5.1(1)

- E. The provisions of Chapter 8 shall include the following amendments:

1. Subsection R802.4.3 is replaced with the following:

R802.4.3 Over-framing. Roof over-framing ledgers or sleepers must be fastened to solid roof decking/sheathing. It is prohibited to fasten sleepers or ledgers for over-framing to roof coverings, insulation, or other non-structural elements of a roofing system.

2. Subsection 802.4.6 is replaced with the following:

R802.4.6 Collar ties. Where collar ties are used to connect opposing rafters, they shall be located in the upper third of the attic space and fastened in accordance with table R602.3(1). Collar ties shall be not less than 2 inches by 4 inches (50mm x102mm) nominal, spaced not more than 4 feet (1219mm) on center, ridge straps shall be permitted to replace collar ties. Ridge straps shall be not less than 1 1/4 inch (32mm) x 20 gage and shall be nailed to the top edge of each rafter with not fewer than three (3) 10d common (3"x0.148") nails with the closest nail not closer than 2 3/8 inches (60.3mm) from the end of the rafter. Truss bracing must be the same size as the truss being braced.

F. The provisions of Chapter 9 shall include the following amendments:

1. Subsection R905.2.1 is replaced with the following:

R905.2.1 Sheathing requirements. Asphalt shingles shall be fastened to solidly sheathed decks. Gapped boards are prohibited. Gapped boards must be replaced with solid plywood or OSB sheathing or must be overlaid with solid plywood or OSB sheathing to ensure proper mechanical fastening of asphalt shingles to the structure.

2. Subsection R905.2.8.3 is replaced with the following:

R905.2.8.3 Sidewall Flashing. Base flashing against a vertical sidewall shall be step flashing and shall be not less than 4 inches (102mm) in height and 4 inches (102mm) in width and shall direct water away from the vertical sidewall onto the roof or into a gutter. Where siding is provided on the vertical sidewall, the vertical leg of the flashing shall be continuous under the siding. Where anchored masonry veneer is provided on the vertical sidewall, the base flashing shall be provided in accordance with this section and counterflashing shall be provided in accordance with Section R703.8.2.2. Where exterior plaster or adhered masonry veneer is provided on the vertical sidewall, the base flashing shall be provided in accordance with this section and Section R703.6.3.

3. Subsection R908.3.1 is replaced with the following:

R908.3.1 Recovering versus replacement. New roof coverings shall not be installed without first removing all existing layers of roof coverings down to the roof deck.

Exceptions.

1. Complete and separate roofing systems, such as standing-seam metal roof systems that are designed to transmit the roof loads directly to the building's structural system and that do not rely on existing roofs and roof coverings for support, shall not require the removal of existing roof coverings.
2. Metal panel, metal shingle and concrete and clay tile roof coverings shall be permitted to be installed over existing wood shake roofs when applied in accordance with Section R907.4

The application of a new protective coating over an existing spray polyurethane foam roofing system shall be permitted without tear-off of the existing roof coverings.

4. Subsection R908.3.1.1 is deleted.

G. The provisions of chapter 10 shall include the following amendment:

1. Subsection R1004.4 is replaced with the following:

R1004.4 Unvented gas log heaters. Unvented gas log heaters are prohibited.

- H. The provisions of Chapter 11 are replaced with the 2021 International Energy Conservation Code as adopted by reference in Lakewood Municipal Code Chapter 14.08.
- I. The provisions of Chapters 12 through 23 are replaced with the 2021 International Mechanical Code as adopted by reference in Lakewood Municipal Code Chapter 14.04.
- J. The provisions of Chapter 24 are replaced with the 2021 International Fuel Gas Code as adopted by reference in Lakewood Municipal Code chapter 14.10.
- K. The provisions of Chapters 25 through 33, excluding Section P2904, are replaced with the 2021 International Plumbing Code as adopted by reference in Lakewood Municipal Code Chapter 14.05.
- L. The provisions of Part VIII, Chapters 34 through 43 are replaced with the 2020 National Electrical Code as adopted by reference in Lakewood Municipal Code Chapter 14.06.
- M. The provisions of Appendix E shall include the following amendments:
 - 1. Subsection AE103.1 Manufactured Home definition is replaced with the following:

Manufactured Home. Any pre-constructed building unit or combination of pre-constructed building units, without motive power, where such unit or units are manufactured in a factory or at a location other than the residential site of the completed home, which is designed and commonly used for the occupancy by persons, in either temporary or permanent locations and which unit or units are not licensed as a vehicle. Manufactured Homes include Manufactured Homes built to the HUD standards, and the factory-built housing units built to the building code standards adopted by the State of Colorado Department of Housing.
 - 2. Subsection AE103.1 The following definition is added:

Mobile Homes. (Units constructed in or before 1976) A pre-HUD home built to the ANSI A-119.1 standard. Such mobile homes may be unlabeled, or for Colorado homes built between 1971 and 1976, possess a state of Colorado Mobile Home Certification label.
- N. The provisions of Appendix F shall include the following amendments:
 - 1. Section AF101 Is replaced with the following:

AF101.1 General. This appendix contains radon control requirements for new construction in the City of Lakewood.
 - 2. Subsection AF103.2 is replaced with the following:

AF103.2 Subfloor preparation for basements or enclosed crawl spaces with concrete floors and slab on grade dwellings:

A layer of gas-permeable material shall be placed under those portions of concrete slabs or subfloors that are (a) within the walls of living spaces and

directly contact the ground and (b) where either new fill material is placed to create a new sub-grade or trenches are used for underground plumbing or depressurization pipes. The gas-permeable layer shall consist of one of the following:

1. A uniform layer of clean aggregate, a minimum of 4 inches thick. The aggregate shall consist of material that will pass through a 2-inch sieve and be retained by a ¼-inch sieve.
 2. A uniform layer of sand (native or fill) a minimum of 4 inches thick, overlain by a layer of strips of geotextile drainage matting designed to allow the lateral flow of soil gases.
 3. Other materials, systems, or floor designs with demonstrated capability to permit depressurization across the entire sub-floor areas.
3. Figure AF103.1 is amended by adding a footnote to read as follows:
4. A new subsection AH103.3 is added to read as follows:
- a. The polyethylene sheeting shown in the figure is not required below concrete slabs in basements. The polyethylene sheeting is required in all crawls spaces and shall meet the requirements of Section 103.5.2.

O. The provisions of Appendix H shall include the following amendments.

1. A new subsection AH103.3 is added to read as follows:

AH103.3 Enclosed patios. Conditioned, enclosed patios shall be considered a room addition and shall be constructed as required by chapters 1 through 33 of this code.

2. Subsection AH105.2 is replaced with the following:

AH105.2 General. Patio covers shall be supported on piers or other approved foundation systems that extend below frost depth as defined in Table R301.2. Patio Covers as defined in AH102 shall be supported on a continuous foundation system extending below frost depth as defined in table R301.2. Walls shall not be supported on a slab or shallow-depth foundation.

3. Subsection AH106 is deleted.

4. Subsection AJ102.4.1 is replaced with the following:

P. The provisions of Appendix J shall include the following amendments:

1. Subsection AJ102.4.1 is replaced with the following:

AJ102.4.1 Energy Efficiency. Replacement Windows shall comply with the requirements of the 2021 International Energy Conservation Code as adopted by reference in Lakewood Municipal Code chapter 14.08.

2. Subsection AJ107.2 is replaced with the following:

AJ107.2 Water Closets. Where any water closet is replaced with a newly manufactured water closet, the replacement water closet shall comply with

the requirements of the 2021 International Plumbing Code as adopted by reference in Lakewood Municipal Code Chapter 14.05.

3. Subsection AJ107.3 is replaced with the following:

AJ107.3 Electrical. Repair or replacement of existing electrical wiring and equipment undergoing repair with like material shall be permitted.

Exceptions:

1. Replacement of electrical receptacles shall comply with the requirements of the 2020 National Electrical Code (NEC) as adopted by reference in Lakewood Municipal Code Chapter 14.06.
 2. Plug fuses of the Edison-base type shall be used for replacements only where there is not evidence of overfusing or tampering in accordance with the applicable requirements of the 2020 National Electrical Code (NEC) as adopted by reference in the Lakewood Municipal Code Chapter 14.06
 3. For replacement of non-grounding-type receptacles with grounding-type receptacles and for branch circuits that do not have any equipment grounding conductor in the branch circuitry, the grounding conductor of a grounding-type receptacle outlet shall be permitted to be grounded at any accessible point on the grounding electrode system, or to any accessible point on the grounding electrode conductor, as allowed and described in the 2020 National Electrical Code (NEC) as adopted by reference in Lakewood Municipal Code Chapter 14.06.
4. Subsection AJ108.4 Structural is deleted.
5. Subsection AJ109.5.1 is replaced with the following:
- AJ109.5 Materials and methods.* Newly installed electrical equipment and wiring relating to work done in any work area shall comply with the materials and methods requirements of the 2020 National Electrical Code (NEC) as adopted by reference in Lakewood Municipal Code Chapter 14.06
- Exception:* Electrical equipment and wiring in newly installed partitions and ceilings shall comply with the applicable requirements of the 2020 National Electrical Code (NEC) as adopted by reference in Lakewood Municipal Code Chapter 14.06
6. Subsection AJ109.5.3.3 is replaced with the following:
- AJ109.5.3.3 Ground-Fault Circuit Interruption.* Ground-fault circuit interruption shall be provided on newly installed receptacle outlets if required by the 2020 National Electrical Code (NEC) as adopted by reference in Lakewood Municipal Code Chapter 14.06
7. Subsection AJ109.5.3.5 is replaced with the following:

AJ109.5.3.5 Clearance. Clearance for electrical service equipment shall be provided in accordance with the 2020 National Electrical Code (NEC) as adopted by reference in Lakewood Municipal Code Chapter 14.06

8. Subsection AJ109.7 is replaced with the following:

AJ109.7 Ceiling height. Habitable spaces created in existing basements and attics shall have a ceiling height of not less than 6 feet 8 inches (2032mm), except that the ceiling height at obstructions shall be not less than 6 feet 4 Inches (1930mm) from the basement finished floor. Existing finish ceiling heights in non-habitable spaces in basements or attics shall not be reduced.

9. Subsection AJ110.4 is replaced with the following:

AJ110.4 Ceiling height. Habitable spaces created in existing basements and attics shall have a ceiling height of not less than 6 feet 8 inches (2032mm), except that the ceiling height at obstructions shall be not less than 6 feet 4 Inches (1930mm) from the basement finish floor. Existing finished ceiling heights in non-habitable spaces in basements or attics shall not be reduced.

14.09.070 – Penalties for violations of the International Residential Code.

- A. Any person who violates any of the provisions of the code adopted by this chapter or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement or specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order, as affirmed or modified by the Board of Appeals or by a court of competent jurisdiction, within the time fixed in this title, shall severally for each and every violation and noncompliance respectively, be subject to the penalties set forth in Section 1.16.020 of the Lakewood Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or deficits within a reasonable time, and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.
- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

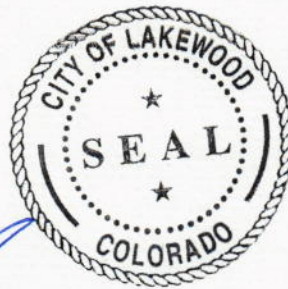
SECTION 2. All provisions of Title 14 of the Lakewood Municipal Code not expressly amended hereby shall remain unaltered by this Ordinance and in full force and effect.


SECTION 3. This ordinance shall take effect thirty (30) days after final publication.

SECTION 4. If any provision of this ordinance should be found by a court of


competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 24th day of April, 2023; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 27th day of April, 2023; set for public hearing to be held on the 8th day of May, 2023, read, finally passed and adopted by the City Council on the 8th day of May, 2023 and, signed by the Mayor on the 9th day of May, 2023.

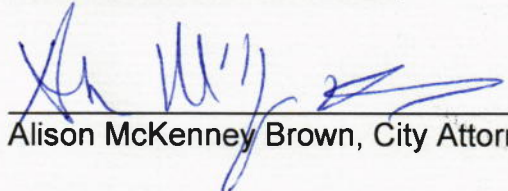



Adam Paul, Mayor

ATTEST:


Jay Robb, City Clerk

APPROVED AS TO FORM:


Alison McKenney Brown, City Attorney