

O-2022-18

AN ORDINANCE

AN ORDINANCE REPEALING AND REENACTING CHAPTER 14.10 OF TITLE 14 OF THE LAKEWOOD MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2018 EDITION OF THE INTERNATIONAL CODE COUNCIL'S INTERNATIONAL FUEL GAS CODE, 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 2018 International Fuel Gas Code, 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 2018 edition of the International Fuel Gas Code, 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**SECTION 1.** Chapter 14.10 of the Lakewood Municipal Code is repealed and reenacted as follows:

**14.10.010 - International Fuel Gas Code, 2018 Edition, adopted by reference, generally.**

In accordance with Colorado Revised Statutes Section 31-16-201, *et seq.*, and the City of Lakewood home rule charter, the International Fuel Gas Code of the hereinafter "International Fuel Gas Code," is hereby adopted by reference, subject to the deletions, amendments and additions contained in this chapter.

**14.10.020 Purpose of the International Fuel Gas Code.**

The purpose of the International Fuel Gas Code is to provide minimum standards to safeguard life and limb, health and property and public welfare by the regulation of the design, construction, installation and quality of materials, location operation and maintenance of fuel gas systems.

**14.10.030 State amendments to certain provisions of the International Fuel Gas Code.**

Pursuant to Title 31, Article 16, C.R.S. and the City of Lakewood home rule charter, the amendments to the International Fuel Gas Code adopted in the Colorado Plumbing Code, 3 C.C.R. 720-1(1.2)(E)(3)(a)-(k), as of July 15, 2022, unless otherwise stated herein in section 14.10.040 below, are hereby adopted by reference.

**14.10.040 Local amendments to certain provisions of the International Fuel Gas Code.**

Certain provisions of the International Fuel Gas Code, as indicated in this section, are hereby amended.

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

1. Subsection 101.1 is deleted
2. Subsection 101.2 is amended by deleting the exception.
3. Section 103 is deleted.
4. Subsection 106.6 is replaced with the following:  
**106.6 Fees.** Fees and valuation for permits required by this Code shall be specified in section 14.01.060 of the Lakewood Building Code.
5. Section 109 is replaced with the following:  
**Board of Appeals.** Persons aggrieved under this chapter 14.10 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 3 shall include the following amendments:

1. Subsection 303.3 is amended by deleting exceptions 3 and 4.
2. A new subsection 305.13 is added to read as follows:  
**305.13 Roof mounted equipment.** Equipment or appliances installed on a roof shall be a minimum of 12 inches above the roof on an approved or listed curb or platform.

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

1. Subsection 404.6 is replaced with the following:  
**404.6 Underground penetrations prohibited.** Gas piping shall not penetrate a building foundation wall below grade. When passing through masonry or concrete exterior walls, gas piping shall be encased with a protective pipe sleeve. The annular space between the gas piping and the sleeve shall be sealed to prevent the infiltration of water.
  2. Subsection 404.12 is replaced with the following:  
**404.12 Minimum Burial Depth.** Underground piping systems shall be installed a minimum depth of 12 inches below grade, except as provided in section 404.12.1 Underground plastic gas piping shall be installed a minimum of 18 inches below grade.
  3. Subsection 406.4.1 and 406.4.2 are replaced with the following:  
**406.4.1 Test pressure and duration.** Threaded gas piping shall be tested to 20 psi for 15 minutes. Welded or medium pressure gas piping shall be tested at 60 psi for 15 minutes.
- D. The provisions of chapter 6 shall include the following amendments:
1. Subsection 621.1 is replaced with the following:  
**621.1 Unvented room heaters.** Unvented gas burning appliances shall not be installed in any occupied building.
  2. Subsection 623.2 is amended by adding an exception to read as follows:  
**Exception:** Commercial cooking appliances installed in accordance with the manufacturer's specifications for residential installation may be approved by the Building Official.

#### **14.10.050 Penalties for violations of the International Fuel Gas Code.**

- A. Any person who violates any of the provisions of the code adopted by this chapter or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate of permit issued thereunder, and from which no appeal has been taken and decided so as to permit such action, 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 chapter, shall severally for each and every violation and noncompliance respectively, be subject to the penalties set forth in Section 1.16.20. The imposition of one penalty for any violation shall be 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 that the prohibited conditions are maintained shall constitute a separate offense.

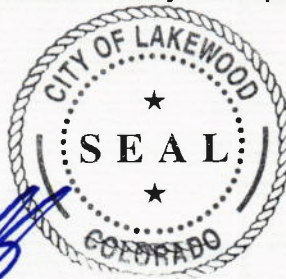
B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

**SECTION 2.** All provisions of Chapter 14 of the Lakewood Municipal Code not expressly amended hereby shall remain unaltered and in full force and effect.

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

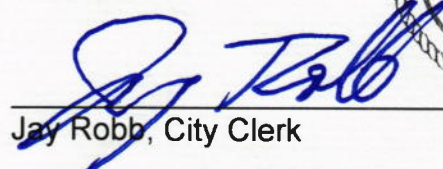
**SECTION 4.** If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or 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 12th day of September 2022; published by title in the Denver Post and in full on the City of Lakewood's website, [www.lakewood.org](http://www.lakewood.org), on the 15th day of September 2022; set for public hearing on the 26th day of September 2022; read, finally passed and adopted by the City Council on the 26th day of September 2022, and signed, and approved by the Mayor on the 27th day of September, 2022.

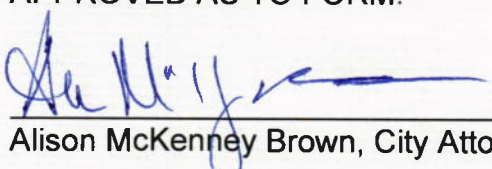


  
\_\_\_\_\_  
Adam Paul, Mayor

ATTEST:

  
\_\_\_\_\_  
Jay Robb, City Clerk

APPROVED AS TO FORM:

  
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Alison McKenney Brown, City Attorney