

FIRST READING: January 21, 2020

SECOND READING: December 22, 2020

ORDINANCE NO. 6374

**AN ORDINANCE REPEALING AND REENACTING CHAPTER 15.16 OF THE
LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THE
INTERNATIONAL MECHANICAL CODE, 2018 EDITION**

WHEREAS, pursuant to Section 4-12 of the Charter of the City of Loveland, the City Council is authorized to adopt, by ordinance, any code by reference in accordance with the procedures established by state law; and

WHEREAS, the Construction Advisory Board has recommended that City Council adopt the 2018 Edition of the International Mechanical Code (the “2018 IMC”), and amendments thereto; and

WHEREAS, the City Council has conducted a public hearing pursuant to C.R.S. §31-16-203 concerning the adoption of the 2018 IMC by reference and finds and determines that it is necessary to the health, safety and general welfare of the public that the City regulate conditions hazardous to life and property by the adoption of the 2018 IMC, and certain amendments and modifications thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. Chapter 15.16 of the Loveland Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

15.16.010 – International Mechanical Code, 2018 Edition – Adopted.

The International Mechanical Code, 2018 Edition (the “2018 IMC”), issued and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, including appendix A only, is hereby adopted by reference as the mechanical code of the City as if fully set forth herein, with the modifications, if any, set forth in Section 15.16.020 below. This code is a complete code to safeguard public health, safety and welfare by regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems, and providing for issuance of permits and collection of fees therefore. At least one copy of the 2018 IMC, which has been certified by the Mayor and City Clerk, shall be on file in the office of the City Clerk and may be inspected during regular business hours.

15.16.020 - Modifications to International Mechanical Code, 2018 Edition.

The International Mechanical Code, 2018 Edition, adopted in this chapter, is modified as follows:

A. Section 101.1 – Title - is amended to read as follows:

These regulations shall be known as the Mechanical Code of the City of Loveland, hereinafter referred to as “this code” or “mechanical code.”

B. Section 103 – Department of mechanical inspection - is deleted in its entirety.

C. Section 104 – Duties and powers of the code official - is deleted in its entirety.

D. Section 106.2 – Permits not required - is amended by the addition of the following numbered paragraph to read as follows:

9. Replacement or repair of air conditioning equipment of the same size, energy source, and rating in buildings classified as R-3 occupancies provided the initial installation has been permitted, inspected and approved.

E. Section 106.3.1 – Construction documents – is amended to read as follows:

Construction documents, engineering calculations, diagrams and other data shall be submitted electronically with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional where required by state law. Where special conditions exist, the code official is authorized to require additional construction documents to be prepared by a registered design professional. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for mechanical systems, and the materials and methods for maintaining required structural safety, fire-resistance rating and fire blocking.

F. Section 106.4 – Permit issuance – is deleted in its entirety.

G. Section 106.5 – Fees – is deleted in its entirety.

H. Section 108 – Violations – is deleted in its entirety.

I. Section 109 – Means of appeal - is deleted in its entirety.

J. Section 905.1 – General - is amended to read as follows:

Fireplace stoves and solid-fuel-type room heaters shall be listed and labeled and shall be installed in accordance with the conditions of the listing. Fireplace stoves shall be tested in accordance with UL 737. Solid-fuel-type room heaters shall be tested in accordance with UL 1482. Fireplace inserts intended for installation in fireplaces shall be listed and labeled in accordance with the requirements of UL 1482 and shall be installed in accordance with the manufacturer's instructions. No permit shall be issued for the installation of a wood stove appliance, unless the wood stove appliance is listed and tested by an approved testing agency, fully complies with the manufacturers listing and conforms to any emissions standards of the State of Colorado in effect at the time of permit application which may pertain to the City of Loveland.

K. Section 1001 – General - is amended by the addition of a new subsection 1001.2 to read as follows:

1001.2 Operations and maintenance of boilers and pressure vessels. Boilers and pressure vessels shall be operated and maintained in conformity with requirements for adequate protection of the public according to nationally recognized standards. The State Boiler Inspector shall notify the owner or the authorized representative of defects or deficiencies, which shall be properly and promptly corrected.

L. Section 1011 – Tests - is amended to read as follows:

An installation for which a permit is required shall not be put into service until it has been inspected and approved. It is the duty of the owner or his or her authorized representative to notify the State of Colorado Boiler Inspector or an authorized alternate that the installation is ready for inspection and test. The results of such test shall be submitted to the building official for acceptance.

15.16.030 – Violations and penalties.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City or cause the same to be done contrary to or in violation of any of the provisions of this code, as adopted and modified by the City. Any person, firm or corporation violating any of the provisions of this code, as adopted and modified by the City, shall be deemed guilty of a misdemeanor and subject to penalties as set forth in Section 1.12.010 of the Loveland Municipal Code.

Section 2. That if any section, subsection, or portion of this ordinance is, for any reason, held to be unconstitutional or invalid for any reason, such decision shall not affect that validity of the remaining portions of this ordinance. City Council hereby declares that it would have passed this ordinance, and each section, subsection, and portion hereof, regardless of whether any one or more sections, subsections, or portions may be declared unconstitutional or invalid.

Section 3. That nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, liability incurred, or cause of action acquired or existing under any ordinance hereby repealed, nor shall any legal right or remedy of any character be impaired by this ordinance.

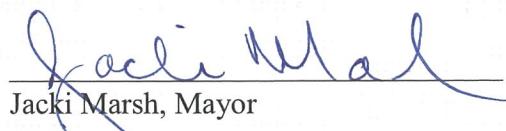
Section 4. That the City Clerk shall cause to be published twice in a newspaper of general circulation within the City, once at least fifteen days preceding the public hearing, and once at least eight days preceding the public hearing, the following notice:

Public notice is hereby given that at 6:00 p.m. on February 4, 2020 in the City Council Chambers, City Hall, 500 East Third Street, Loveland, Colorado, the Loveland City Council will consider on second reading an Ordinance Repealing and Reenacting Chapter 15.16 and Adopting by Reference the International Mechanical Code, 2018 Edition. A public hearing shall be held prior to said consideration. Copies of the above-referenced International Mechanical Code, 2018 Edition and any codes adopted by reference within the code are on file with the Loveland City Clerk and are open to public inspection.

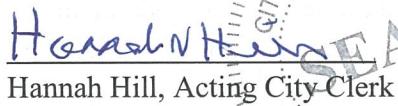
Section 5. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect ten days after its final publication, as provided in City Charter Section 4-8(b).

ADOPTED this 22nd day of December, 2020.

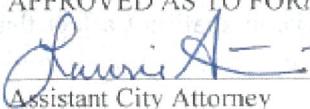
CITY OF LOVELAND, COLORADO:


Jacki Marsh, Mayor

ATTEST:


Hannah Hill, Acting City Clerk

APPROVED AS TO FORM


Lauri A.
Assistant City Attorney

Ordinance 6374

I, Patti Garcia, City Clerk of the City of Loveland, Colorado, hereby certify that the above and foregoing Ordinance was introduced at a regular (or special) meeting of the City Council, held on January 21, 2020 and was initially published in the Loveland Daily Reporter-Herald, a newspaper published within the city limits, in full on January 25, 2020 and by title except for parts thereof which were amended after such initial publication which parts were published in full in said newspaper on December 22, 2020.


Abby
City Clerk

Effective Date: January 5, 2021