

ORDINANCE NO. 028, 2022
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 5, ARTICLE IV OF THE CODE OF THE
CITY OF FORT COLLINS FOR THE PURPOSE OF REPEALING THE
2018 INTERNATIONAL FUEL GAS CODE AND ADOPTING THE
2021 INTERNATIONAL FUEL GAS CODE, WITH AMENDMENTS

WHEREAS, since 1924, the City has reviewed, amended and adopted the latest nationally recognized building standards available for the times; and

WHEREAS, upon recommendation of City staff, the City Council has determined that it is in the best interests of the City to align nine interconnected basic construction codes under one publication year; and

WHEREAS, the nine interconnected basic construction codes are the *International Building Code*, *International Residential Code*, *International Mechanical Code*, *International Fuel Gas Code*, *International Energy Conservation Code*, *International Property Maintenance Code*, *International Swimming Pool and Spa Code*, *International Existing Building Code*, and the *International Plumbing Code* to the extent adopted by the *Colorado Plumbing Code*; and

WHEREAS, the City Council has determined that the 2021 publication year of the nine interconnected basic construction codes should be adopted and that any counterpart *International* codes previously adopted should be repealed, both in order to align the publication years of the codes and because the 2021 publications contain improvements in construction code regulation; and

WHEREAS, City staff has conducted a significant public outreach program, working with the regulated construction industry and building professionals; and

WHEREAS, the adoption of the nine interconnected basic construction codes has been presented to community groups and feedback has been received by the Water Commission, Energy Board, Commission on Disability, Natural Resources Advisory Board, Poudre Fire Authority Board, Building Review Commission, Affordable Housing Board, and Air Quality Advisory Board; and

WHEREAS, the City Council has determined that it is in the best interest of the health, safety and welfare of the City and its residents that the *2021 International Fuel Gas Code* be adopted, with local amendments as set forth in this Ordinance; and

WHEREAS, pursuant to the City Charter, Article II, Section 7, City Council may enact any ordinance which adopts a code by reference in whole or in part provided that before adoption of such ordinance the Council hold a public hearing thereon and that notice of the hearing shall be published twice in a newspaper of general circulation published in the City, with one of such publications occurring at least eight (8) days preceding the hearing and the other publication occurring at least fifteen (15) days preceding the hearing; and

WHEREAS, in compliance with City Charter, Article II, Section 7, the City Clerk published in the Fort Collins *Coloradoan* such notice of hearing concerning adoption of the 2021 International Codes on January 30, 2022, and February 6, 2022; and

WHEREAS, attached as Exhibit “A” and incorporated herein by reference is the Notice of Public Hearing dated January 24, 2022, that was so published and which the Council hereby finds meets the requirements of Article II, Section 7 of the City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. The City Council hereby repeals the 2018 *International Fuel Gas Code* (“IFGC”) and hereby adopts the 2021 *International Fuel Gas Code* as amended by this Ordinance.

Section 3. That Section 5-111 of the Code of the City of Fort Collins is hereby amended as follows:

Sec. 5-111. - Adoption of standards for fuel gas piping, equipment and accessories.

Pursuant to the power and authority conferred on the City Council by C.R.S. §31-16-202 and Article II, Section 7 of the Charter, has adopted the 2021 *International Fuel Gas Code*, published by the International Code Council, which shall have the same force and effect as though set forth in full herein except as amended pursuant to §5-112 of the City Code. The subject matter of the 2021 *International Fuel Gas Code* adopted herein includes comprehensive regulations governing the design, installation, maintenance, alteration and inspection of fuel gas piping systems, fuel gas utilization equipment and related accessories for the purposes of protecting public health, safety and general welfare. None of the 2021 *International Fuel Gas Code* Appendices are hereby adopted.

Section 4. That Section 5-112 of the Code of the City of Fort Collins is hereby repealed and re-enacted to read as follows:

Sec. 5-112. - Amendments and deletions to the 2021 International Fuel Gas Code.

The 2021 *International Fuel Gas Code* adopted in § 5-111 is hereby amended as follows:

1. **Section 101.1 Title** is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the *Fuel Gas Code* of the City of Fort Collins, hereinafter referred to as “this code.”

2. **Section 102.8 Referenced codes and standards** is hereby amended to read as follows:

Section 102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are *listed* in Section 101.4 of the adopted *International Building Code*, entitled “Referenced codes,” and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.8.1 and 102.8.2.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the *equipment* or *appliance*, the conditions of the listing and the manufacturer's installation instructions shall apply.

3. **SECTION 103 (IFGC) CODE COMPLIANCE AGENCY** is hereby deleted in its entirety and replaced with the following:

SECTION 103 – CODE ADMINISTRATION

103.1 Entity charged with code administration. The entity charged with code administration shall be as determined in accordance with Section 103 of the adopted *International Building Code*, entitled “CODE ADMINISTRATION.”

4. **Section 106.1.1 Annual permit** and **Section 106.1.2 Annual permit records** are hereby deleted in their entirety.
5. **SECTION 109 (IFGC) FEES** is hereby deleted in its entirety and replaced with the following:

SECTION 109 FEES

109.1 Fees. All items relating to fees shall be as specified in Section 109 of the adopted *International Building Code*, entitled “FEES.”

6. **SECTION 113 (IFGC) MEANS OF APPEAL** is hereby deleted in its entirety and replaced with the following:

SECTION 113 MEANS OF APPEAL.

113.1 General. Appeals of decisions, determinations and interpretations of this code shall be made pursuant to the applicable provisions of Section 113 of the adopted *International Building Code*, entitled “MEANS OF APPEALS.”

7. **SECTION 114 (IFGC) BOARD OF APPEALS** is hereby deleted in its entirety.
8. **Section 115.4 Violation penalties** is hereby deleted in its entirety and replaced with the following:

115.4 Violation penalties. All items related to violation penalties shall be made pursuant to the applicable provisions of Section 114.4 of the adopted *International Building Code*.

9. A new **Section 115.4.1 Work commencing before permit issuance** is hereby added to read as follows:

115.4.1 Work commencing before permit issuance. All items related to work commencing before permit issuance shall be made pursuant to the applicable provisions of Section 109.2 of the adopted *International Building Code*.

10. **Section 301.3 Listed and labeled** is hereby amended to read as follows:

301.3 Listed and labeled. *Appliances* regulated by this code shall be *listed* and *labeled* for the application in which they are used unless otherwise *approved* in accordance with Section 105.

11. **Section 303.3 Prohibited locations** is hereby amended as follows:

303.3 Prohibited locations. Appliances shall not be located in sleeping rooms, bathrooms, toilet rooms, storage closets or surgical rooms, or in a space that opens only into such rooms or spaces, except where the installation complies with one of the following:

1. The *appliance* is a direct-vent *appliance* installed in accordance with the conditions of the listing and the manufacturer's instructions.
2. Vented room heaters, wall furnaces, vented decorative appliances, vented gas fireplaces, vented gas *fireplace* heaters and decorative appliances for installation in vented solid fuel-burning fireplaces are installed in rooms that meet the required volume criteria of Section 304.5.
3. The *appliance* is installed in a room or space that opens only into a bedroom or bathroom, and such room or space is used for no other purpose and is provided with a solid weather-stripped door equipped with an *approved* self-closing device. *Combustion air* shall be taken directly from the outdoors in accordance with Section 304.6.
4. A clothes dryer is installed in a residential bathroom or toilet room having a permanent opening with an area of not less than 100 square inches (0.06 m²) that communicates with a space outside of a sleeping room, bathroom, toilet room or storage closet.

12. **Section 304.11 Combustion air ducts** is hereby amended to read as follows:

304.11 Combustion air ducts. *Combustion air* ducts shall comply with all of the following:

1. Ducts shall be constructed of galvanized steel complying with Chapter 6 of the *International Mechanical Code* or of a material having equivalent corrosion resistance, strength and rigidity.

Exception: Where the installation of galvanized steel ducts is not practical due to existing finish materials within dwellings units that are undergoing *alteration* or reconstruction, unobstructed stud and joist spaces shall not be prohibited from conveying *combustion air*, provided that not more than one required fireblock is removed.

2. Ducts shall terminate in an unobstructed space allowing free movement of *combustion air* to the *appliances*.
3. Ducts shall serve a single enclosure.
4. Ducts shall not serve both upper and lower *combustion air* openings where both such openings are used. The separation between ducts serving upper and lower *combustion air* openings shall be maintained to the source of *combustion air*.
5. Ducts shall not be screened where terminating in an attic space.
6. Horizontal upper *combustion air* ducts shall not slope downward toward the source of *combustion air*.
7. The remaining space surrounding a chimney liner, gas vent, special gas vent or plastic *pipng* installed within a masonry, metal or factory-built chimney shall not be used to supply *combustion air*.

Exception: Direct-vent gas-fired appliances designed for installation in a solid fuel-burning *fireplace* where installed in accordance with the manufacturer's instructions.

8. *Combustion air* intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 12 inches (305 mm) vertically from the adjoining finished ground level.
9. All *combustion air* openings or ducts shall be readily identifiable with an *approved* label or by other means warning persons that obstruction of such openings or ducts may cause fuel-burning *equipment* to release *combustion products* and dangerous levels of carbon monoxide into the building.

13. **Section 305.1 General** is hereby amended to read as follows:

305.1 General. *Equipment* and appliances shall be installed as required by the terms of their approval, in accordance with the conditions of listing, the manufacturer's instructions and this code. Manufacturers' installation instructions shall be available on the job site at the time of inspection. Where a code provision is less restrictive than the conditions of the listing of the *equipment* or *appliance* or the manufacturer's installation instructions, the conditions of the listing and the manufacturer's installation instructions shall apply.

14. **Section 404.12 Minimum burial depth** is hereby amended to read as follows:

404.12 Minimum burial depth. Underground *pipng* systems shall be installed a minimum depth of 18 inches (457 mm) below grade.

15. **Section 404.12.1 Individual outdoor appliances** is hereby deleted in its entirety.
16. **Section 406.4.1 Test pressure** is hereby deleted in its entirety and replaced with the following:

406.4.1 Test pressure. The test pressure to be used for non-welded pipe shall be 10 psi minimum.

17. **Section 501.8 Appliances not required to be vented** is hereby amended to read as follows:

501.8 Appliances not required to be vented. The following appliances shall not be required to be vented:

1. Electrical ranges.
2. Built-in domestic cooking units *listed* and marked for optional venting.
3. Hot plates and laundry stoves.
4. Type 1 clothes dryers (Type 1 clothes dryers shall be exhausted in accordance with the requirements of Section 614).
5. A single booster-type automatic instantaneous water heater, where designed and used solely for the sanitizing rinse requirements of a dishwashing machine, provided that the heater is installed in a commercial kitchen having a mechanical exhaust system. Where installed in this manner, the draft hood, if required, shall be in place and unaltered and the draft hood *outlet* shall be not less than 36 inches (914 mm) vertically and 6 inches (152 mm) horizontally from any surface other than the heater.
6. Refrigerators.
7. Counter appliances.
8. Direct-fired makeup air heaters.
9. Specialized appliances of limited input such as laboratory burners and gas lights.

Where the appliances listed in Items 5 through 9 are installed so that the aggregate input rating exceeds 20 British thermal units (Btu) per hour per cubic foot (207 watts per m³) of volume of the room or space in which such appliances are installed, one or more shall be provided with venting systems or other *approved* means for conveying the vent gases to the outdoor atmosphere so that the aggregate input rating of the remaining unvented appliances does not exceed 20 Btu per hour per cubic foot (207 watts per m³). Where the room or space in which the *appliance* is installed is directly connected to another room or space by a doorway, archway or other opening of comparable size that cannot be closed, the volume of such adjacent room or space shall be permitted to be included in the calculations.

18. **Section 503.6.6 Minimum height** is hereby amended to read as follows:

503.6.6 Minimum height. A Type B or L gas vent shall terminate not less than 5 feet (1524 mm) in vertical height above the highest connected *appliance* draft hood or flue collar. A Type B-W gas vent shall terminate not less than 12 feet (3658 mm) in vertical height above the bottom of the wall furnace. All gas vents shall terminate a minimum of 22 inches (559 mm) above the surface or grade directly below.

19. **Section 621 (IFGC) UNVENTED ROOM HEATERS** is hereby deleted in its entirety.

20. A new **Section 623.3.1 Kitchens with gas cooking** is hereby added to read as follows:

623.3.1 Kitchens with gas cooking. Gas cooking *appliances* in residential kitchens shall be supplied with an exhaust system vented to the outside. Ducts serving kitchen exhaust systems shall not terminate in an attic or *crawl space* or areas inside the building and shall not induce or create a negative pressure in excess of negative 3 Pa or adversely affect gravity-vented *appliances*.

21. **Section 630.3 (IFGS) Combustion and ventilation air** is hereby amended to read as follows:

630.3 (IFGS) Combustion and ventilation air. Where infrared heaters are installed, natural or mechanical means shall provide outdoor ventilation air at a rate of not less than 4 cfm per 1,000 Btu/h (0.38 m³/min/kW) of the aggregate input rating of all such heaters installed in the space. Exhaust openings for removing flue products shall be above the level of the heaters.

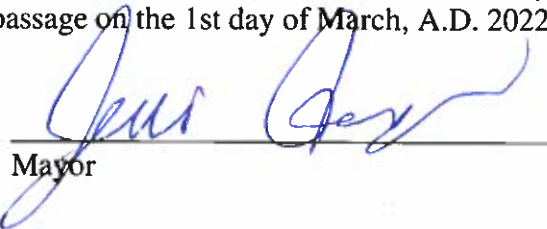
Section 5. The City Attorney and the City Clerk are authorized to modify the formatting and to make such other amendments to this Ordinance as necessary to facilitate publication in the Fort Collins Municipal Code; provided, however, that such modifications and amendments shall not change the substance of the Code provisions.

Introduced, considered favorably on first reading, and ordered published this 15th day of February, A.D. 2022, and to be presented for final passage on the 1st day of March, A.D. 2022.

ATTEST:


City Clerk




Mayor


Passed and adopted on final reading on this 5th day of April, A.D. 2022,





Mayor

ATTEST:



City Clerk

NOTICE OF PUBLIC HEARING

EXHIBIT A

NOTICE is hereby given of a public hearing to be held before the Council of the City of Fort Collins, Colorado, on the 15th day of February, A.D., 2022 at 6:00 p.m., or as soon thereafter as the matter may come on for hearing, in the Council Chambers at the City Hall, 300 LaPorte Avenue, Fort Collins, Colorado for the purpose of considering the adoption of ordinances that adopt by reference the *2021 International Building Code*, *2021 International Residential Code*, *2021 International Energy Conservation Code*, *2021 International Mechanical Code*, *2021 International Fuel Gas Code*, *2021 International Existing Building Code*, *2021 International Swimming Pool and Spa Code*, *2021 International Property Maintenance Code* and the *International Plumbing Code*, each promulgated by the International Code Council, and the *Colorado Plumbing Code*, together with local amendments.

Not less than one (1) copy of said Codes has been, and now is on file in the Office of the City Clerk of the City of Fort Collins and is available for public inspection.

The purpose of adopting the *International Building Code*, *International Residential Code*, *International Energy Conservation Code*, *International Mechanical Code*, *International Fuel Gas Code*, *International Existing Building Code*, *International Swimming Pool and Spa Code*, the *International Property Maintenance Code*, and the *Colorado Plumbing Code*, with local amendments by said ordinances is to provide for protection of public health, safety and welfare of the City and its residents.

Individuals who wish to address Council via remote public participation can do so through Zoom at <https://zoom.us/j/98241416497>. (The link and instructions are also posted at www.fcgov.com/councilcomments.) Individuals participating in the Zoom session should watch the meeting through that site, and not via FCTV, due to the streaming delay and possible audio interference.

The City of Fort Collins will make reasonable accommodations for access to City services, programs and activities, and will make special communication arrangements for persons with disabilities. Please call (970) 221-6515 (V/TDD: Dial 711 for Relay Colorado) for assistance.

This notice is given and published by order of the City of Fort Collins, Colorado.

Dated this 24th day of January, A.D. 2022.


City Clerk

Upon request, the City of Fort Collins will provide language access services for individuals who have limited English proficiency, or auxiliary aids and services for individuals with disabilities, to access City services, programs and activities. Contact (970) 221-6515 (V/TDD: Dial 711 for Relay Colorado) for assistance. Please provide 48 hours advance notice when possible.

A petición, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione 48 horas de aviso previo cuando sea posible.