

# AGENDA ITEM SUMMARY

July 16, 2019

City Council

## STAFF

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Russ Hovland, Chief Building Official  
Tom Leeson, Director, Comm Dev & Neighborhood Svcs  
Chris Van Hall, Legal

## SUBJECT

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Items Relating to 2018 International Code Amendments.

## EXECUTIVE SUMMARY

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- A. First Reading of Ordinance No. 094, 2019, Amending Chapter 5, Article II, Division 2 of the Code of the City of Fort Collins for the Purpose of Enacting Local Amendments to the *2018 International Building Code*.
- B. First Reading of Ordinance No. 095, 2019, Amending Chapter 5, Article II, Division 2 of the Code of the City of Fort Collins for the Purpose of Enacting Local Amendments to the *2018 International Residential Code*.

The purpose of this item is to revise two Code requirements first proposed in both the International Building Code (the "IBC") and the International Residential Code (the "IRC"). The first proposed change relates to an asphalt shingle roof covering requirement exemption where compliance is difficult given certain circumstances.

The second proposed change relates to an electric vehicle charging (EV ready) conduit requirement that was submitted to be included in the 2018 codes as adopted in January but was missed and not included in the final ordinance version as intended. Adopting these two Ordinances will make the above changes in both the IRC, which applies to residential property, and the IBC, which applies to commercial property.

## STAFF RECOMMENDATION

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Staff recommends adoption of the Ordinances on First Reading.

## BACKGROUND / DISCUSSION

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In January 2019, Council added a new local amendment to the 2018 IRC and IBC, that requires all buildings installing asphalt shingles as roof covering to use Class 4 impact-resistant shingles. Class 4 shingles are tested to withstand hail impacts up to 2 inches in size. Since passage of this local amendment, staff has determined that not all shingle color choices are available in the Class 4 product, especially colors not commonly used, such as red. The proposed local amendments to the IRC and the IBC allow the Chief Building Official to grant a variance under one of two circumstances:

- when existing asphalt shingles are less than Class 4 impact-resistant and the owner wishes to replace existing asphalt shingles with shingles a similar color or style and there are no Class 4 impact-resistant shingles in the similar color or style.
- when the owner is repairing or adding to existing asphalt shingles that are less than Class 4 impact-resistant and the owner wants to use the same or similar materials as the current existing asphalt shingles.

The second proposed local amendment to the IBC requires electric vehicle infrastructure (EV ready) conduit be installed to parking spaces of new buildings. EV ready provides the empty electrical conduit, from building electrical room to the parking spaces for the future install of charging stations for electric vehicles. The first draft of this local amendment proposed 5% of parking spaces provide EV ready conduit but during public review and outreach it was recommended this be changed to 10% of parking spaces to match what other communities are requiring. In addition, it was decided this should apply to hotel/motel (R-1) and multi-family (R-2) occupancies but not all other commercial occupancies. This second proposed change was inadvertently left out of the 2018 IBC ordinance that was passed in January.

The second IRC item for EV ready requires the conduit be larger than previously required and provide space for 50-amp equipment instead of 30-amp which is more appropriate for a type II charger commonly installed for today's electric cars.

### **BOARD / COMMISSION RECOMMENDATION**

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The roof shingle item is a concern submitted by an affected citizen and has not been presented to any board or commission.

The EV ready requirement in both Codes was reviewed and presented to all the boards and commissions during the code adoption process in 2018. This revision was approved by all boards, including the Building Review Board and the Building Code Adoption Review Committee.

ORDINANCE NO. 094, 2019  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING CHAPTER 5, ARTICLE II, DIVISION 2, OF THE  
CODE OF THE CITY OF FORT COLLINS FOR THE PURPOSE OF  
ENACTING LOCAL AMENDMENTS TO THE *2018 INTERNATIONAL BUILDING CODE*

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

WHEREAS, on January 2, 2019, the City adopted Ordinance No. 149, 2018, which adopted the 2018 International Building Code, with amendments (the “2018 IBC”); and

WHEREAS, one of the amendments to the 2018 IBC was adding section 1504.1.2 requiring asphalt shingles to be Class 4 impact resistant; and

WHEREAS, this amendment served the legitimate government interest of increasing durability of asphalt shingles within the City and minimized construction waste caused by damaged asphalt shingles that are not Class 4 impact resistant; and

WHEREAS, since the passage of the 2018 IBC, the Chief Building Official has experienced situations where an exemption to section 1504.1.2 may have been appropriate to permit a waiver of the requirement for the class 4 impact-resistant shingles, however, the 2018 IBC does not allow the Chief Building Official to grant exceptions for the requirements of section 1504.1.2; and

WHEREAS, the City now wishes to further amend section 1504.1.2 of the 2018 IBC to allow for exceptions from the requirements of section 1504.1.2 for class 4 impact-resistant shingles, when appropriate; and

WHEREAS, the City also wishes to amend IBC Section 3605 to be consistent with recommendations for electric vehicle ready parking that were proposed during the public review and outreach for the 2018 IBC, which recommendations were inadvertently left out of Ordinance No. 149, 2018; 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 citizens to amend the 2018 IBC consistent with the above.

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. That Section 5-27 subsection (64) 1504.1.2 *Impact resistance of asphalt shingles* of the Code of the City of Fort Collins is hereby amended to read as follows:

**1504.1.2 Impact resistance of asphalt shingles.** Asphalt shingles shall be Class 4 impact resistant and be tested in accordance with UL 2218 and installed in accordance with the manufacturer's installation instructions.

**Exception #1:** When existing asphalt shingles are less than class 4 impact resistant, and the owner wishes to replace the existing asphalt shingles with tiles of a similar color or style, and there are no class 4 impact resistance shingles available that are similar color or style of the existing asphalt shingles, the Building Official may approve alternate materials that are less than class 4 impact resistant, however, the Building Official will require the highest class of impact resistance that is available that matches the color and style of the existing asphalt shingles. If no such impact resistant materials are available, the Building Official may approve non-impact resistant materials if the alternate materials meet all other applicable requirements of this Code.

**Exception #2:** When the owner is repairing or adding to existing asphalt shingles that are less than class 4 impact resistant, the owner may use the same or similar materials as the current existing asphalt shingles, even if that same or similar material is not impact resistant.

Section 3. That Section 5-27 subsection (78) Section 3605 *Electrical Vehicle Ready* of the Code of the City of Fort Collins is hereby amended to read as follows:

**Section 3605 Electrical Vehicle Ready.** All new ~~buildings that provide on-site parking, 5 percent~~ **R-1 & R-2 occupancy buildings that provide on-site parking, 10 percent** of total parking spaces shall provide an empty conduit of 3/4 inch minimum, installed from the building electrical panel board to a junction box or capped pipe in a readily accessible location near/at the parking space, capable of supporting a 50 ampere 208/220 volt outlet.

Introduced, considered favorably on first reading, and ordered published this 16th day of July, A.D. 2019, and to be presented for final passage on the 20th day of August, A.D. 2019.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 20th day of August, A.D. 2019.

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Mayor

ATTEST:

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City Clerk

ORDINANCE NO. 095, 2019  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING CHAPTER 5, ARTICLE II, DIVISION 2, OF THE  
CODE OF THE CITY OF FORT COLLINS FOR THE PURPOSE  
OF ENACTING LOCAL AMENDMENTS TO THE  
*2018 INTERNATIONAL RESIDENTIAL CODE*

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

WHEREAS, on January 2, 2019, the City adopted Ordinance No. 151, 2018, which adopted the 2018 International Residential Code, with amendments (the “2018 IRC”); and

WHEREAS, one of the amendments to the 2018 IRC was adding section R905.2.4.2 requiring asphalt shingles to be Class 4 impact resistant; and

WHEREAS, this amendment served the legitimate government interest of increasing durability of asphalt shingles within the City and minimized construction waste caused by damaged asphalt shingles that are not Class 4 impact resistant; and

WHEREAS, since the passage of the 2018 IBC, the Chief Building Official has experienced situations where an exemption to section R905.2.4.2 may have been appropriate to permit a waiver of the requirement for class 4 impact-resistant shingles, however, the 2018 IRC does not allow the Chief Building Official to grant exceptions for the requirements of section R905.2.4.2; and

WHEREAS, the City now wishes to further amend section R905.2.4.2 of the 2018 IRC to allow for exceptions from the requirements of section 905.2.4.2, when appropriate; and

WHEREAS, the City also wishes to amend IRC Section E3401.5 to be consistent with recommendations for electrical vehicle ready parking that were proposed during the public review and outreach for the 2018 IRC, which recommendations were inadvertently left out of Ordinance No. 151, 2018; 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 citizens to amend the 2018 IRC consistent with the above.

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. That Section 5-30 subsection (54) R905.2.4.2 *Impact resistance of asphalt shingles* of the Code of the City of Fort Collins is hereby amended to read as follows:

**R905.2.4.2 Impact resistance of asphalt shingles.** Asphalt shingles shall be Class 4 impact resistant and be tested in accordance with UL 2218 and installed in accordance with the manufacturer’s installation instructions.

**Exception #1:** When existing asphalt shingles are less than class 4 impact resistant, and the owner wishes to replace the existing asphalt shingles with tiles of a similar color or style, and there are no class 4 impact resistance shingles available that are similar color or style of the existing asphalt shingles, the Building Official may approve alternate materials that are less than class 4 impact resistant, however, the Building Official will require the highest class of impact resistance that is available that matches the color and style of the existing asphalt shingles. If no such impact resistant materials are available, the Building Official may approve non-impact resistant materials if the alternate materials meet all other applicable requirements of this Code.

**Exception #2:** When the owner is repairing or adding to existing asphalt singles that are less than class 4 impact resistant, the owner may use the same or similar materials as the current existing asphalt shingles, even if that same or similar material is not impact resistant.

Section 3. That Section 5-30 subsection (93) E3401.5 *Electrical Vehicle Ready* of the Code of the City of Fort Collins is hereby amended to read as follows:

**Section E3401.5 Electrical Vehicle Ready.** All new single family dwellings with an attached garage or carport shall be provided with an empty conduit of ~~1/2 inch (12.7 mm)~~ **3/4 inch** minimum, installed from the dwellings electrical panel board to a junction box in readily accessible location in the garage or carport, capable of supporting a ~~30~~**50** ampere 220 volt outlet.

Introduced, considered favorably on first reading, and ordered published this 16th day of July, A.D. 2019, and to be presented for final passage on the 20th day of August, A.D. 2019.

\_\_\_\_\_  
Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 20th day of August, A.D. 2019.

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Mayor

ATTEST:

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City Clerk