

**Town of Erie
Ordinance No. 025-2026**

**An Ordinance of the Town Council of the Town of Erie Amending
Section 9-1-2 of Chapter 1 of Title 9 of the Erie Municipal Code to
Revise the Local Amendments Related to Permitting in the
International Residential Code**

Whereas, on December 13, 2022, Town Council adopted Ordinance No. 20-2022 to adopt the 2021 Edition of the International Residential Code ("IRC") with local amendments; and

Whereas, the Town desires to further amend the 2021 Edition of the IRC as set forth in this Ordinance.

Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:

Section 1. Section 9-1-2.B. of the Erie Municipal Code is hereby amended as follows:

9-1-2 Residential Code.

B. Amendments: The IRC is amended as follows:

* * *

3.1 Section 105.3.2 is replaced with the following: "R105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 90 days after the date of filing unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated."

3.2 Section 105.5 is replaced with the following: "R105.5 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 90 days after its issuance or after commencement of work if more than 90 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."

3.3 Section 105.5 is amended by adding a new subsection 105.5.1 as follows:

"R105.5.1 Maximum Permit Duration.

Notwithstanding the provisions of Section R105.5, every permit issued shall become invalid 450 days after its issuance unless:

1. Substantial progress has been made and work is actively continuing; or
2. The building official determines that delays are attributable to circumstances beyond the control of the permit holder, including but not limited to weather, labor shortages, or material availability.

Upon written request demonstrating good cause, the building official is authorized to grant one or more extensions in writing. Any such extension shall not exceed 180 days."

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7. Section R108.5 is replaced with the following: "R108.5 Fee Refunds. The Building Official may authorize the following fee refunds: the full amount of any fee hereunder which was erroneously paid or collected; not more than 80% of the permit fee when no work has been done under a permit issued in accordance with this Code; not more than 80% of the plan review fee when an application for a permit is withdrawn or cancelled before any plan review effort has been expended. The Building Official shall not authorize the refunding of any fees except upon written application filed by the original permittee not later than ~~180~~ 90 days after the date of payment."

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13. Section R202 is amended by adding the following definition: "Commenced. Completion and approval of the first required structural inspection, including foundation inspection. Site preparation alone shall not constitute commencement."

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Section 2. Severability. If any article, Section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety, and welfare.

Section 4. Emergency Declaration. Pursuant to Section 6.04 of the Town's Home Rule Charter, the Town Council hereby declares that this Ordinance is necessary for the immediate preservation of public property, health, welfare, peace, or safety, namely limited Town-owned water resources. Town Council hereby finds and declares that the Town is facing limited water supply for the extension of water new service, and the immediate enactment of an updated IRC will help ensure that the Town's limited water supply is being utilized for beneficial uses and not held for extended periods of time.

Section 5. Effective Date. This Ordinance shall take effect immediately upon adoption and apply to all building permits issued pursuant to the International Residential Code after the effective date.

EXPLANATORY NOTE:

~~STRIKETHROUGHS~~ INDICATE MATERIAL DELETED FROM EXISTING LAW;
UNDERLINES INDICATE MATERIAL ADDED TO EXISTING LAW;
ASTERISKS * * * INDICATE MATERIAL UNCHANGED BY THIS ORDINANCE.

Introduced, Read, Passed and Ordered Published this 26th day of May, 2026.

Andrew J. Moore, Mayor

Attest:

Debbie Stamp, Town Clerk