

**Town of Erie  
Ordinance No. 12-2026**

**An Ordinance of the Town Council of the Town of Erie Repealing and Reenacting Section 9-1-3 of the Erie Municipal Code to Adopt the 2026 Edition of the National Electric Code, with Amendments, Repealing and Reenacting Section 9-1-4 of the Erie Municipal Code to Adopt the 2024 Edition of the International Energy Conservation Code, with Amendments, and Repealing and Reenacting Section 9-1-9 of the Erie Municipal Code to Adopt the 2024 Edition of the International Fire Code, with Amendments, and Setting Forth Penalties for Violations Thereof**

**Whereas**, on April 14, 2026, the Town Council held a properly-noticed public hearing on the adoption of the 2026 National Electric Code, the 2024 International Energy Conservation Code, and the 2024 International Fire Code; and

**Whereas**, after considering the recommendation of Town staff and any comments from the public, the Town Council finds it is in the best interest of the public health, safety and welfare to adopt the 2026 edition of the National Electric Code, the 2024 edition of the International Energy Conservation Code, and the 2024 edition of the International Fire Code.

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

**Section 1.** Section 9-1-3 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

**9-1-3 – Electrical code.**

A. *Code adopted:* The National Electric Code, 2026 Edition (the "NEC"), as published by the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02169, a copy of which is on file and open for inspection in the office of the Town Clerk, is hereby adopted by reference with the amendments set forth herein.

B. *Amendments:* The NEC is amended as follows:

1. Section 90.5 is amended by adding the following: "(E) Unlawful Continuance. Any person who continues any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalties prescribed in Erie Municipal Code § 9-1-11."

2. Section 230.70(A)(1) is replaced with the following: "230.70(A)(1) Readily Accessible Location. The service disconnecting

means shall be installed at a readily accessible location on the outside of a building or structure as follows:

- a. One- and Two-Family Dwellings and Townhomes. The service disconnecting means shall be located in line with utility ground box or transformer and accessible by the utility.
- b. Non-Dwelling Structures. The service disconnecting means shall be accessible by the utility.
- c. Exception: Service disconnecting means for fire pumps need not be located outside a building or structure."

**Section 2.** Section 9-1-4 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

**9-1-4 – Energy conservation code.**

A. *Code adopted:* The International Energy Conservation Code, 2024 Edition (the "IECC"), including Appendices CB, CF, RB, RE, RG and RK, as published by the International Code Council, 500 New Jersey Avenue NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, a copy of which is on file and open for inspection in the office of the Town Clerk, is hereby adopted by reference with the amendments set forth herein.

B. *Amendments:* The IECC is amended as follows:

1. Section C101.1 is amended by inserting "Town of Erie" where indicated.

2. Section C103.1 is amended by inserting "Town of Erie Building Division" where indicated.

3. A new Section C111 is added as follows:

C111 Waivers.

C111.1 Scope. The following waivers may be requested if buildings meet the requirements of Section C111.2.

C111.1.1 Buildings Impacted by a Natural Disaster. The Town may authorize a waiver from the requirements of Section C410 where, owing to a declared natural disaster that has destroyed buildings or resulted in other exceptional and extraordinary circumstances as determined by the Town, and the Town determines enforcement of the provisions of Section C410 will result in unnecessary hardship.

C111.1.2 Substantial Cost Differential Waiver. The Town may authorize a waiver from the requirements of Section C410 for an applicant with a commercial building with a gross floor area greater than 10,000 square feet (929 m<sup>2</sup>) who asserts that compliance with Section C410 will

result in a substantial cost differential. The Town may waive requirements of Section C410 only until the cost differential for compliance with the remaining requirements reaches 1% or less. The burden of proof is upon the applicant to provide substantiation of a cost differential, such as quotes or other licensed design professional analyses as approved by the Town. For purposes of this subsection, "substantial cost differential" means costs incurred as a result of compliance with the requirements of Section C410 would exceed 1% of the total mechanical, electrical, and plumbing construction costs inclusive of materials and labor.

4. Section C202 is amended by adding the following definitions to read as follows:

*All-Electric Building.* A building and building site that contains no combustion equipment or plumbing for combustion equipment, and that uses heat pump technology as the primary supply for heating, cooling, and service water heating loads.

*Combustion Equipment.* Any equipment or appliance used for space heating, service water heating, cooking, or clothes drying that uses natural gas, propane, other fuel gas, or fuel oil.

*Mixed-Fuel Building.* A building that contains combustion equipment, or plumbing for combustion equipment, for space heating, cooling, water heating (including pools and spas), cooking, or clothes drying."

5. Section C402.1.2.1.8 is deleted in its entirety.

6. Section C402.6.1.2.1 is amended to read as follows: "1. The air barrier shall be continuous for all assemblies that comprise the building thermal envelope and across the joints and assemblies."

7. Section C403.5 Exception 7 is amended to read as follows: "7. Fan coils or unitary equipment with a capacity less than 54,000 Btu/h (15.8 kW) and installed with a dedicated outdoor air system."

8. Section C405.2.4 is amended to read as follows: "Daylight responsive controls. Daylight responsive controls complying with Section C405.2.4.1 shall be provided to control the general lighting within daylight zones in the following:

1. Spaces with a total of more than 150 watts of general lighting within primary sidelit daylight zones complying with Section C405.2.4.2.

2. Spaces with a total of more than 300 watts of general lighting within sidelit daylight zones complying with Section C405.2.4.2.

3. Spaces with a total of more than 150 watts of general lighting within toplit daylight zones complying with Section C405.2.4.3.

Exception: Daylight responsive controls are not required for spaces in healthcare facilities where patient care is directly provided."

9. Section C405.5.3 is amended to read as follows: "Gas fired lighting appliances are prohibited."

10. Section C405.12 and Section C405.12.1 are deleted in their entirety.

11. Table C405.13.2 is amended to add a new line at the end of the table as follows:

EV charging	EV charging loads
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12. Section 405.13 is amended to read as follows: "C405.13 Energy monitoring. New buildings with a gross conditioned floor area of 25,000 square feet (2,323.6 m<sup>2</sup>) or more shall be equipped to measure, monitor, record, and report energy consumption in accordance with Sections C405.13.1-C405.13.6 for load categories indicated in Table C405.13.2 and Sections C405.13.7-C405.13.11 for end-use categories indicated in Table C405.13.8. Exceptions:

1. Dwelling units in R-2 occupancies.
2. Individual tenant spaces need not comply with this Section if the space has its own utility services and meters and has less than 5,000 square feet (464.5 m<sup>2</sup>) of conditioned floor area.

13. Section C405.15 and Sections C405.15.1-C405.15.4 are deleted in their entirety.

14. Section C406 is amended by adding Subsection C406.4 to read as follows:

"C406.4 Additional electric infrastructure.

C406.4.1 Scope. These provisions shall be applicable for all new buildings and additions, and first tenant finish permits.

C406.4.1.1 First tenant finish. If a first tenant finish to a commercial core and shell building or unfinished space is credited towards the requirements of this Chapter, the Code official shall not issue a Certificate of Occupancy to the tenant until the requirements of Section C302 are met.

C406.4.2 Additional electric infrastructure. Combustion equipment shall meet the electric infrastructure requirements of C406.4.3 or C406.4.4. Exceptions:

1. Interior fireplaces that do not serve as a primary source of heating.
2. Exterior fireplaces and fire pits.

3. Building additions that do not provide new space-heating equipment.

C406.4.3 Buildings less than 10,000 square feet and all Group R Occupancies. Buildings that have a gross floor area of less than 10,000 square feet and all Group R Occupancies of any size shall comply with Sections C406.4.3.1-C406.4.3.5.

C406.4.3.1 Combustion equipment. Combustion equipment shall have all of the following:

1. A dedicated, appropriately phased branch circuit sized to accommodate future electric equipment or appliances to serve a comparable capacity to meet the heating load.
2. An electric receptacle or junction box meeting the requirements of Section C406.4.2.4 and connected to the electrical panel through the branch circuit, with reasonable access to the combustion equipment or dedicated physical space for future electric equipment with no obstructions other than the current combustion equipment.
3. Where combustion equipment is used for space or water heating, dedicated space for all future electric equipment, including an electric resistance backup coil for ducted systems if applicable.

Exception: Buildings with installed air conditioning systems need not provide additional dedicated physical space for an outdoor heat pump.

C406.4.3.2 Electric panel space. The electrical panel shall have reserved physical space for a minimum 2 pole or 3 pole circuit breaker for each branch circuit provided for future electric equipment or appliances. The physical space in the electrical panel for each circuit breaker shall be sized with sufficient breaker capacity to meet the electrical demand of the future electric equipment or appliance that is sized to serve a comparable capacity to meet the heating load.

C406.4.3.3 Labeling. The junction box or receptacle and the dedicated circuit breaker space serving future electric equipment or appliances in the electrical panel shall be labeled for their intended use.

C406.4.3.4 Adjacency. The electrical receptacle or junction box shall be within 3 feet of the combustion equipment or appliances or within 3 feet of the dedicated physical space for future electric equipment or appliances. Exception: For combustion equipment used for space or water heating, the electrical receptacle or junction box shall be located not more than 6 feet from the combustion equipment or the dedicated physical space for future electric equipment.

C406.4.3.5 Condensate drain. Where combustion equipment is used for space or water heating, a location shall be provided for condensate drainage.

C406.4.4 Buildings 10,000 square feet or greater. Buildings with a gross floor area of 10,000 square feet or greater shall comply with Sections C406.4.4.1-C406.4.4.4. Exception: R-occupancies.

C406.4.4.1 Combustion equipment. Combustion equipment shall be provided with all the following:

1. A junction box that is located in the same physical space as the combustion equipment and is reasonably accessible, and that is connected to the electrical panel by continuous conduit or raceways.
2. Dedicated electrical panel space for an appropriately phased branch circuit sized to accommodate future electric equipment or appliance to serve a comparable capacity to meet the heating load.
3. Where combustion equipment is used for space or water heating, dedicated physical space for all future electric equipment.

C406.4.4.2 Electric panel space. The electric panel shall have reserved physical space for a minimum 2 pole or 3 pole circuit breaker for each branch circuit provided for future electric equipment or appliance. The physical space in the electrical panel for each circuit breaker shall be sized with sufficient breaker capacity to meet the electrical demand of the future electric equipment or appliance that is sized to serve a comparable capacity to meet the heating load.

C406.4.4.3 Labeling. The dedicated circuit breaker space serving future electric equipment or appliance in the electrical panel shall be labeled "For Future Electric Equipment."

C406.4.4.4 Physical space. Dedicated physical space shall be provided for additional electric equipment, including transformers and cabinets, necessary for electrical service to future electric equipment or appliances."

15. Section CB103.7 is amended to read as follows: "The main electrical service panel shall have a minimum bus bar rating of not less than 200 amperes. The main electrical service panel shall have sufficient reserved space to allow installation of a dual pole circuit breaker for future solar electric installation and shall be labeled 'For Future Solar Electric.' The reserved space shall be positioned at the opposite (load) end from the input feeder location or main circuit location. Exception: The building has a permanently installed on-site renewable energy system that provides electricity to the building's electrical system."

16. Appendix CF is amended by adding the following Section CF100:

"CF100 Applicability. This section shall apply to all mixed fuel buildings as defined in this code."

17. A new Appendix CK is added to read as follows:

"Electric Vehicle Ready – Commercial.

CK101 Applicability. Appendix CK shall apply to all new commercial construction to which the IBC and IEBC apply.

CK102 Definitions.

*Direct Current Fast Charger (DCFC) EVSE.* Equipment capable of fast charging on a 100 ampere or higher 480VAC 3-phase branch circuit. AC power is converted into a controlled DC voltage and current within the EVSE that will then directly charge the EV.

*Electric Vehicle (EV).* An automotive-type vehicle for on-road use, including passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, and electric motor vehicles, primarily powered by an electric motor that draws current from a building electrical service, EVSE, a rechargeable storage battery, a fuel cell, a photovoltaic array, or another source of electric current, but excluding off-road, self-propelled electric mobile equipment, including industrial trucks, hoists, lifts, transports, golf carts, airline ground support equipment, tractors, and boats are not considered EVs.

*EV Supply Equipment (EVSE).* An EV charging system or device that is used to provide electricity to a plug-in EV or plug-in hybrid EV, is designed to ensure that a safe connection has been made between the electrical grid and the vehicle and is able to communicate with the vehicle's control system so that electricity flows at an appropriate voltage and current level.

*EVSE Installed Space.* A vehicle parking space with a dedicated EVSE connection.

*EV Capable Light Space.* A designated vehicle parking space with conduit and raceway installed to support future implementation of EV charging installation and has sufficient physical space adjacent to the existing electrical equipment for future electric upgrades.

*EV Capable Space.* A designated vehicle parking space with electric panel capacity and conduit and raceway installed to support future implementation of EV charging.

*EV Ready Space.* A designated vehicle parking space with electric panel capacity, raceway wiring, receptacle, and circuit over-

protection devices sized correctly for the circuit (minimum 40 amperes) and installed to support future implementation of EV charging.

CK103 EV power transfer infrastructure. New parking for a building shall include EV power transfer infrastructure in compliance with Sections CK103.1-CK103.9.

CK 103.1 Quantity. The number of required EVSE spaces, EV ready spaces, EV capable spaces, and EV capable light spaces shall be determined in accordance with this Section and Table CK103.1 based on the total number of provided vehicle parking spaces and shall be rounded up to the nearest whole number. This includes all covered parking spaces under carports or detached garages.

CK103.1.1 Where more than one parking lot is provided on a site, the number of vehicle parking spaces required to have EV power transfer infrastructure shall be calculated separately for each parking lot.

CK103.1.1.1 Group R-2 Occupancies shall use the total parking requirement for the entire development to determine the EV power transfer infrastructure requirements using Table CK103.1

CK103.1.2 For buildings that install a DCFC EVSE, each DCFC EVSE installed may be substituted for other EV space types as follows:

1. Buildings other than Group R-2 Occupancies may substitute up to 10 spaces when the building provides a minimum of 20% of parking spaces as a combination of EV capable, EV ready, or EV installed spaces.
2. Group R-2 Occupancies may substitute up to 5 spaces if the building provides a minimum of 60% of spaces as a combination of EV capable light, EV capable, EV ready, or EV installed spaces.

CK103.1.3 EVSE installed spaces exceeding the minimum requirements of this Section may be used to meet minimum requirements for EV ready spaces, EV capable spaces, and EV capable light spaces.

CK103.1.4 EV ready spaces exceeding the minimum requirements of this Section may be used to meet minimum requirements for EV capable spaces and EV capable light spaces.

CK103.1.5 EV capable spaces exceeding the minimum requirements of this Section may be used to meet minimum requirements for EV capable light spaces.

CK103.1.6 Attached garages with direct connection to a dwelling unit shall have one EV ready space.

Table CK103.1 Required EV Spaces

Building Type/Space Type	EVSE Installed	EV Ready	EV Capable	EV Capable Light
All buildings except Group R-2 Occupancies with 15 or less parking spaces	0	20% (not less than 2)	0	0
All buildings except Group R-2 Occupancies with greater than 15 parking spaces	2%	8%	10%	10%
Group R-2 Occupancies with 10 or less parking spaces	0	15%	10%	10%
Group R-2 Occupancies with greater than 10 parking spaces	5%	15%	10%	30%

CK103.2 EV capable light spaces. Each EV capable light space shall comply with all of the following:

1. A continuous raceway or conduit shall be installed between a suitable electrical panel or other electrical distribution equipment and terminate within 3 feet of the EV capable light space and shall be capped. EV capable light includes 2 adjacent parking spaces if the raceway or conduit terminates adjacent to and between both parking spaces.
2. The installed raceway and conduit shall be sized and rated to supply a minimum of 208 volts and a minimum of 40 ampere rated circuits.
3. Dedicated physical space to accommodate all equipment necessary for electrical service to future EVSE.
4. The routing of the raceway and conduit shall be noted on the construction documents and the raceway shall be permanently and visibly marked EV CAPABLE at the load center and termination point locations.

CK103.3 EV capable spaces. Each EV capable space shall comply with all of the following:

1. A continuous raceway or conduit shall be installed between a suitable electrical panel or other electrical distribution equipment and terminate within 3 feet of the EV capable space and shall be capped. EV capable includes 2 adjacent parking spaces if the raceway or conduit terminates adjacent to and between both parking spaces.
2. The installed raceway and conduit shall be sized and rated to supply a minimum of 208 volts and a minimum of 40 ampere rated circuits.

3. The electrical panel or other electrical distribution equipment to which the raceway and conduit connects shall have sufficient dedicated space and spare electrical capacity to supply a minimum of 208 volts and a minimum of 40 ampere rated circuits.

4. The termination point of the raceway and conduit and the electrical distribution equipment director shall be marked: "For future electric vehicle supply equipment (EVSE)."

5. Reserved capacity shall be no less than 8.3 kilovolt-amperes (40 amperes 208/240 volts) for each EV capable space.

CK103.4 EV ready spaces. Each EV ready space shall have a branch circuit that complies with all of the following:

1. Terminates at a receptacle or junction box located within 3 feet of each EV ready space it serves. EV ready includes 2 adjacent parking spaces if the receptacle is installed adjacent to and between both parking spaces.

2. Has a minimum circuit capacity of 8.3 kilovolt-amperes (40 amperes 208/240)volts ).

3. The electrical panel, electrical distribution equipment directory, and all outlets or enclosures shall be marked "For future electric vehicle supply equipment (EVSE)."

CK103.5 EVSE installed spaces. An installed EVSE with multiple output connections may serve multiple EVSE installed spaces. Each EVSE installed serving either a single EVSE installed space or multiple EVSE installed spaces shall: (1) have a minimum charging rate in accordance with Section CK103.7; (2) be located within 3 feet of each EVSE installed space it serves; (3) be installed in accordance with Section CK103.8; (4) have a minimum circuit capacity of 8.3 kilovolt-amperes (40 amperes 208/240 volts); and (5) comply with Section CK103.6.

CK103.6 EVSE. Each installed EVSE shall: (1) have a power capacity of at least 6.2 kilovolt-amperes (30 amperes 208/240 volts) that can connect to the internet, or an inductive charging system for battery-powered EVs that is Energy Star certified and can connect to the internet; (2) be wall mounted or pedestal style and may provide multiple cords to connect with EVs; and (3) be listed and labeled for EV charging and comply with Article 625 of the NEC.

CK103.7 EVSE minimum charging rate. Each EVSE installed space shall: (1) be capable of charging at a minimum rate of 6.2 kilovolt-amperes (30 amperes 208/240 volts); or (2) when serving multiple EVSE installed spaces and controlled by an energy management system providing load

management, be capable of simultaneously charging each EVSE installed space at a minimum rate of no less than 3.3 kilovolt-amperes.

CK103.8 EVSE installation. Each EVSE shall be installed in accordance with NFPA 70 and shall be listed and labeled in accordance with UL 2202 or UL 2594. When serving an accessible parking space, EVSE shall be accessible in accordance with Chapter 11 of the IBC.

CK103.9 Identification. Construction documents shall designate all EVSE installed spaces, EV ready spaces, EV capable spaces, and EV capable light spaces, and indicate the locations of raceway and conduit and termination points serving them. The circuits or spaces reserved for EVSE installed spaces, EV capable spaces, and EV ready spaces shall be clearly identified in the panel or subpanel directory. The raceway and conduit for EV ready spaces, EV capable spaces, and EV capable light spaces shall be clearly identified at both the panel or subpanel and the termination point at the parking space."

18. Section R101.1 is amended by inserting "Town of Erie" where indicated.

19. Section R103.1 is amended by inserting "Town of Erie Building Division" where indicated.

20. Section R107.1 is amended by replacing the first sentence to read as follows: "Construction or work for which a permit is required shall be subject to inspection by the Code official or their designee, and such construction or work shall remain visible and able to be accessed for inspection purposes until approved."

21. Section R202 is amended by adding the following definitions to read as follows:

*All-Electric Building.* A building that contains no combustion equipment or plumbing for combustion equipment, and that uses heat pump technology as the primary supply for heating, cooling, and service water heating loads.

*Combustion Equipment.* Any equipment or appliance used for space heating, service water heating, cooking, or clothes drying that uses natural gas, propane, other fuel gas, or fuel oil.

*Mixed-Fuel Building.* A building that contains combustion equipment, or plumbing for combustion equipment, for space heating, cooling, water heating (including pools and spas), cooking, or clothes drying."

22. Section R404.1.5 is amended to read as follows: "Fuel gas lighting systems are prohibited."

23. Appendix RE101.2.1 is amended to read as follows: "Quantity. One- and two-family dwellings and townhouses. Each dwelling unit with a dedicated attached or detached garage or other outside designated parking provided for the dwelling unit shall be provided with one EV ready space per dwelling unit."

24. Section RE103 is added to read as follows: "Construction documents shall designate the EV ready spaces and indicate the locations of raceway or conduit and the termination points serving them. The circuits or spaces reserved in the electrical panel for EV ready spaces shall be clearly identified in the panel or subpanel directory."

25. Appendix RG is amended by adding Section RG100 to read as follows:

"RG100 Applicability. This section shall apply to all mixed fuel buildings as defined in this code."

26. Appendix RK101.1 is amended to read as follows: "Water heaters, household clothes dryers, cooking appliances, and space heating equipment that use fuel gas or liquid fuel shall comply with Sections RK101.1.1-RK101.1.4."

**Section 3.** Section 9-1-9 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

**9-1-9 – Fire Code.**

A. *Code adopted:* The International Fire Code, 2024 Edition (the "IFC"), including Appendices A, B, C, D, F, H, I, K, and O, as published by the International Code Council, 500 New Jersey Avenue NW, 6<sup>th</sup> Floor, Washington D.C., 20001, a copy of which is on file and open for inspection in the office of the Town Clerk, is hereby adopted by reference with the amendments set forth herein.

B. *Amendments:* The IFC is amended as follows:

1. Section 101.1 is amended by inserting "Town of Erie" where indicated.

2. Section 102 is amended by adding a new Subsection 102.13 to read as follows: "102.13 Conflicts. Where a conflict arises between this Code and the IBC or the IRC, the more stringent shall apply. Exception: When the Chief Building Official and Fire Code Official agree upon any provision from the respective codes as being applicable and acceptable."

3. Section 102 is amended by adding a new Subsection 102.14 to read as follows: "102.14 Adopted codes. Where this Code references other codes, the currently adopted edition shall apply."

4. Section 103.1 is amended to read as follows: "103.1 Code compliance agency. The Mountain View Fire Protection District (the "District") shall be the Code compliance agency. The official in charge of the Life Safety Division shall be known as the Fire Code Official. The function of the agency shall be the implementation, administration, and enforcement of this Code."

5. Section 104.8 is amended by the addition of the following sentence at the end: "Nothing herein shall be construed as a waiver of any immunities provided by C.R.S. § 24-10-101, *et seq.*, or by other law."

6. Section 104.10 is amended by the addition of the following sentence at the end: "The authority of the District Fire Chief, or authorized designee, including all Fire Code Officials, to act as peace officers shall extend to the limits as authorized in C.R.S. § 16-2.5-109."

7. Section 104.11 is amended by the addition of the following sentence at the end: "The authority of the District Fire Chief, or authorized designee, including all Fire Code Officials, to act as peace officers shall extend as far as the authority set forth in C.R.S. §§ 32-1-1002, 16-2.5-109, and other applicable state statutes."

8. Section 105.5 is amended by the deletion of the following subsections: 105.5.1-105.5.3, 105.5.6-105.5.9, 105.5.11-105.5.31, 105.5.33, 105.5.35-105.5.41, 105.5.43-105.5.48, and 105.5.50-105.5.52.

9. Subsection 105.5.36 is amended to read as follows: "105.5.36 Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. Exception: No permit shall be required if burning is regulated under the regulations promulgated under C.R.S. § 25-7-123 or regulated by the County."

10. Section 108 is replaced with:

"108.1 Fees. Fees for services under this Code shall be established by resolution of the Board of Directors of the District under C.R.S. § 32-1-1002(1)(e). Said fees and charges may include a charge for reimbursement to the District of consultation fees, expenses, or costs incurred by the District in performing inspection-related services under this Code.

108.2 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid; nor shall an amendment to a permit be released until additional fees, if any, have been paid.

108.3 Operational permit fee. An inspection fee may be charged for any operational permit required by Section 105.5. The inspection fee shall be based upon the time required to conduct inspections authorized by

Section 105.2.2 and associated activities, to determine compliance with this Code and other applicable laws and ordinances as required by Section 105.2.4, and to issue the permit as specified in Section 105.3.7.

108.4 Construction permit fee. A fee may be charged for any construction permit required by Section 105.6 of this Code. The construction permit fee is intended to cover the cost of inspections required or requested in connection with the work for which the permit is granted, and the associated costs of processing the application. An application shall include an estimate of the total value of the work, including materials and labor, for which the permit is being sought. If, in the opinion of the Fire Code Official, the valuation is underestimated on the application, the permit shall be denied, unless written estimates are provided in a form acceptable to the Fire Code Official, and that support the valuation set forth in the application. Final construction permit valuation shall be set by the Fire Code Official.

108.5 Other inspection fees. Fees for re-inspections, inspections outside normal business hours, or inspections for which no fee is otherwise established may be charged.

108.6 Plan review fee. The plan review fee is intended to cover the significant costs and expenses incurred by the District in reviewing materials necessary to perform appropriate inspections of construction, uses, processes, and operations. The fee shall be assessed based on the reasonable, customary, and necessary time associated with reviewing or evaluating site plans; construction documents and calculations; changes, additions, or revisions to approved plans; construction documents resubmitted after the Fire Code Official's issuing a statement explaining the reasons that a previous submittal does not conform to the requirements of this Code. When submittal documents are incomplete or changed and require additional plan review, an additional plan review fee shall be charged. The plan review fee required by this Section 108.6 is separate from the construction permit fee required by Section 108.4.

108.7 Unauthorized work inspection fee. Any person or entity that begins any work before obtaining a construction permit required by Section 105.6 shall be subject to an inspection fee in an amount equal to the amount of the construction permit fee. The fee shall be separate from and in addition to a construction permit fee. Payment of the inspection fee shall not relieve any person from compliance with all other provisions of this Code or from any penalty prescribed by law. The inspection fee shall be assessed regardless of whether a construction permit is then or subsequently issued. Exception: When approved in writing by the Fire Code Official, work may begin prior to obtaining a construction permit.

108.8 Related fees. The payment of the fee for construction, uses, processes, or operations authorized by an operational permit or

construction permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law or required by Section 107."

11. Section 112.1 is replaced with:

"112.1 Appeals procedure – general. Any person, firm, or corporation grieved by an application, interpretation, or order made by the District pursuant to any provision of this Code or the standards adopted, may file within 3 days a written notice of appeal with the District requesting a hearing before the Fire Chief. All appeals must be made in writing to the Fire Chief at the District's administrative office. The Fire Chief shall establish reasonable rules for such appeal and shall make a record of all proceedings. The decision of the Fire Chief shall be considered a final administrative decision.

112.1.1 Procedure. To determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of this Code, there is hereby created a board of appeals consisting of 5 voting members who are qualified by experience and training to pass judgment upon pertinent matters. The board of appeals shall be appointed by the District Board of Directors. The Fire Code Official shall be an *ex officio* member of the board and shall not vote on matters before the board of appeals. The board of appeals shall adopt reasonable rules of procedure for conducting its business, and shall render all interpretations, decisions, and findings in writing to the appellant or requesting party with a duplicate copy to the Fire Chief. All appeals of the Fire Chief's decision shall be made in writing, within 5 business days of the Fire Chief's decision, to the District Board of Directors by delivery to the Fire Chief or designee at the District's administrative office. The board of appeals shall select one of its members to function as chair."

12. Section 113.4 is replaced with: "113.4 Violation and penalties. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who corrects, installs, alters, repairs, or works in violation of the approved construction documents or directions of the Fire Code Official or of a permit or certificate used under this Code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$250. Each day on which such violation continues shall be deemed a separate offense."

13. Section 114.4 is replaced with: "114.4 Failure to comply. Any person who continues any work after having been served a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition shall be liable to a fine or imprisonment up to the maximum specified in C.R.S. §§ 32-1-1001 and 32-1-1002. Each day on which such violation occurs shall constitute a separate offense."

14. Section 503.2 is amended by adding Subsection 503.2.9 to read as follows: "503.2.9 Driveway access. Driveways from platted roads to single-family residences shall be sized to meet the municipal or county transportation department specifications on straight sections. Inside and outside curve radii will be determined by the Fire Code Official to accommodate the fire apparatus expected to respond to the residence."

15. Section 507.2 is amended by adding Subsections 507.2.3 and 507.2.4 to read as follows:

"507.2.3 In-ground cisterns. In-ground cisterns for fire protection shall be designed, installed, and maintained to meet the requirements of the municipal Code or county land use code and the responding fire apparatus, as determined by the Fire Code Official.

507.2.4 Community cisterns. Where an occupancy is close enough and has adequate access by firefighting apparatus, in the opinion of the Fire Code Official, a community cistern may provide firefighting water supply, instead of an in-ground cistern as described in Subsection 507.2.3."

16. Section 507.5.3. is amended by adding Subsection 507.5.3.1 to read as follows: "507.5.3.1 Privately owned hydrant maintenance. Privately owned hydrants shall be maintained at the expense of the private property owner, subject to the direction and requirements of the Fire Code Official. Such private hydrants shall be flushed and tested periodically according to this Code. If such testing reveals that the flow from private hydrants is inadequate according to applicable standards, modifications necessary to meet these standards shall be ordered by the Fire Code Official and made at the expense of the property owner. All private hydrants shall be painted the same color as hydrants on public rights-of-way or elsewhere throughout the municipality with a different color cap, that being white, to designate a private fire hydrant. Appropriate markings or signs restricting parking in front of or next to fire hydrants shall be designated by the Fire Code Official and implemented at the expense of the property owner. No point of connection to any private hydrant shall be left uncapped without permission of the Fire Code Official."

17. Section 507.5 is amended by adding Subsection 507.5.7 to read as follows: "507.5.7 Existing private fire hydrants. Existing hydrants that do not conform to the District's specifications or that do not face in the direction most consistent with emergency use by the District, as established by the Fire Code Official, shall be changed to meet the District's requirements by the property owner at the property owner's expense, within 15 days of service of notice of the required changes upon the property owner or its resident agent."

18. Section 903.2.8.1 is replaced with: "903.2.8.1 Group R-3. An automatic sprinkler system installed under Section 903.3.1.3 shall be permitted in group R-3 occupancies."

19. Section 903.3.1.3 is replaced with: "903.3.1.3 Residential sprinkler systems. Automatic sprinkler systems installed in one and two-family dwellings, townhomes and occupancy classification groups R-3 and R-4 Condition 1, shall be permitted to be installed throughout in accordance with the IBC and Subsections 903.3.1.3.1-903.3.1.3.3."

20. Section 903.3.1.3 is amended by adding Subsections 903.3.1.3.1, 903.3.1.3.2 and 903.3.1.3.3 to read as follows:

"903.3.1.3.1 Fire department connections. Residential sprinkler systems which are supplied by atmospheric pressure tanks and fire pumps shall be installed with a fire department connection, the size and location of which shall be determined by the Fire Code Official and Section 912.

903.3.1.3.2 Attached garage sprinklers. Residences with attached garages, where the garage may serve as an egress path, shall have the garage sprinkled, as determined by the Fire Code Official.

903.3.1.3.3 Interior and exterior notification. Residential sprinkler systems shall have adequate interior notification of the occupants provided to alert them that the sprinkler system is activated, in accordance with NFPA 72. A horn and strobe device shall be installed above the fire department connection noted in Section 903.3.1.3.1. Such sprinkler water flow alarm devices shall be activated by the water flow equivalent to the flow of single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system."

21. Section 903.4.3 is replaced with: "903.4.3 Alarms. An approved audible device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. An approved audible alarm shall be provided in the interior of the building, in a normally occupied location, to alert building occupants of sprinkler discharge. Such sprinkler water flow alarm devices shall be activated by the water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system."

22. Section 904.14 is amended by adding Subsections 904.14.6 and 904.14.7 to read as follows:

"904.14.6 Building alarm system interconnect. Where a commercial cooking suppression system is installed in a building with a monitored alarm

system, activation of the suppression system shall trigger the building's alarm system.

904.14.7 Notification of activation. Where a commercial cooking suppression system is installed in a building without a monitored alarm system, local interior and exterior notification horns shall be installed which sound when the suppression system is triggered. The interior horn(s) shall be in normally occupied areas of the building, including public spaces. The exterior horn(s) shall be audible from the public way."

23. Section 907.1.2 is replaced with: "Section 907.1.2 Fire alarm shop drawings. Shop drawings for fire alarm systems shall be prepared in accordance with NFPA 72 and submitted for review and approval prior to system installation. Shop drawings shall bear the stamp of either a professional engineer licensed in the state or an individual holding a level III or IV certification in fire alarm design by the National Institute for Certification in Engineering Technologies."

24. Section 907.1.3 is replaced with:

"Section 907.1.3 Equipment. Systems and components shall be listed and approved for the purpose for which they are installed. Only addressable fire alarm panels will be approved. Exception: Fire alarm panels that can transmit individual specific initiating device information.

Section 907.1.3.1 Combination fire and security panels. A fire alarm system shall not be used for any purpose other than fire protection or control of fire protection systems. Combination fire and security panels are not permitted.

Section 907.1.3.2 Fire alarm system wiring. All fire alarm wiring shall be red jacketed wiring listed and approved for fire alarm systems."

25. Section 907.6 is amended by adding Subsections 907.6.4.3 and 907.6.6 to read as follows:

"907.6.4.3 Extent of coverage. The Fire Code Official shall approve the extent of zone coverage for fire alarm systems in all buildings and structures.

907.6.6 Monitoring. Fire alarm systems required by this chapter or by the International Building Code shall be monitored by an approved supervising station in accordance with NFPA 72. A supervising station shall report all fire alarms in a contact identification point reporting format."

26. Section 915.1.1 is amended by the addition of the following at the end: "5. Facilities generating carbon dioxide enhanced atmospheres for plant growth via combustion processes."

27. Section 3103.5 is amended by the addition of the following at the end: "For tent or membrane structures greater than five 500 square feet, the construction documents must include the manufacturer's instructions for staking or ballasting to anchor the tent or membrane structure."

28. Section 3106.2 is amended by the addition of the following at the end: "A copy of the manufacturer's anchoring instructions shall be included in the permit submittal."

29. Section A101.3.3 is deleted in its entirety.

**Section 4.** The codes adopted herein by reference shall be subject to the general penalty set forth in Section 1-4-4 of the Erie Municipal Code as follows:

**1-4-4 – General penalty.**

A. *Violations:* It is unlawful for any person to violate any provision of this Code.

B. *Penalty:*

1. A violation of any provision of this Code shall be punished by a fine not to exceed two thousand six hundred and fifty dollars (\$2,650), imprisonment not to exceed three hundred and sixty-four (364) days, revocation, withholding, or suspension of a license, permit, or franchise, abatement, restitution for actual damage or loss caused, administrative sanctions, or any combination thereof. The Municipal Court shall establish a schedule of fines, more particularly stating the maximum penalties for each criminal and noncriminal violation of the ordinances of the Town, which shall be posted in accordance with C.M.C.R. 210(b)(5).

2. Any violation for which a Town penalty exceeds a maximum penalty amount for an identical state law offense shall be instead subject to the maximum penalty amount established in C.R.S. §§ 18-1.3-501(1)(a.5) and 18-1.3-503(1.5).

3. A person charged with a noncriminal violation shall not be entitled to a trial by jury. A person eighteen (18) years of age or older charged with a criminal violation may be entitled to a trial by jury upon meeting the requirements of C.M.C.R. 223.

4. A violation of the Model Traffic Code shall be subject to Section 6-11-12.

C. *Continuing violation:* A person shall be guilty of a separate offense for each and every day during any portion of which any violation is committed, continued, or permitted by any such person.

D. *Voluntary pleas:* Any voluntary plea of guilty or nolo contendere to the original charge or to a lesser or substituted charge shall subject the person to pleading to all of the fines and penalties applicable to the original charge.

**Section 5. 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 6. Safety.** The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

**Section 7. Effective Date.** This Ordinance shall take effect 10 days after publication following adoption.

**Introduced, Read, Passed and Ordered Published this \_\_\_\_ day of \_\_\_\_\_, 2026.**

\_\_\_\_\_  
Andrew J. Moore, Mayor

**Attest:**

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Debbie Stamp, Town Clerk