

**DRAFT FOR DISCUSSION ONLY -
SUBJECT TO FURTHER REVIEW AND REVISION**

ORDINANCE NO. XXX, 2025
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 REPEALING THE 2021 INTERNATIONAL
EXISTING BUILDING CODE AND ADOPTING THE 2024 INTERNATIONAL EXISTING
BUILDING CODE, WITH AMENDMENTS

A. Since 1924, the City has reviewed, amended and adopted the latest nationally recognized building standards available for the times.

B. Upon recommendation of City staff, the City Council has determined that it is in the best interests of the City to align eleven interconnected basic construction codes under one publication year.

C. The eleven 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*, *International Plumbing Code*, *International Fire Code*, and the *International Wildland-Urban Interface Code* to the extent adopted by the *Colorado Wildfire Resiliency Code*.

D. The City Council has determined that the 2024 publication year of these interconnected basic construction codes ought to be adopted and that any counterpart *International* codes previously adopted should be repealed, both to align the publication years of the codes and because the 2024 publications contain improvements in construction code regulation.

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

F. The adoption of the interconnected basic construction codes has been presented to community groups and feedback has been received from 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.

G. The City Council has determined that it is in the best interests of the health, safety and welfare of the City and its residents that the *2024 International Existing Building Code* be adopted, with local amendments as set forth in this Ordinance.

H. 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 the newspaper of general circulation published in the City, with one of such publications occurring at least eight (8) days preceding the

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hearing and the other publication occurring at least fifteen (15) days preceding the hearing.

I. 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 2024 International Codes on [REDACTED], 2025, and [REDACTED], 2025.

J. Attached as Exhibit A and incorporated herein by reference is the Notice of Public Hearing dated [REDACTED], 2025, that was so published and which the Council hereby finds meets the requirements of Article II, Section 7 of the City Charter.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council hereby repeals the 2021 *International Existing Building Code* ("IEBC") and adopts the 2024 IEBC as amended by this Ordinance.

Section 2. Section 5-32 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 5-32. - Adoption of standards.

Pursuant to the power and authority conferred on the City Council by C.R.S. §Colorado Revised Statutes Section 31-16-202 and Article II, Section 7 of the Charter, the City Council has adopted the ~~2021~~2024 *International Existing Building Code*, published by the International Code Council, second printing (July 2024), as amended by the City, which shall have the same force and effect as though set forth in full herein. The subject matter of the ~~2021~~2024 *International Existing Building Code* includes comprehensive provisions and standards regulating and controlling the repair, alteration, change of occupancy, addition to and relocation of existing buildings for the purposes of protecting public health, safety and general welfare.

Section 3. Section 5-33 of the Code of the City of Fort Collins is hereby repealed and re-enacted to read as follows:

Sec. 5-33. - Amendments and deletions to the 2024 International Existing Building Code.

The 2024 *International Existing Building Code* adopted in § 5-32 is amended as follows:

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

101.1 Title. These regulations shall be known as the *Existing Building Code* of the City of Fort Collins, herein-after referred to as "this code."

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2. **Section 102.4 Referenced codes and standards** is amended to read as follows:

102.4 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 shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall govern.

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

SECTION 103 CODE COMPLIANCE AGENCY

~~**[A] 103.1 Creation of agency.** The [INSERT NAME OF DEPARTMENT] is hereby created, and the official in charge thereof shall be known as the *code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.~~

~~**[A] 103.2 Appointment.** The *code official* shall be appointed by the chief appointing authority of the jurisdiction.~~

~~**[A] 103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy *code official*, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the *code official*.~~

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 104.2.4.1 Flood hazard areas** is deleted in its entirety and replaced with the following:

~~**[A] 104.2.4.1 Flood hazard areas.** For *existing buildings* located in *flood hazard areas* for which *repairs, alterations and additions* constitute *substantial improvement*, the *code official* shall not grant modifications to provisions related to flood resistance unless a determination is made that:~~

- ~~1. The applicant has presented good and sufficient cause that the unique characteristics of the size, configuration or topography of the site~~

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~~render compliance with the flood-resistant construction provisions inappropriate.~~

- ~~2. Failure to grant the modification would result in exceptional hardship.~~
- ~~3. The granting of the modification will not result in increased flood heights, additional threats to public safety or extraordinary public expense; create nuisances; cause fraud on or victimization of the public; or conflict with existing laws or ordinances.~~
- ~~4. The modification is the minimum necessary to afford relief, considering the flood hazard.~~
- ~~5. A written notice will be provided to the applicant specifying, if applicable, the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation and that construction below the design flood elevation increases risks to life and property.~~

104.2.4.1 Flood hazard areas. For *existing buildings or structures* regulated under the scope of this code that are in whole or in part located in *flood hazard areas*, construction documents shall be submitted as established in accordance with Chapter 10 of the City Code, entitled "Flood Prevention and Protection."

5. **Section 105.3.2 Time limitation of application** is amended to read as follows:

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the *code official* is authorized to grant one or more extensions of time for additional periods not exceeding ~~90~~**180** days each. The extension shall be requested in writing and justifiable cause demonstrated. Applications that have been deemed abandoned for 30 days or more will be considered void, unless the *building official* determines, in their reasonable discretion, that an extension of no more than 180 days should be allowed due to conditions beyond the applicant's control.

6. **SECTION 108 FEES** is deleted in its entirety and replaced with the following:

SECTION 108 FEES

[A] 108.1 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 the additional fee, if any, has been paid.

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~~[A] 108.2 Schedule of permit fees.~~ Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

~~[A] 108.3 Permit valuations.~~ The applicant for a permit shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include total value of work, including materials and labor for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. Where, in the opinion of the *code official*, the valuation is underestimated, the permit shall be denied unless the applicant can show detailed estimates acceptable to the *code official*. The *code official* shall have the authority to adjust the final valuation for permit fees.

~~[A] 108.4 Work commencing before permit issuance.~~ Any person who commences any work before obtaining the necessary permits shall be subject to a fee established by the *code official* that shall be in addition to the required permit fees.

~~[A] 108.5 Related fees.~~ The payment of the fee for the construction, *alteration*, removal or demolition of work done in connection to or concurrently with the work authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

~~[A] 108.6 Refunds.~~ The *code official* is authorized to establish a refund policy.

SECTION 108 FEES

108.1 Payment of fees. All items relating to fees shall be as specified in Section 109 of the adopted *International Building Code*, entitled "Fees."

108.2 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*, as amended.

7. **Section 112 MEANS OF APPEALS** is deleted in its entirety and replaced with the following:

SECTION 112 MEANS OF APPEALS

~~[A] 112.1 General.~~ In order to hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for

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~~conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.~~

~~[A] 112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code.~~

~~[A] 112.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training on matters pertaining to the provisions of this code and are not employees of the jurisdiction.~~

~~[A] 112.4 Administration. The code official shall take action without delay in accordance with the decision of the board.~~

SECTION 112 MEANS OF APPEALS

112.1 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."

8. **Section 113.4 Violation Penalties** is deleted in its entirety and replaced with the following:

~~[A] 113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who repairs or alters or changes the occupancy of a building or structure in violation of the approved construction documents or directive of the code official or of a permit or certificate issued under the provisions of this code shall be subject to penalties as prescribed by law.~~

113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, commits a civil infraction and is subject to the provisions contained in § 1-15(f) of the City Code. Each day that a violation continues shall be deemed a separate offense.

9. A new **Section 302.6 Restroom signage** is added to read as follows:

302.6 Restroom signage. Any alteration to a single user restroom that requires a building permit shall be provided with gender-neutral signage.

10. **Section 703.1 General** is amended to read as follows:

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703.1 General. *Alterations* shall be done in a manner that maintains the level of fire protection provided **required**.

11. **Section 708.1 Minimum requirements** is deleted in its entirety and replaced with the following:

~~**708.1 Minimum requirements.** Level 1 *alterations to existing buildings or structures* do not require the entire building or structure to comply with the energy requirements of the *International Energy Conservation Code* or *International Residential Code*. The *alterations* shall conform to the energy requirements of the *International Energy Conservation Code* or *International Residential Code* as they relate to new construction only.~~

708.1 Minimum requirements. The scope of work in Level 1 *alterations* shall conform to the energy requirements of the *International Energy Conservation Code*. *Existing building* area not affected by the alteration is not required to comply with the energy requirements of the *International Energy Conservation Code* except where the space undergoes a change of occupancy that would result in an increase in demand for either fossil fuel or electrical energy per Section C505 or R505 of the *International Energy Conservation Code*.

12. **Section 809.1 Minimum requirements** is deleted in its entirety and replaced with the following:

~~**809.1 Minimum requirements.** Level 2 *alterations to existing buildings or structures* are permitted without requiring the entire building or structure to comply with the energy requirements of the *International Energy Conservation Code* or *International Residential Code*. The *alterations* shall conform to the energy requirements of the *International Energy Conservation Code* or *International Residential Code* as they relate to new construction only.~~

809.1 Minimum requirements. The scope of work in Level 2 *alterations* shall conform to the energy requirements of the *International Energy Conservation Code*. *Existing building* area not affected by the alteration is not required to comply with the energy requirements of the *International Energy Conservation Code* except where the space undergoes a change of occupancy that would result in an increase in demand for either fossil fuel or electrical energy per Section C505 or R505 of the *International Energy Conservation Code*.

13. **Section 907.1 Minimum requirements** is deleted in its entirety and replaced with the following:

~~**907.1 Minimum requirements.** Level 3 *alterations to existing buildings or structures* are permitted without requiring the entire building or structure to comply with the energy requirements of the *International Energy Conservation Code* or~~

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~~*International Residential Code.* The alterations shall conform to the energy requirements of the *International Energy Conservation Code* or *International Residential Code* as they relate to new construction only.~~

907.1 Minimum requirements. The scope of work in Level 3 alterations shall conform to the energy requirements of the *International Energy Conservation Code*. Existing building area not affected by the alteration is not required to comply with the energy requirements of the *International Energy Conservation Code* except where the space undergoes a change of occupancy that would result in an increase in demand for either fossil fuel or electrical energy per Section C505 or R505 of the *International Energy Conservation Code*.

14. **Section 1103.3 Flood hazard areas** is deleted in its entirety and replaced with the following:

[BS] 1103.3 Flood hazard areas. ~~Additions and foundations in flood hazard areas shall comply with the following requirements:~~

- ~~1. For horizontal additions that are structurally interconnected to the existing building:~~
 - ~~1.1. If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with Section 1612 of the *International Building Code*, or Section R306 of the *International Residential Code*, as applicable.~~
 - ~~1.2. If the addition constitutes substantial improvement, the existing building and the addition shall comply with Section 1612 of the *International Building Code*, or Section R306 of the *International Residential Code*, as applicable.~~
 - ~~1.3. If the addition does not constitute substantial improvement, the addition is not required to comply with the flood design requirements for new construction, provided that both of the following apply:~~
 - ~~1.3.1. The addition shall not create or extend any nonconformity of the existing building with the flood-resistant construction requirements.~~
 - ~~1.3.2. The lowest floor of the addition shall be at or above the lower of the lowest floor of the existing building or the lowest floor elevation required in Section 1612 of the *International Building Code*, or Section R306 of the *International Residential Code*, as applicable.~~
- ~~2. For horizontal additions that are not structurally interconnected to the existing building:~~

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- ~~2.1. The addition shall comply with Section 1612 of the *International Building Code*, or Section R306 of the *International Residential Code*, as applicable.~~
- ~~2.2. If the addition and all other proposed work, when combined, constitute *substantial improvement*, the existing building and the addition shall comply with Section 1612 of the *International Building Code*, or Section R306 of the *International Residential Code*, as applicable.~~
- ~~3. For vertical additions and all other proposed work that, when combined, constitute *substantial improvement*, the existing building shall comply with Section 1612 of the *International Building Code*, or Section R306 of the *International Residential Code*, as applicable.~~
- ~~4. For a new foundation, replacement foundation or a foundation raised or extended upward, the foundation shall comply with Section 1612 of the *International Building Code*, or Section R306 of the *International Residential Code*, as applicable.~~

1103.3 Flood hazard areas. For buildings or structures regulated under the scope of this code that are in whole or in part located in *flood hazard areas*, construction documents shall be submitted as established in accordance with Chapter 10 of the City Code, entitled "Flood Prevention and Protection."

15. **Appendix E TEMPORARY EMERGENCY USES** is adopted in its entirety, and is amended to read as follows:

APPENDIX E TEMPORARY EMERGENCY USES

SECTION E101 GENERAL

E101.1 Scope. The provisions of this appendix shall apply to the use, installation, *alteration*, relocation and location of *existing buildings* and any service utilities or systems that serve such *existing buildings* during or based on the response to the emergency and the use of a *community based shelter* or *seasonal overflow shelter*.

...

E101.1.2 Temporary use. Where temporary uses during emergencies exceed 180 days, judgement shall be used by the *code official* to allow for temporary uses and conditions to continue for the duration of the emergency based on the needs of the emergency. The *code official* is authorized to grant extensions for demonstrated cause. Temporary use as a *community based shelter* or *seasonal overflow shelter* may not exceed 180 days in a 12 month period.

SECTION E102 DEFINITIONS

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E102.1 General. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

. . .

COMMUNITY BASED SHELTER. An accessory use to a facility owned and operated by a place of worship, public benefit corporation as defined by the Colorado Revised Statutes, or a tax exempt corporation as defined by Section 503 of the U.S. Internal Revenue Code, that provides overnight accommodations on a temporary basis for a maximum of fifteen (15) persons.

. . .

SEASONAL OVERFLOW SHELTER. A homeless shelter that allows persons experiencing homelessness to stay on its premises overnight from the beginning of November through the end of April the following year, unless, because of inclement weather, specific and limited exceptions to such seasonal limitations are granted by the *code official*. *Community based shelter* services are exempt from this definition.

. . .

SECTION E105 PERMITS

. . .

E105.2 Community based shelter and seasonal overflow shelter permits. Any *owner* or *owner's authorized agent* who intends to use a building or structure for the purposes of a *community based shelter* or *seasonal overflow shelter*, shall first submit an application to the *code official* and obtain the required *permit*.

SECTION E106 GENERAL STANDARDS FOR EMERGENCY USES

. . .

E106.2 Intent. The intent of this section is to provide a reasonable level of safety in a structure repurposed for *emergency use* or use as a *community based shelter* or *seasonal overflow shelter*.

. . .

E106.4.2 Training and practice drills. Training of staff and practice drills shall comply with Sections 405 and 406 of the *International Fire Code*. Structures in place for longer than 30 days shall conduct evacuation drills in accordance with Section 405.3 of the *International Fire Code* based on the temporary use as determined by the *Fire Code Official*.

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E106.4.3 Fire protection. An evaluation shall be performed to decide on fire protection needed utilizing NFPA 550 as determined by the Fire Code Official.

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E106.5 Means of egress. Means of egress shall comply with Section 1011.5, in addition to Sections E106.5.1 through E106.5.34.

Exception: In Group I-2 occupancies, in areas where corridors are used for movement of care recipients in beds, the clear width of ramps and corridors shall be not less than 48 inches (1219 mm).

...

E106.5.4 Egress width. A 4 foot wide exit aisle shall be maintained throughout the entire sleeping area to the exit(s). Exit aisles shall be always maintained unobstructed and free of trip hazards.

...

E106.7.1 Portable heating, cooling and cooking equipment. Portable heating, cooling and cooking equipment shall not be used in community based shelters or seasonal overflow shelters. Portable heating, cooling and cooking equipment for emergency use shall be used in accordance with the *International Fire Code*, their listing and manufacturer's instructions.

E106.8 Posting. During hours of operation, signage indicating that the building or structure is occupied shall be posted outside the building, in a location approved by the Fire Code Official.

E106.9 Existing violations. All existing building and fire code violations must be corrected prior to issuance of a temporary certificate of occupancy.

...

Section 4. The codifier of the Code of the City of Fort Collins is hereby directed to amend all existing cross references in the City Code and the Land Use Code in accordance with the provisions of this ordinance.

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

Introduced, considered favorably on first reading on _____, 2025, and approved on second reading for final passage on _____, 2025.

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Mayor

ATTEST:

City Clerk

Effective Date: _____, 2025

Approving Attorney: Madelene Shehan