

ORDINANCE NO. 2023-037

AN ORDINANCE AMENDING CHAPTER 15.12 OF THE CASTLE ROCK MUNICIPAL CODE, ADOPTING BY REFERENCE AS A PRIMARY CODE THE 2023 EDITION OF THE NATIONAL ELECTRICAL CODE WITH AMENDMENTS; AND AMENDING CHAPTER 15.28 OF THE CASTLE ROCK MUNICIPAL CODE, ADOPTING BY REFERENCE MISCELLANEOUS CODES RELATING TO CONVEYANCES AND ACCESSIBLE BUILDINGS AND FACILITIES

WHEREAS, as a home rule municipal corporation of the State of Colorado, the Town of Castle Rock (the “Town”) is empowered to adopt such ordinances as are necessary to protect the health, safety and welfare of the Town and its residents; and

WHEREAS, the Town has determined the necessity of adopting regulations and standards that govern, in a safe, fair and equitable manner, the construction of buildings and structures in the Town; and

WHEREAS, the codes and standards that are established and periodically updated by nationally recognized professional and technical organizations, together with local amendments, serve as the most practical basis for regulating such construction; and

WHEREAS, the Castle Rock Municipal Code (the “Code”) imposes a comprehensive regulatory framework that governs the submission, processing, review and consideration of construction documents and permits; and

WHEREAS, as part of this framework, in Chapter 15.12 of the Code, the Town has adopted by reference the 2017 Edition of the National Electric Code, as published by the National Fire Protection Association; and

WHEREAS, since that time, the National Fire Protection Association has published the updated 2023 Edition of the National Electric Code; and

WHEREAS, both Town staff and the Board of Building Appeals have reviewed the update and recommend that Chapter 15.12 be amended to adopt the 2023 edition of the National Electric Code.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Amendment. Section 15.12.010 of the Castle Rock Municipal Code is amended to read as follows:

15.12.010 - Adoption.

A. The Town adopts by reference the following code: The National Electrical Code, 2017

2023 Edition, as published by the National Fire Protection Association, ~~One Batterymarch Park, Quincy, Massachusetts, 02169-7471;~~ and the corresponding National Electrical Code Handbook, ~~Library of Congress.~~ The ~~subject matter of~~ STANDARDS SET FORTH IN said code, AS AMENDED BY THIS CHAPTER 15.12, ~~concerns are adopted~~ SHALL SERVE as the minimum standards governing the planning, laying out and installing or the making of additions, alterations and repairs in the installation of wiring apparatus and equipment for electric light and power in the Town. ~~These standards are also adopted to provide minimum standards to~~ THE PURPOSE OF SAID CODE IS TO PROVIDE A PRACTICAL safeguardING OF life ~~or~~ AND limb, property and THE public welfare. Plans, engineering calculations, diagrams and other data shall be submitted with each ELECTRICAL permit application, to include the load calculation, if required by the CHIEF Building Official. This ~~adoption~~ CODE shall be in compliance with Title 12, Article ~~23-115~~, C.R.S., WHEREVER APPLICABLE.

- B. One copy ~~and an electronic version~~ of the above-referenced code shall be maintained on file at the Development Services Department, and may be inspected during regular business hours, ~~the same being adopted as if set out at length herein.~~

Section 2. Amendment. Section 15.12.030 of the Castle Rock Municipal Code is amended to read as follows:

15.12.030 - Amendments.

The following amendments, ~~additions and deletions~~ are made to the ~~2017~~ 2023 Edition of the National Electrical Code:

- A. ARTICLE 101.1 IS AMENDED TO READ AS FOLLOWS:

101.1. TITLE. THESE PROVISIONS SHALL BE KNOWN AS THE ELECTRICAL CODE OF THE TOWN OF CASTLE ROCK AND SHALL BE CITED AS SUCH AND WILL BE REFERRED TO HEREIN AS THE "ELECTRICAL CODE."

- B. The ~~2017-2023~~ Edition of the National Electrical Code is amended by the addition of the following language:

Penalties. Any person who: (I) fails to comply with the provisions of ~~this~~ THE ELECTRICAL Code; ~~or who~~ (II) fails to carry out an order made pursuant to ~~this~~ THE ELECTRICAL Code; or (III) violates any condition attached to a permit, approval or certificate ISSUED PURSUANT TO THE ELECTRICAL CODE shall be subject to the CIVIL AND CRIMINAL penalties ~~established by this jurisdiction and incorporated herein~~ at SET FORTH IN Section 15.12.050 of the Castle Rock Municipal Code.

- ~~B. C.~~ Article 210.52(B)(3), ~~Kitchen Receptacle Requirements~~, of the ~~2017-2023~~ Edition of the National Electrical Code is amended by the addition of a new subparagraph (a) to read as follows:

210.52(B)(3). KITCHEN RECEPTACLE REQUIREMENTS.

- (a) ~~These~~ THERE shall be no more than four (4) outlet openings on a residential kitchen small appliance branch circuit.

C. D. Article 220.14(I), ~~Receptacle Outlets~~, of the 2017-2023 Edition of the National Electrical Code, is amended by the addition of a new subparagraph (1) to read as follows:

220.14(I). RECEPTACLE OUTLETS.

- (1) For dwellings, general purpose outlets, the number of outlets per circuit shall not exceed 10 on a 15-ampere circuit or 13 on a 20-ampere circuit.

Section 3. Amendment. Section 15.12.050 of the Castle Rock Municipal Code is amended to read as follows:

15.12.050 - Violation; penalty.

- A. The Fire Code Official, Chief Building Official, code enforcement officer, or other designated Town official shall be empowered to issue ~~citations~~—SUMMONS AND COMPLAINTS, stop-work orders, cease and desist orders or closure orders to any person found in violation of the 2023 EDITION OF THE National Electrical Code.
- B. ~~Every~~ ANY person convicted ~~by citation~~ of a violation of any provision of the ~~2011~~ 2023 Edition of the National Electrical Code shall be punished by a fine ~~OF~~ not ~~exceeding~~ MORE THAN \$1,000.00 or by imprisonment not to exceed one year, or by both such fine and imprisonment.
- C. Each such 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. Commencement of work without a valid permit as required under this ~~Title 15~~ CHAPTER may be subject to payment of ~~an additional fee~~ A SURCHARGE in the amount equal to the original permit fee, WHICH SURCHARGE SHALL BE in addition to the required permit fee.

Section 4. Amendment. Section 15.28.010 of the Castle Rock Municipal Code is amended to read as follows:

15.28.010 - Adoption.

- A. The Town adopts by reference the following codes, except ~~as~~—TO THE EXTENT THE SAME ARE amended by ~~the Administrator in accordance with~~ a Memorandum of Agreement BETWEEN THE TOWN AND ~~with~~ the DIRECTOR OF THE DIVISION OF OIL AND PUBLIC SAFETY WITHIN THE ~~State of~~ Colorado DEPARTMENT OF LABOR AND EMPLOYMENT OR SUCH DIRECTOR'S DESIGNEE:

1. ASME A17.1- ~~2013~~ 2019 Edition, ~~American National Standard—Accessible and Useable Buildings and Facilities—~~SAFETY CODE FOR ELEVATORS AND ESCALATORS, (~~AS published by the International Code Council, 4051 W. Flossmoor Road, Country Club Hills, IL 60478~~)—AMERICAN SOCIETY OF MECHANICAL ENGINEERS;
2. ASME A18.1- ~~2011~~ 2017 Edition, ~~Elevator Codes—~~SAFETY STANDARD FOR PLATFORM LIFTS AND STAIRWAY CHAIRLIFTS, (~~AS published by the American Society of Mechanical Engineers, 3 Park Avenue, New York, NY 10016-5990~~);
3. ASME A17.3- 2005 Edition, ~~Elevator Codes—~~SAFETY CODE FOR EXISTING ELEVATORS AND ESCALATORS, (~~AS published by the American Society of Mechanical Engineers, 3 Park Avenue, New York, NY 10016-5990~~);
4. ASCE 21-2013, Parts 1-4, 2013 EDITION, ~~January 1, 2013—~~AUTOMATED PEOPLE MOVER STANDARDS, (~~AS published by the American Society of Civil Engineers, 1801 Alexander Bell Drive, Reston, VA 20191~~);
5. ANSI A117.1- 2009 Edition, ACCESSIBLE AND USEABLE BUILDINGS AND FACILITIES, (~~AS published by THE International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795~~).

The ~~subject matter~~ PURPOSE of the ABOVE-REFERENCED codes ~~concerns regulations~~ IS to provide minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to firefighters and emergency responders during emergency operations.

- B. One copy ~~and an electronic version~~ of EACH OF the above-referenced codes shall be maintained on file at the Development Services Department ~~offices~~, and may be inspected during regular business hours, ~~the same being adopted as if set out at length herein~~.

Section 5. Amendment. Section 15.28.040 of the Castle Rock Municipal Code is amended to read as follows:

15.28.040 - Violation; penalty.

- A. The Chief Building Official, Fire Code Official, CODE ENFORCEMENT OFFICER, or ~~any~~ other designated Town official shall be empowered to issue ~~citations~~ SUMMONS AND COMPLAINTS, stop work orders, cease and desist orders or closure orders to any person found in violation of this Chapter.

- B. Any person ~~who violates~~ CONVICTED OF A VIOLATION OF any of the provisions of this Chapter shall be punished by a fine of not more than \$1,000.00 or by imprisonment not to exceed one year, or by both such fine and imprisonment.
- C. Each such 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 such person.
- D. Commencement of work without a valid permit as required under this ~~Title 15~~ CHAPTER may be subject to payment of ~~an additional fee~~ A SURCHARGE in the amount equal to the original permit fee, WHICH SURCHARGE SHALL BE in addition to the required permit fee.

Section 6. Severability. If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 7. Safety Clause. The Town Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and this Ordinance bears a rational relation to the legislative object sought to be obtained.

Section 8. Effective Date. This ordinance shall go into effect on January 1, 2024. Master Production Plans, those submitted to the Town for reuse on a minimum of four structures to be constructed within a platted subdivision (as defined in Title 16 of the Code), should comply with the provisions of this ordinance by July 1, 2024.

APPROVED ON FIRST READING this 7th day of November, 2023, by a vote of ___ for and ___ against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this ___ day of _____, 2023, by the Town Council of the Town of Castle Rock by a vote of ___ for and ___ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to content:

Michael J. Hyman, Town Attorney

Tara Vargish, Director of Development Services