

ORDINANCE 08-08

INTRODUCED BY:

Councilperson Hoffman  
Councilperson Havercroft

**ORDINANCE OF THE CITY COUNCIL  
OF  
THE CITY OF CASTLE PINES NORTH  
ADOPTING THE 2006 INTERNATIONAL ENERGY CONSERVATION CODE**

WHEREAS, the City of Castle Pines North (the "City") is a statutory municipality incorporated and organized pursuant to the provisions of sections 31-2-101, *et seq.*, C.R.S.; and

WHEREAS, Section 31-15-602(3), C.R.S., requires any municipality that has adopted a building code to also adopt an energy code. The energy code must apply to the construction of, renovations and additions to, all commercial and residential buildings in the municipality, unless excepted by the statute; and

WHEREAS, Section 31-15-602, C.R.S., provides that a municipality may adopt the 2003 International Energy Conservation Code or any successor edition published by the International Code Council; and

WHEREAS, Section 31-16-202, C.R.S., allows the City to adopt a code by reference; and

WHEREAS, the City adopted the 2003 International Building Code by reference in Ordinance 08-04 on May 20, 2008; and

WHEREAS, the City Council desires by this Ordinance to adopt by reference the 2006 International Energy Conservation Code, published by the International Code Council in January 2006 (the "2006 International Energy Conservation Code"); and

WHEREAS, Section 31-16-101, C.R.S., provides that the City has power to assess penalties for violations of this Ordinance 08-08 of a fine of not more than one thousand dollars, or imprisonment for not more than one year, or both such fine and imprisonment; and

WHEREAS, City Council finds it necessary for the immediate preservation of public health and safety and in the best interest of the City to adopt this Ordinance 08-08 to comply with section 31-15-602(3), C.R.S. and as such, this Ordinance 08-08 shall be immediately effective as an emergency ordinance pursuant to section 31-16-105, C.R.S.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO, THAT:

Section 1. City Council hereby adopts the 2006 International Energy Conservation Code for application to the construction of, renovations and additions to, all commercial and

residential buildings in the City for which a building permit application is received subsequent to the adoption of the energy code, except for the following:

(a) Any building that is otherwise exempt from the provisions of the building code adopted by the City and buildings that do not contain a conditioned space;

(b) Any building that does not use either electricity or fossil fuels for comfort heating. A building will be presumed to be heated by electricity even in the absence of equipment used for electric comfort heating if the building is provided with electrical service in excess of one hundred amps, unless the code enforcement official of the City determines that the electrical service is necessary for a purpose other than for providing electric comfort heating.

(c) Historic buildings that are listed on the national register of historic places or Colorado state register of historic properties and buildings that have been designated as historically significant or that have been deemed eligible for designation by a local governing body that is authorized to make such designations; and

(d) Any building that is exempt pursuant to the 2006 International Energy Conservation Code.

Section 2. Any violation of the 2006 International Energy Conservation Code, as adopted by the City, will be punishable by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment. Each day that the 2006 International Energy Conservation Code is violated shall be considered a separate offense and violation.

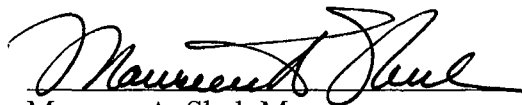
Section 3. The adoption of the 2006 International Energy Conservation Code supersedes any and all energy codes that have been previously adopted by the City.

Section 4. It is necessary for the immediate preservation of public health and safety and in the best interest of the City to adopt this Ordinance 08-08 to comply with section 31-15-602(3), C.R.S. and as such, this Ordinance 08-08 shall be immediately effective as an emergency ordinance pursuant to section 31-16-105, C.R.S.

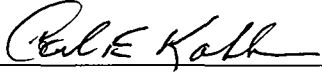
**INTRODUCED, READ, AND ORDERED PUBLISHED ON JUNE 11, 2008.**

**PUBLISHED IN THE DOUGLAS COUNTY NEWS-PRESS ON JUNE 19, 2008.**

**ADOPTED ON SECOND READING THIS 9TH DAY OF JULY, 2008.**

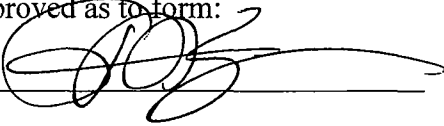
  
Maureen A. Shul, Mayor

ATTEST:



Carl E. Kollmar, City Clerk

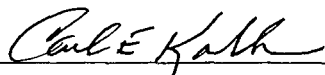
Approved as to form:



Erin M. Smith, City Attorney

## CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Castle Pines North City Council on June 11, 2008; published in full in the Douglas County News-Press; and finally passed and adopted by the City Council on July 9, 2008.



Carl E. Kollmar, City Clerk