

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 6, SERIES 2022**

**AN ORDINANCE AMENDING CHAPTER 18 - BUILDING REGULATIONS OF THE
MUNICIPAL CODE TO REMOVE AMENDMENTS FROM THE TOWN'S ADOPTED
2018 INTERNATIONAL RESIDENTIAL CODE PERTAINING TO FIRE
PROTECTION OF FLOORS**

WHEREAS, the Town of Timnath (the "Town") is a home rule municipality operating under the Timnath Home Rule Charter (the "Charter") adopted on November 7, 2006 and the Town's Municipal Code (the "Code"). Pursuant to the Charter, the Code and the authority given home rule municipalities, the Town may adopt and amend ordinances; and

WHEREAS, the Town of Timnath Town Council adopted on March 26, 2019 Chapter 18 – Building Regulations and by reference the 2018 edition of the International Residential Code with the amendments enumerated therein; and

WHEREAS, the Town of Timnath Town Council repeals the following amendments to the Town's adopted International Residential Code Section R302.13; and

WHEREAS, The Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of public health, welfare, peace, safety and property and that this Ordinance is necessary for the protection of public convenience and welfare.

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF TIMNATH, COLORADO,
ORDAINS:**

SECTION 1 – AMENDMENTS

IRC Section R302.13 (Fire Protection of Floors) is amended by the deletion of exceptions 5, 6, and 7 (~~strikethrough~~) as follows:

R302.13 Fire protection of floors. Floor assemblies that are not required elsewhere in this code to be fire-resistance rated, shall be provided with a 1/2-inch (12.7 mm) gypsum wall-board membrane, 5/8-inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member. Penetrations or openings for ducts, vents, electrical outlets, lighting, devices, luminaires, wires, speakers, drainage, piping and similar openings or penetrations shall be permitted.

Exceptions

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with Section P2904, NFPA 13D, or other approved equivalent sprinkler system.

2. Floor assemblies located directly over a crawl space not intended for storage or for the installation of fuel-fired or electric-powered heating appliances.
3. Portions of floor assemblies shall be permitted to be unprotected where complying with the following:
 - 3.1 The aggregate area of the unprotected portions does not exceed 80 square feet (7.4 m²) per story.
 - 3.2 Fireblocking in accordance with Section R302.11.1 is installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.
4. Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2 inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance.
- ~~5. For floor assemblies located over a basement or crawlspace, with mechanical equipment rooms not larger than 80 square feet constructed per sections R302.13 with minimum ½ inch gypsum wallboard on the enclosing walls and a self-closing weather-stripped solid door.~~
- ~~6. Floor assemblies located over a basement or crawlspace, with mechanical equipment rooms not larger than 80 square feet may be constructed per Exception #4, using fire-treated I-joists only above furnace closet area with minimum 5/8 inch Type X gypsum wallboard on the enclosing walls and a self-closing weather-stripped solid core 20 minute rated door and frame.~~
- ~~7. For floor assemblies located over a basement or crawl space with a mechanical equipment room not larger than 80 square feet may be unprotected if a fire sprinkler head is installed in accordance with section P2904 or the International Building Code sections 903.3.1.2 or 903.3.1.3, installed within the equipment room on a domestic water loop.~~

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 Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

SECTION 3 – REPEAL

Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

ARTICLE 4 – EFFECTIVE DATE

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.


INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON FEBRUARY 8, 2022, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON FEBRUARY 22, 2022 AT THE TIMNATH ADMINISTRATION BUILDING, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 8TH DAY OF FEBRUARY 2022.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON FEBRUARY 22, 2022.

TOWN OF TIMNATH, COLORADO


Mark J. Soukup, Mayor

ATTEST:


Milissa Peters-Garcia, CMC
Town Clerk

