

ORDINANCE NO. 943

AN ORDINANCE ADOPTING BY REFERENCE THE INTERNATIONAL ENERGY CONSERVATION CODE, 2021 EDITION

WHEREAS, the City Council has adopted from time to time certain building and construction standards, including the 2012 edition of the International Energy Conservation Code; and

WHEREAS, it is deemed to be in the interest of the public health, safety and general welfare to adopt by reference thereto the updated edition of such Code; and

WHEREAS, the City Council, after proper notice as required by law, has held a public hearing on this ordinance providing for the adoption of said Code; and

WHEREAS, the updated edition of the above-referenced Code been submitted to the City Council in writing and the City Council has determined that such Code should be adopted as herein set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DACONO, COLORADO:

Section 1. Section 18-40(9) of the Dacono Municipal Code is hereby repealed and replaced, to read as follows:

Pursuant to Title 31, Article 16, Part 2, C.R.S., the codes and standards hereinafter described are hereby adopted by reference, subject to the amendments herein set forth. The subject matter of the codes and standards adopted herein includes the regulation of the new construction, alteration and repair of all new and existing structures along with all plumbing, mechanical and installations therein or in connection therewith. In case of any conflict between a code adopted herein and any other specific provision of this Code, the specific provision of this Code shall prevail.

(9) *The International Energy Conservation Code*, 2021 Edition, including appendices CB and RB, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-579, is hereby adopted by reference as the City of Dacono Energy Conservation Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.

a. **IECC Section R101.1** IECC Section C101.1 (Title) is amended by the addition of “City of Dacono” where indicated.

b. **IECC Section R401.2.4** IECC Section R401.2.4 (Tropical Climate Region Option) is deleted in its entirety.

c. **IECC Section R406.4** IECC Section R406.4 (Energy Rating Index) is amended to read as follows: “A HERS Index Score may be utilized in lieu of the ERI score”.

d. **IECC Section R407** IECC Section R407 (Tropical Climate Region Compliance Path) is deleted in its entirety.

e. **IECC Section C101.1** IECC Section C101.1 (Title) is amended by the addition of “City of Dacono” where indicated.

f. **IECC Section C401.2.1** Item 2 of IECC Section 401.2.1 is amended to read as follows: “#2 Total Building Performance. The Total Building Performance option requires compliance with ~~Section C407~~ ASHRAE 90.1, Appendix G.”

g. **IECC Section C407** IECC Section C407 (Total Building Performance) is deleted in its entirety.

Section 2. Copies of the codes adopted by reference by this ordinance are available for public inspection at the office of the City Clerk between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted.

Section 3. 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4. The repeal or modification of any provision of any prior ordinance by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 6. This ordinance is deemed necessary of the preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property within the City of Dacono.

INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED AND POSTED BY TITLE this 8th day of May, 2023.

PUBLIC HEARING AND SECOND READING WILL BE THE 12th day of June, 2023, AT 6:00 P.M. AT DACONO CITY HALL ANNEX, 512 CHERRY STREET, BUILDING C, DACONO, CO.

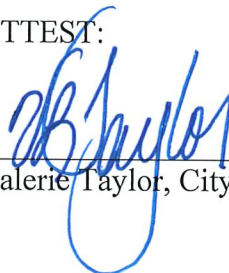
READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE this 12th day of June, 2023.

CITY OF DACONO, COLORADO



Adam Morehead, Mayor

ATTEST:



Valerie Taylor, City Clerk

Summary of Ordinance No. 943, **“AN ORDINANCE ADOPTING BY REFERENCE THE INTERNATIONAL ENERGY CONSERVATION CODE, 2021 EDITION”**: Adopts by reference the updated edition of the International Energy Conservation Code previously adopted by the City, for the protection of the public health, safety and general welfare.