



Built On What Matters

Town of Frederick Board of Trustees Agenda

Frederick Town Hall
Board Chambers
401 Locust Street
Wednesday, January 21, 2026

7:00 PM

FMD Meeting 5:30 PM

Work Session 5:45 PM

- A. Land Use Code Articles 2 and 3 -
- B. Road Tax Initiative -

Call to Order – Roll Call

Pledge of Allegiance

Approval of Agenda

Special Presentations

Public Comment

This portion of the agenda is provided to allow members of the audience to provide comments to the Board of Trustees. Please sign in and you will be called. If your comments or concerns require an action, that item(s) will need to be placed on a later Agenda. Please limit the time of your comments to three (3) minutes.

Staff Reports

- C. Administrative Report -

Consent Agenda

Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless a Board of Trustees member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

- D. Approval of Minutes
- E. Ordinance No. 1409 Prohibiting the Use of Graywater and the Installation of Graywater Treatment Works within the Town -
Mike Theisen, Chief Building Official

Action Agenda

- F. Public Hearing - Building Code Adoption 2nd Reading - Ordinance No. 1408.
 - Open the Public Hearing
 - Staff Presentation
 - Public Comment
 - Board of Trustee Discussion and Questions
 - Close the Public Hearing
 - Board of Trustees Action on Ordinance No. 1408 -Mike Theisen, Chief Building Official

- G. Resolution 26-R-03 Moving Elections to November -
Tricia David, Town Clerk
Emily Nitcher, Deputy Town Clerk

Discussion Agenda

- H. Allo Update -

Mayor and Trustee Reports

Executive Session

- I. For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) regarding Ongoing Litigation. -

Adjournment



Town of Frederick Administrative Report January 21, 2026

Upcoming Board of Trustees Meetings:

The following is the schedule for upcoming meetings, though topics are subject to be changed or rescheduled:

- January 21, 2026 – Regular Meeting
 - February 4, 2026 – Regular Meeting
 - February 18, 2026 – Regular Meeting
 - March 4, 2026 – Regular Meeting
-



Effective, Efficient & Strategic Government Operations

- Town staff are actively staying up to date with the ever-changing landscape of state regulations regarding oil and gas. Meetings continue with industry partners to continue conversations and ways to collaborate; one oil and gas partner has even offered to show and educate Town employees on additional processes such as bradenhead testing.
- The PROST Commission hosted the Firestone Parks, Trails, Recreation and Open Space Commission at Bella Rosa on January 14. The primary purpose was to continue to strengthen regional partnerships, but more specifically for parks, including regional parks, regional trails, new neighborhood parks and open space, and coordinating both towns' ongoing system master plan updates.
- The following is a comparison of building permit totals from 2022 to 2025:

Permit Types	2022	2023	2024	2025
Commercial Accessory Structure Permit	2	1	7	1
Commercial Addition Permit		1	4	5

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Commercial Alteration Permit	13	20	21	35
Commercial Demolition Permit	2	3		1
Commercial Electrical Permit	12	10	10	13
Commercial Foundation Permit	1	3	5	0
Commercial Mechanical Permit	6	7	4	4
Commercial New Construction Permit	4	9	12	11
Commercial Plumbing Permit	1	3	1	1
Commercial Roofing Permit		14	9	2
Commercial Solar/PV Permit			2	6
Communication Facility Permit	2			2
Sign Permit	6	8	11	25
Temporary Structure Permit		6	1	3
Residential Accessory Structure Permit	3	7	2	1
Residential Addition Permit	12	11	14	10
Residential Alteration Permit	42	31	21	21
Residential Electrical Permit	13	23	26	17
Residential Foundation Permit		1	2	0
Residential Mechanical Permit	82	102	110	83
Residential New Construction Permit	125	93	64	56
Residential Plumbing Permit	46	57	58	39
Residential Pool/Spa Permit	3	2		0
Residential Roofing Permit	23	2164	468	50
Residential Solar/PV Permit	105	65	70	35
Water Tap Permit				1
Total Permits	503	2641	922	422



Community and Economic Vitality

- The Town is hosting the Colorado Department of Local Affairs (DOLA) during the Downtown Meeting on January 21 to share details regarding what it takes to earn the Colorado Main Street designation. Finishing touches are also being ironed out on February's marketing event, "Sample Frederick," which is an evolution of last year's "Love Your Downtown" promotion.

- Town staff recently attended and celebrated the St. Vrain Sanitation District's ribbon cutting event, as well as the Dentists of Frederick ribbon cutting event. Congratulations to both!
- For a list of all active development applications currently under review by the Town's Planning Department, Engineering Department, Legal Counsel, Frederick-Firestone Fire Protection District, and external review agencies, please follow these links to our ["What's Developing"](#) map and webpage, ["Development Applications Under Review."](#)



Dynamic, Inclusive & Connected Community

- After the 2025 wellhead inspection program was completed, a report was generated with the findings and analysis of those findings. This report will be presented to the Board of Trustees in the coming weeks, along with a general update of the oil and gas program as part of a future work session.
- Bella Rosa Golf Course has remained incredibly busy during the "off-season," including multiple days in December with a full slate of tee times. As year-end financials are closed, staff will have updates on ongoing efforts to improve the long-term financial position of the golf course.
- The Town has enjoyed a wonderful 2025 event season with the community:
 - A very merry Festival of Lights was held on Saturday, December 6, which included the Festival of Lights parade, tree lighting ceremony, ice sculptures, visits with Santa, market vendors, and carriage and tractor rides. All of these are free for the community to come enjoy and connect. Thank you to each team who worked together to make this a great event!
 - Communications & Engagement worked with Economic Development to host the Deck-the-Downtown contest for downtown businesses to participate in. Six businesses participated, with Luna Acres Preschool & Daycare taking first place.
 - Preparation and recruitment for 2026 Frederick events have begun! Sponsor, chainsaw carver, market vendor, and food vendor applications are incoming, which staff will begin to review in January.

- The new Welcome to Downtown banner was received from the printer and will be installed in January. We hope the community loves it!
- The Communications & Engagement team is working on the Annual Report to highlight the 2025 happenings in Frederick.
- The 2026 Photographers' Reception at Bella Rosa was held recently to congratulate all who submitted winning photos for our Town calendar. Thank you to all who took part in this tradition!
- Accessibility remediation efforts continue to ensure content is accessible to the widest audience possible, including templates, web pages, and reports.
- Staff continue to provide different avenues to keep the community informed, including a newsletter, web newsletter, and social media posts. Current campaigns include:
 - Top 10 in 2025 campaign
 - Election communications
 - Holiday trash information
 - Holiday tree drop-off
 - Scholarship Program
 - Deck the Downtown event
 - What's Developing in Frederick
 - Volunteer Fair



Strategic, Reliable and Sustainable Infrastructure

- Open Space staff completed several repairs to operational structures at Bulrush Open Space in November and December. These will help the wetland areas, which are protected under federal law and are required to operate as such, operate well into the future and continue our positive trend towards general public access in the future.
- Staff continue to track plugging and abandonment activities related to oil and gas wells within Frederick. Additionally, reviewing land use applications for oil and gas

setbacks, infrastructure, environmental impacts, and accuracy is an ongoing task to ensure strategic, reliable, and sustainable infrastructure.

- 2026 planning for the Water Conservation Program has begun to ensure the Town's valuable water resources are being protected.
- An internal Roads Committee is continuing their work to advance progress on road initiatives and to find solutions for improved transportation in Frederick.



Safe and Secure

- Town staff continue to collaborate with other municipal, county, and state level regulatory agencies to ensure the health, safety, and wellbeing of our community. This information is often passed down to landowners and developers with issues or oil and gas assets on their properties. Additionally, the first round of wellhead inspections conducted in 2025 have provided a baseline understanding of current issues, which will be used to track safety and security of these sites and our community.
- The National Association of Town Watch (NATW) officially recognized the Town of Frederick for its participation in National Night Out (NNO) this past August. Registered towns following NATW guidelines and requirements compete against communities of similar size for the awards, and Frederick was among those recognized in the 15k-50k population category. Many thanks to the Board and Town employees who participated alongside numerous neighborhoods to make this annual community engagement event such a success.
- Carbon Valley Emergency Management Director Merrie Garner reported that the Comprehensive Emergency Management Plan is now finalized. Portions recently added include a Recovery Plan with sections dedicated to disaster finance and cost recovery and damage assessment. Additionally, the Community Preparedness, Resilience, and Outreach Plan was completed as well, successfully meeting the agency's 2025 goals.



Fiscally Responsible Governance

- Oil and gas royalties have increased dramatically due to two large oil and gas operations just outside of Frederick in unincorporated Weld County. These wells

pass under parts of Frederick where Town-owned mineral rights exist. As such, the Town's royalty fund increased in 2025.

- As part of the Town's oil and gas wellhead inspection program, all 2025 invoices for wells owned by Civitas and Occidental have been paid.



Town of Frederick Board of Trustees

Meeting Minutes

January 7, 2026

Work Session 6:00 PM

A. Coordinated Elections. -

Call to Order – Roll Call

At 7:00 PM Mayor Pro Tem Brown called the meeting to order and requested roll call. Present were Mayor Pro Tem Brown and Trustees Lamach, Mahan, Padia, and March. Also present were Town Manager Bryan Ostler, Assistant Town Manager Ryan Johnson, Town Clerk Tricia David, Deputy Town Clerk Emily Nitcher, and Deputy Town Attorney Christine Francescani.

Pledge of Allegiance

Approval of Agenda

The agenda was approved as submitted.

Special Presentations

B. The Funk Foundation: Mile High Mayhem Wheelchair Rugby Tournament -

Representative of the Denver Barbarians Wheelchair Rugby Club, Levi Clark, presented and provided a flyer to the Board of Trustees. A motion was made by Trustee Mahan and seconded by Trustee Lamach to approve a donation of \$2,500.00 to The Funk Foundation: Mile High Mayhem Wheelchair Rugby Tournament. Upon roll call vote the motion passed unanimously.

Public Comment

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There was no one signed in for public comment.

Staff Reports

Town Manager Bryan Ostler referenced a recent email from the Town issuing a stop-work order to Allo/Intrepid for all fiber installation operations. He also noted that the Town will be meeting internally to discuss additional concerns, and that Intrepid has been requested to attend the January 21, 2026, Board of Trustees meeting to address those concerns. Additional information will be provided to the Board within the next week. Trustee March expressed appreciation for the decision to issue the stop-work order.

C. Administrative Report -

Consent Agenda

Consent Agenda items are considered to be routine and will be enacted by one motion

and vote. There will be no separate discussion of Consent Agenda Items unless a Board of Trustees member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

A motion was made by Trustee Mahan and seconded by Trustee Lamach to approve Consent Agenda. Upon roll call vote, the motion passed unanimously.

- D. Approval of Minutes
- E. List of Bills -
- F. Resolution 26-R-01 Setting the Posting Place for Town of Frederick Meeting Agendas -
Emily Nitcher, Deputy Town Clerk
- G. Resolution 26-R-02 Authorizing the Town to Opt-Out of House Bill 24-1173 Regarding the EV Charging Model Code or Statutory Code Language -
Brien Schumacher, Senior Planner
Ali Lommel, Planning Manager

Action Agenda

- H. Appointments to the Town of Frederick Youth Commission -
Jennifer Haessler, Finance Clerk

Finance Clerk/Youth Commission Staff Liaison Jennifer Haessler presented. A motion was made by Trustee Lamach and seconded by Trustee Mahan to approve appointments to the Town of Frederick Youth Commission.

- I. Public Hearing - Building Code Adoption 1st Reading - Ordinance No. 1408.
 - Open the Public Hearing
 - Staff Presentation
 - Public Comment
 - Board of Trustee Discussion and Questions
 - Close the Public Hearing
 - Board of Trustees Action on Ordinance No. 1408 -
Mike Theisen, Chief Building Official

At 7:22 PM, Mayor Pro Tem Brown opened the Public Hearing. Mr. Ostler noted that a letter from the Home Builders Association of Northern Colorado was submitted for public record. Chief Building Official Mike Theisen presented. No one signed in for public comment. Following Board discussion, Mayor Pro Tem Brown closed the Public Hearing. He then announced that the second reading and final action on Ordinance Number 1408 — Building Code Adoption — would occur on January 21st, 2026.

Discussion Agenda

There were no items for the Discussion Agenda.

Mayor and Trustee Reports

Trustee Lamach noted discussions with the Communications Department and the Town Manager regarding the Town's plans to recognize the 250th anniversary of the United States. Mayor Pro Tem Brown suggested exploring partnerships with Carbon Valley and neighboring communities for related celebrations, and Trustee Lamach

concurred.

Adjournment

There being no further business of the Board of Trustees, Mayor Pro Tem Brown adjourned the meeting at 7:35 PM.

ATTEST:

Approved by the Board of Trustees:

Tracie Crites, Mayor

Tricia David, Town Clerk

Jan 17th - 19th 2026



Thunder Valley K-8
600 5th Street
Frederick, Colorado

Tickets



\$10/day or \$25/All Weekend

Mile High Mayhem

Pool A	Pool B
Phoenix Heat TIRR Texans Portland Pounders Denver Barbarians	Boise Bombers Las Vegas High Rollers Seattle Slam Kansas City Revolution

SATURDAY-- January 17th (POOL PLAY)

	Court 1	Court 2
9AM-10:30A	Heat vs Pounders (G1)	Bombers vs Slam (G2)
10:30A-12PM	Barbarians vs Texans (G3)	Revolution vs High Rollers (G4)
12PM-1PM	LUNCH	LUNCH
1PM-2:30P	Texans vs Heat (G5)	High Rollers vs Bombers (G6)
2:30P-4PM	Barbarians vs Pounders (G7)	Slam vs Revolution(G8)
5PM	Barbarians vs Carbon Valley Police & Fire Dept	

SUNDAY-- January 18th (POOL & CROSSEVERS)

	Court 1	Court 2
9AM-10:30A	Pounders vs Texans (G9)	Bombers vs Revolution(G10)
10:30A-12PM	Barbarians vs Heat (G11)	High Rollers vs Slam (G12)
12PM-1PM	LUNCH	LUNCH
1PM-2:30P	A1 vs B2 (G13)	B1 vs A2 (G14)
2:30P-4PM	A4 vs B3 (G15)	B4 vs A3 (G16)

MONDAY-- January 19th CHAMPIONSHIP & AWARDS

	Court 1	Court 2
9AM-10:30A	7th: Loser G15 vs Loser G16	5th: Winner G15 vs Winner G16
10:30A-12PM	CHAMPIONSHIP: Winner G13 vs Winner G14	THIRD PLACE: Loser G13 vs Loser G14
12PM-12:30P	Awards Ceremony	

TEAMS LISTED FIRST ARE CONSIDERED HOME AND WILL WEAR DARK JERSEYS

STAPP INTERSTATE



SWEET ROOFING



TOYOTA

U-Med

Via
Mobility Services



Wing Shack



CRAIG



NEBLETT, BEARD
& ARSENAULT
ATTORNEYS AT LAW

Westpeak
MOBILITY



St. Vrain Valley School District

Mile High Mayhem Wheelchair Rugby Tournament
January 17-19, 2026
Thunder Valley K-8
600 Fifth St.
Frederick, CO 80530

Sponsorship Levels

SPONSOR LEVELS 2025	Presenting Sponsor 1 Available	Impact Sponsor	Power Play Sponsor	Zone Sponsor
	\$7500	\$5000	\$2500	\$1000
Logo on Trophies	X			
Banner at the Event	4x8	3x6	Logo on Group Banner	Name on Group Banner
logo on T-shirts (500)	2" tall	1" tall	½" tall	Name only
Half-Time spotlight	20	5	3	
Chuck a Duck (1 game Sat/1 game Sun)	X			
Intermission Commercials	25	15	10	5
Vendor Booth	X	X	X	X
Social Media	X	X	X	X
Program	Ad & Logo on Cover	Ad	Logo	Name
Tickets to event	20/day	10/day	5/day	
Tournament Poster	Logo	Lg logo	sm logo	Name

Ala Carte items:

- Cooler bag sponsor- \$500
- Vendor Booth- \$100
- Intermission Commercial- \$200
- Logo on T-shirt- \$200

Call or email Christina Clark
303-775-3508
cclark6049@gmail.com



A 501c3 organization



P.O. Box 7254 | Loveland, CO 80537
970-686-2798
www.nocohba.com

January 6th, 2026

Frederick Board of Trustees

401 Locust Street
P.O. Box 435
Frederick, CO 80530

Re: Ordinance 1401 – Building Code Adoption, Residential Fire Sprinklers

Dear Mayor Crites and Town of Frederick Board of Trustees -

The Home Builders Association of Northern Colorado (NoCo HBA) represents more than 300 members inclusive of homebuilders, mortgage brokers, contractors, architects, designers, non-profits, and other related industries in the Town of Frederick and 54 other municipalities across Northern Colorado. We are committed to the health of our industry and the success of our members – many of whom are seeking to build critically-needed homes for current and future Frederick families.

The NoCo HBA respectfully submits this letter asking the Town of Frederick to amend out the residential fire sprinkler requirement for the 2024 International Fire Code.

The requirement to add residential sprinkler systems will significantly impact housing attainability in Frederick, pricing more aspiring homeowners out of the market. Contrary to the figures often reported, these systems are quoted to cost over \$4.50 per square foot, adding over \$15,000 to the price of an average new home once overhead and profit are factored into the price. Some municipalities in Colorado that have adopted sprinkler mandates are now reconsidering them, recognizing the added costs pose a serious challenge to housing affordability.

Below are some important considerations and reasons as to why the Town of Frederick and other surrounding jurisdictions should amend out residential sprinkler requirements for residential dwelling units:

- The vast majority of Front Range and Colorado municipalities and counties have continued to amend the residential sprinkler requirements out of their updated codes. This includes Ft. Collins, Larimer County, Loveland, Weld County, and other Northern Colorado jurisdictions.
- Notably, other jurisdictions in Colorado are considering repealing their fire sprinkler requirements to help lower homebuilding costs and increase housing affordability. For example, Commerce City recently repealed their residential fire sprinkler requirement after requiring them for just a few years – primarily due to the increased costs that are passed down to homeowners. Further, the Town of Erie is considering repeal of their residential fire sprinkler requirements to help lower homebuilding costs and increase affordability for first time homebuyers. Other jurisdictions are also taking a serious look at their fire sprinkler requirements and weighing them against the increased cost and price of a new home during a time when families need attainable and affordable housing options more than ever.
- Nationally, 46 states have completely removed the sprinkler requirements for one- and two-family homes and two states have limited the requirement based on home size and height. Only California and Maryland have left the model code sprinkler mandate in place.
- Fire sprinklers can discharge unintentionally causing extensive damage - According to NFPA's 2021 "U.S. Experience with Sprinklers" fire departments in the U.S. responded to an estimated average of 4,700 non-fire activations of home fire sprinklers per year caused by a system failure or malfunction and 5,400 unintentional sprinkler activations per year.
- Insurance rebates do not balance costs – When the 2008 Fire Protection Research Foundation investigated insurance costs savings related to fire sprinklers it only averaged a savings of \$22 per year on an annual premium, making it impossible for homeowners to recoup costs through lower rates.
- Labor is already a huge challenge in the residential construction industry. Adding additional labor will further increase costs with an additional multiplier effect.

While wildfire mitigation efforts are crucial, mandating expensive sprinkler systems will not address the primary threats posed by wildfires and will instead place an additional financial burden on homebuyers. However, consumers wishing to purchase a sprinkler system are not precluded from doing so, and those who would like to purchase one for their home can always make this request before their home is built.

As many town leaders are aware, housing attainability across the front range has only become more elusive given our recent environment of rising interest rates coupled with rampant inflation. Mortgage rates have increased from 3% just a few years ago to nearly 6% today – making it the largest magnitude increase for mortgage costs in decades. Current price inflation is now widely expected to be further exacerbated by new international tariffs on construction materials to build a home. According to NAHB, the cumulative impact of tariffs on building costs will add an additional \$10,900 to the price of a single-family home in 2025.

Thank you for your time and consideration of our comments. The NoCo HBA stands ready and willing to partner with Town of Frederick leaders to have an important dialogue and discussion regarding future home attainability and public safety measures. We encourage you to amend the fire sprinkler requirement from your code and begin important dialogue with our members so more Northern Colorado families can afford a safe and affordable place to call home.

Sincerely,

A handwritten signature in black ink, appearing to read 'V Hall', with a stylized, cursive script.

Victoria Hall, Executive Officer, Home Builders Association of Northern Colorado

Cc: Bryan Ostler, Town Manager

Mike Thiessen, Chief Building Official



Built On What Matters

TOWN OF FREDERICK

Board of Trustees

Staff Report

Tracie Crites, Mayor

Kevin Brown, Mayor Pro Tem
Dan March, Trustee
Mark Lamach, Trustee

Adam Mahan, Trustee
Windi Padia, Trustee

Ordinance No. 1409 Prohibiting the Use of Graywater and the Installation of Graywater Treatment Works within the Town

Agenda Date: Board of Trustees January 21, 2026

Attachments: 1. Ordinance No. 1409 Prohibiting Graywater Use Within the Town

Reviewed By:

Action Type

1) Legislative: Actions that relate to subjects of a long term and general applicability; such as the passing of ordinances/resolutions/policies/etc.

Strategic Plan Alignment:



EFFECTIVE, EFFICIENT & STRATEGIC GOVERNMENT OPERATIONS - As an employer of choice, the Town of Frederick will lead the region in a culture of efficiency, innovation, and strategic partnerships in all municipal services to far exceed the community's expectations and exemplify the fact that Frederick is Built on What Matters, its people.

Summary Statement:

Pursuant to Colorado House Bill 24-1362, there is now a statewide authorization for graywater use, except that each local government has the authority to opt out and prohibit the use of graywater systems within its jurisdiction. The Town's current water

rights are for a single use water supply, which thus do not allow for graywater use, which is a re-use of water, within the Town.

Detail of Issue/Request:

Colorado House Bill 24-1362 authorized statewide graywater use, giving local governments the authority to opt out and prohibit the use of graywater systems within their jurisdictions. based upon the needs of each local government. The Town's Colorado Big Thompson (CBT) water rights are for a single use water supply, which thus does not allow for graywater use, which is a re-use of water, within the Town. The Town holds additional water rights that it intends in the future to put to re-use, and allowing use of graywater within the Town would also impact the yield of those supplies. Opting out at this time gives the Town the opportunity to consider when or if graywater use is suitable and in what capacity in the future. This allows us to review these options on our timeline rather than the one prescribed by the State.

Legal Comments:

Legal counsel reviewed and approved the draft ordinance.

Alternatives/Options

Approval:

I move to approve Ordinance 1409, which prohibits the use of graywater and the installation of graywater treatment works within the Town.

Take No Action:

I move to take no action on Ordinance 1409.

Financial Considerations

Not Applicable.

Staff Recommendation

Staff recommends opting-out of House Bill 24-1362, which would prohibit the use of graywater systems within the Town. As it stands, our current water rights wouldn't allow for this anyhow at this time.

Community Impact

Approval of the ordinance will prohibit the use of graywater systems within Town limits. The community impact of approval of the ordinance is minimal, as current water rights do not allow for such use.

Ordinance No. 1409

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK,
COLORADO, PROHIBITING THE USE OF GRAYWATER AND THE INSTALLATION OF
GRAYWATER TREATMENT WORKS WITHIN THE TOWN OF FREDERICK**

WHEREAS, pursuant to Colorado House Bill 24-1362, there is now a statewide authorization for graywater use, except that each local government has the authority to opt out and prohibit the use of graywater systems within its jurisdiction; and

WHEREAS, C.R.S. § 31-15-601(1)(m)(I), as amended, effective January 1, 2026, provides local governments with the authority to adopt an ordinance prohibiting the installation of graywater treatment works and the use of all graywater; and

WHEREAS, additionally, the Town's CBT water rights are for a single use water supply, which thus does not allow for graywater use, which is a re-use of water, within the Town; and

WHEREAS, the Board of Trustees wish to make clear that graywater treatment works and use of graywater is thus for the time being prohibited within the Town; and

WHEREAS, this ordinance is supported and authorized by law and in the best interests of and necessary for the protection of the health, safety, and welfare of the public.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, AS FOLLOWS:

- Section 1. The use of graywater and installation of graywater treatment works within the Town of Frederick is prohibited.
- Section 2. Effective Date. This ordinance shall be published and become effective according to law.
- Section 3. Severability. If any part, section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the Ordinance including each part, section, subsection, sentence, clause, or phrase thereof, regardless of the fact that one or more parts, sections, subsections, sentences, clauses, or phrases are declared invalid.
- Section 4. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof in conflict with this ordinance are,

to the extent of such conflict, hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution, or motion, no revive any ordinance, resolution, or motion thereby.

Section 5. Certification. The Town Clerk shall certify the passage of this ordinance and make not less than one copy of the adopted ordinance available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED THIS __ DAY
OF _____, 2026.

ATTEST:	TOWN OF FREDERICK
By_____	By_____
Tricia David, Town Clerk	Tracie Crites, Mayor



Built On What Matters

TOWN OF FREDERICK

Board of Trustees

Staff Report

Tracie Crites, Mayor

Kevin Brown, Mayor Pro Tem
Dan March, Trustee
Mark Lamach, Trustee

Adam Mahan, Trustee
Windi Padia, Trustee

Public Hearing - Building Code Adoption 2nd Reading - Ordinance No. 1408.

- Open the Public Hearing
 - Staff Presentation
 - Public Comment
 - Board of Trustee Discussion and Questions
 - Close the Public Hearing
 - Board of Trustees Action on Ordinance No. 1408
-

Agenda Date: Board of Trustees January 21, 2026

Attachments:

1. Frederick Municipal Code Change Ordinance 1408
2. Building Division Municipal Code Updates 2nd Reading Presentation

Reviewed By:

Action Type

1) Legislative: Actions that relate to subjects of a long term and general applicability; such as the passing of ordinances/resolutions/policies/etc.

Strategic Plan Alignment:



EFFECTIVE, EFFICIENT & STRATEGIC GOVERNMENT OPERATIONS - As an employer of choice, the Town of Frederick will lead the region in a culture of efficiency, innovation, and strategic partnerships in all municipal services to far exceed the community's expectations and exemplify the fact that Frederick is Built on What Matters, its people.

1.2 Complete an update to the Municipal Code in connection with 2.5 below.

Summary Statement:

Staff requests the Board of Trustees adopts Ordinance No. 1408 on second reading. The Town of Frederick has been enforcing the currently adopted building code since January 2024. The proposed changes include Contractor Licensing regulations in Chapter 6 and relocating the engineering Design Criteria section from Chapter 18 to Chapter 11. The most significant change is the complete repeal and replace of Chapter 18 to include the adoption of the 2024 ICC, and other State Codes. The rewrite re-formats Chapter 18 to a more simplistic format for ease of navigating for staff and the public. The first reading of this ordinance occurred on January 7th, 2026. Since that time, no comments or questions have come up either in support of or in opposition to the proposed Ordinance.

Detail of Issue/Request:

This second reading is the follow-up to the first presentation that occurred on January 7th 2026. During the first reading and public hearing, no public comments had been received other than one letter from the Northern Colorado office of the Home Builders Association. That letter has been entered into the public record and staff are in the process of reaching out to the HBA to gain better clarity on their questions. As such, the recommended chapters and sections that are to be revised or replaced are listed below and have not been modified since the first reading of this ordinance.

Chapter 6 - Section 6-37 Contractor Licensing - Will be repealed and replaced. This will ensure clear and concise guidance for Contractor Licensing and will protect the Town and the public from possible unqualified, uninsured and unlicensed contractors.

Chapter 11 - Article V Design Standards and Construction Specifications - This section is being relocated in it entirety from Chapter 18. The regulations of this article do not pertain to building codes and more closely align with the intent of Chapter 11 - Streets, Sidewalks and Public Property.

Chapter 18 - Building Regulations - Will be repealed and replaced. The following codes will be adopted by reference with local amendments:

- 2024 International Building Code
- 2024 International Residential Code
- 2023 National Electric Code
- 2024 International Fire Code
- 2025 Colorado Wildfire Resiliency Code
- 2024 International Mechanical Code
- 2024 International Fuel Gas Code
- 2024 International Plumbing Code
- 2024 International Existing Building Code

- 2024 International Energy Conservation Code
- Colorado Model Electric Ready and Solar Ready Code
- 2024 International Swimming Pool and Spa Code
- 2024 International Property Maintenance Code

Approving this Ordinance will simplify Chapter 18 of the municipal code for Staff and the public.

Legal Comments:

Draft code language and the Ordinance were revised and modified by the Town Attorney's Office. This item was properly noticed and no comments have been received by the public as of the time of preparing this report.

Alternatives/Options

Approval: I move that Ordinance No. 1408, Amending Chapter 6 of the municipal code relating to licensing of building contractors within the town; adding article V to chapter 11 to house the engineering design standards and construction specifications; and amending Chapter 18 of the Town's municipal code, building regulations, relating to updates to the Frederick building code be approved.

Approval with changes: I move that Ordinance No. 1408, Amending Chapter 6 of the municipal code relating to licensing of building contractors within the town; adding article V to chapter 11 to house the engineering design standards and construction specifications; and amending Chapter 18 of the Town's municipal code, building regulations, relating to updates to the Frederick building code be approved with the following changes (Provide direction to Staff on the desired changes).

No Action: I move to deny Ordinance No. 1408.

Financial Considerations

Not Applicable

Staff Recommendation

Staff recommends that the Board approve Ordinance No. 1408 on second reading, adopting the code amendment.

Community Impact

Approval of this code amendment allowing for administrative updates, Contractor Licensing updates and adoption of updated Building Codes will enhance the overall experience and safety of building permitting and development.

Ordinance No. 1408

AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, AMENDING CHAPTER 6 OF THE MUNICIPAL CODE RELATING TO LICENSING OF BUILDING CONTRACTORS WITHIN THE TOWN; ADDING ARTICLE V TO CHAPTER 11 TO HOUSE THE ENGINEERING DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS; AND AMENDING CHAPTER 18 OF THE TOWN'S MUNICIPAL CODE, BUILDING REGULATIONS, RELATING TO UPDATES TO THE FREDERICK BUILDING CODE

WHEREAS, the Town of Frederick ("Town") is a Colorado statutory municipality created and organized pursuant to Title 31, Colorado Revised Statutes; and

WHEREAS, pursuant to C.R.S. §§ 12-115-116, 12-155-121, and 31-15-501, the Town has the authority to require local licensure for those performing contracting services related to applicable building codes within the Town; and

WHEREAS, the Engineering Design Standards and Construction Specifications are currently housed in Chapter 18, "Building Regulations," of the Town Municipal Code, and are more appropriately housed in Chapter 11, "Streets, Sidewalks and Public Property"; and

WHEREAS, the Town has adopted building regulations as codified in Chapter 18 of the Frederick Municipal Code; and

WHEREAS, the Town has authority, pursuant to C.R.S. §§ 31-15-401 and 31-15-604, to enact and enforce building codes for the orderly and safe development within the Town; and

WHEREAS, pursuant to C.R.S. § 31-15-602, the Town is required to adopt and enforce an energy code that complies with the requirements of the State of Colorado; and

WHEREAS, pursuant to C.R.S. § 12-155-106, the Town is required to adopt and enforce a plumbing code that complies with the requirements of the State of Colorado; and

WHEREAS, pursuant to C.R.S. § 12-115-107, the Town is required to adopt and enforce an electric code that complies with the requirements of the State of Colorado; and

WHEREAS, the Town adopts building codes in order to protect life, health, and property within the Town, to prevent nuisances within the Town, to preserve and enforce the general welfare, and to protect safety, order, and security of the Town and its inhabitants; and

WHEREAS, the Town's most recent adoption of building codes included the 2021 International Building Code, International Residential Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, and International Fire Code, with amendments, and the 2023 National Electric Code, with amendments; and

WHEREAS, the evolving nature of the building and construction industry, in addition to the evolving needs of the Town, necessitate that the Town adopt updated codes.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, AS FOLLOWS:

Section 1. Sec. 6-37 in Chapter 6, Contractor Licensing, is hereby repealed and replaced in its entirety, as follows:

Sec. 6-37 Contractor Licensing

Sec. 6-37-10. Legislative purpose.

The purpose of this chapter is to promote the public health, safety, and welfare by establishing contractor licensing to ensure that the persons responsible for the erection, construction, enlargement, alteration, repair, moving, removal or conversion of buildings and other structures in the Town are qualified to perform such services and possess insurance to protect consumers during the process.

Sec. 6-37-20. Definition of contractor.

- A. For the purpose of this chapter, the term "contractor" means any person, firm, partnership, corporation, association, or organization, or any combination thereof, who undertakes for himself or herself, or with or for another, within the Town to build, construct, alter, repair, add to, demolish, or move any building or structure or any portion thereof or do any work, or supervise any work for which a license is required under the provisions of this chapter for a fixed sum, price, fee, percentage, trade-in-kind or other compensation, including the cost of materials or labor or any combination thereof.

- B. The following are not contractors within the meaning of this chapter:
1. Employees working for and under the supervision of a general contractor licensed under this chapter;
 2. A homeowner who builds, constructs, alters, repairs, adds to, or demolishes any building or structure or any portion thereof that constitutes the owner's residence or a building or structure accessory thereto that is intended for the owner's personal use. An owner may build one single-family dwelling in a three-year period without obtaining a contractor's license, provided the owner occupies the dwelling a minimum of two years after the certificate of occupancy is issued.

Sec. 6-37-30. License required.

- A. No person shall perform any work as a contractor in the Town without first obtaining a license from the Building Division.
- B. A licensed general contractor, qualified to complete the scope of work intended, is required on any project employing two or more required licensed trades.
- C. No permit shall be issued for work to be done by a person who does not possess a valid, current license as required by this chapter for the type of work to be performed.
- D. No person other than a Class A or Class B licensed contractor shall perform work on buildings that contain more than four dwelling units or commercial and industrial buildings with an occupant load of ten or more or other buildings that are required by state law to be designed by an architect or engineer.
- E. Public utility companies shall not be required to obtain the licenses described in this chapter when engaged in the installation, operation, and maintenance of their equipment used for the production, generation, or distribution of the utility, product, or service through the facilities owned or operated by the utility company to the point of customer service.

Sec. 6-37-40. Qualified individual identified.

- A. General.
 1. Every licensee shall be required to identify an individual as the person who will be responsible for all work performed by the licensee. The qualified individual may be the owner of the company or an employee.
- B. Validity. The license shall be valid only as long as the qualified individual remains in the capacity as owner or employee of the licensee in an active, full-time capacity providing personal supervision at the work, job, or project site in the Town adhering to reasonable attention to the job to ensure proper construction as determined by the Building Division.

- C. Effect of termination or change in status. If the qualified individual should leave the employ of the licensee or is placed on an inactive or part-time status, the licensee shall notify the division in person or by mail within three business days after the change of status. In case of notification by mail, notification shall be effective upon receipt by the division. Failure of the licensee to so notify the division shall be cause for suspension or revocation of the license. The licensee shall be required to identify a new qualified individual in accordance with the following schedule: Class A and B contractors, 60 days with one extension period of 60 days; all other contractors, 30 days with one extension period of 30 days. To obtain an extension, a licensee must submit a request in writing to the Building Division explaining why the extension is needed. If a replacement is not employed in an active, full-time capacity within the identified period, the license shall be deemed suspended until such qualified individual is identified and approved by the Building Division.
- D. Effect of lack of personal supervision. Failure of the qualified individual to provide personal supervision at the work, job or project site in the Town adhering to reasonable attention to the job site to ensure proper construction as determined by the Building Division shall be cause for suspension or revocation of the license.

Sec. 6-37-50. License applications and qualifications.

- A. Applicant requirements. An applicant for an initial building contractor license shall:
 - 1. Apply on forms furnished by the Building Division, provide such information relating to the applicant's competence, experience, and job references;
 - 2. All Class A, B, C, D-2, and M contractors shall provide appropriate passing ICC testing certificate(s) for the type of work licensed for. All Class E and P contractors require appropriate State of Colorado Master and Contractors Licensees. Class D-11 and D-14 require appropriate State of Colorado certification. Class D and MUN contractors not listed above typically do not require, but may require, additional proof of qualifications at the discretion of the Building Division.
 - 3. All contractors must provide evidence of insurance coverage as specified in section 6-37-70 of this chapter.
- B. License changes.
 - 1. Change of name or address. A change of address of a licensee shall be reported to the division within seven business days and change of name within 15 business days after making the change.
 - 2. New licenses required. The creation of a new legal entity, even though one or more of the members, officers, or directors have a license, shall require that a new license be obtained within 30 business days after the change is made.

3. Dissolution. The dissolution of a corporation or partnership that has been licensed terminates the license and no person may operate under that license.
 4. Inactive license. A contractor may elect to have his or her license become inactive by notifying the division and paying the appropriate annual fee. No insurance certificates are required for an inactive license. No one shall perform work with an inactive license.
- C. Classification; upgrading. Licensees electing to upgrade their license to a higher classification must submit a new application.
- D. Denial or revocation; reapplication. If a license is denied or revoked by the Building Division, and in case of an appeal, if the denial or revocation has been affirmed by the board, the applicant may reapply, but not sooner than 365 days after the denial or revocation, or in the case of an appeal, 365 days after the order of the board affirming the denial or revocation.

Sec. 6-37-60. Renewal of license.

A licensee under this chapter may renew the license yearly by completing an application for renewal form furnished by the Building Division, paying the fees prescribed, and filing the certificate of insurance prescribed by section 6-37-70. This certificate of insurance shall identify the limits of the insurance, policy number, name of insurance company, effective date, and expiration date of each policy, and a copy of an endorsement requiring ten days' advance written notice to the chief building official in the event of cancellation.

Sec. 6-37-70. Liability insurance requirements.

- A. Every contractor granted a license under the provisions of this Code shall be required to maintain general liability insurance as required by the Town's policy minimums and subject to update.
- B. Contractors shall be required to show proof of worker's compensation insurance when applicable.

Sec. 6-37-80. Classification of licenses.

- A. Class A license. A Class A license entitles the licensee to contract for the construction, alteration, or repair of any type or size of building or structure permitted by the adopted building code except electrical, plumbing, mechanical, fire extinguishing, and elevators, unless licensed to do such work under a specialty trade license. A Class A license holder can demolish any building, structure, or portion thereof when rebuilding on-site.
- B. Class B license. A Class B license entitles the licensee to contract for the construction, alteration, or repair of any type or size of building or structure other than those classified as Type I-A or Type II-A, permitted by the adopted building code, except electrical, plumbing, mechanical, fire extinguishing, and elevators, unless licensed to do

such work under a specialty trade license. A Class B license holder can demolish any building, structure, or portion thereof when rebuilding on-site.

- C. Class C license. A Class C license entitles the licensee to contract for the construction, alteration, or repair of one- and two-family dwellings or townhouse dwellings three stories or less in height, permitted by the adopted building code, including accessory buildings. A Class C licensee may demolish buildings, structures or portions thereof when rebuilding on-site.
- D. Class D specialty contractor's license. A Class D specialty contractor's license entitles the licensee to contract for labor or for labor and materials involving only one trade as defined below. A Class D licensee may be licensed to perform more than one such specialty. Proof of qualifications may be required to obtain a Class D license.
 - 1. D-1: Drywall. The installation of drywall including fire resistance-rated assemblies (includes the installation of nonbearing partitions).
 - 2. D-2: Roof covering and waterproofing. Installation of roof coverings including valleys, gutters and downspouts, waterproofing, and damp-proofing.
 - 3. D-3: Masonry and fireplaces. Laying and forming all types of masonry.
 - 4. D-4: Concrete foundations and caissons. Installation of foundations and caissons.
 - 5. D-5: Wood framing. The fabrication and erection of wood framing for all types of building.
 - 6. D-6: Swimming pools and spas. The installation of swimming pools and spas.
 - 7. D-7: Structural metals. The fabrication and erection of structural metal for all types of buildings or structures, excluding the complete construction of a building.
 - 8. D-8: Precast concrete building units. The erection of precast concrete structural units for all types of buildings and structures.
 - 9. D-9: Prefabricated metal patios, carports, and awnings. The installation of prefabricated metal patios, carports, and awnings.
 - 10. D-10: Siding. The installation of siding on new or existing buildings or structures.
 - 11. D-11: Elevator. The installation of elevators, escalators, or dumbwaiters in existing or new construction buildings or structures. (State of Colorado certification required)
 - 12. D-12: Demolition. The demolition of buildings or structures or portions thereof.
 - 13. D-13: Moving. To prepare and move all types of buildings or structures.

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14. D-14: Fire sprinkler. The installation of all types of fire-extinguishing systems. (State of Colorado certification required)
 15. D-15: Low-voltage. The installation of low-voltage fire alarm, communications, and data cable.
 16. D-16: Lawn sprinkler. The installation of lawn sprinkler systems together with backflow prevention devices.
 17. D-17: Signs. To fabricate, erect, install, remodel, repair, and maintain all types of signs.
 18. D-18: Manufactured home installer. The installation of manufactured homes, inclusive of all but electric utility connections and deck or porch additions, to manufactured homes.
 19. D-19: Replacement windows including glass and glazing. The installation of all types of glazing in residential, commercial, and industrial buildings including skylights, store fronts, structural glazing, and glass curtain walls.
 20. D-20: Other. Any other specialty trade not otherwise identified.
 21. D-21: Fence. The fabrication and erection of fencing (except masonry) around all types of buildings.
 22. D-22: Insulation. The installation of all types of insulation products and systems.
 23. D-23: Gas fireplaces. The installation of gas fireplace systems using "B" vents including related gas piping.
 24. D-24: Commercial kitchen hood cleaning. To clean Type I kitchen hoods per adopted fire code.
- E. Class M Mechanical. This license entitles the holder to install, add to, alter, or repair warm-air heating, venting, evaporative, and refrigeration cooling, exhaust systems and their appurtenances, hot water systems, process piping, refrigeration systems, and related appurtenances.
- F. Class E Electrical.
1. No person shall be granted a permit to engage in the electrical installation of wiring, appliances, or electrical apparatus of any nature, kind, or description (except central stations, power houses, or substations) for the purpose of transmitting or utilizing current for light, heat, power, or electrical signal systems, or other purposes inside of or in connection with any building or buildings, unless such person has received a master electrician license and electrical contractor's license from the state.
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2. Any person desiring to engage in the business of contracting for the installation, altering, or repairing of electrical wiring and apparatus of any kind or nature shall first register with the division stating the name of the person making the application, such person's place of business, the master electrician's name, and the master electrician's license number.
3. No person shall be registered for contracting under this section unless holding a master's license and contractor's license from the State of Colorado. Any person so holding those state licenses in this profession shall be permitted to register with the Town upon his or her compliance with the other provisions of this section, which registration shall be good for a period of one year subject to suspension or revocation by the Building Division at any time if the holder thereof fails to comply with the provisions of this chapter and all other provisions of this Code relating to electrical standards.
4. No electrical contractor shall employ any journeyman or apprentice electrician who is not duly licensed or registered by the State of Colorado.

G. Class P Plumbing.

1. Any person desiring to engage in the business of contracting for the installation, altering, or repairing of plumbing fixtures and apparatus of any kind or nature shall first register with the division stating the name of the person making the application, such person's place of business, the master plumber's name, and the master plumber's license number.
2. No person shall be registered as a master plumber under this section unless holding a master's and contractor's license from the State of Colorado. Any person so holding those state licenses in this profession shall be permitted to register with the Town upon compliance with the other provisions of this section. Such registration shall be good for a period of one year, subject to suspension or revocation by the Building Division at any time if the holder thereof fails to comply with the provisions of this chapter and all other provisions of this Code relating to plumbing standards.
3. No plumbing contractor shall employ any journeyman or apprentice plumber who is not duly licensed or registered by the State of Colorado.

H. Mun Municipal

1. Mun-1: Excavation. A license to do excavation work shall be required for street, alley, and other roadway-related construction in the public way, inclusive of:
 - a. Excavation, grading, leveling of subgrade.
 - b. Compaction, rolling, graveling, asphaltting, paving, curbing, draining, potholing, boring, trenching, backfilling, and drilling.

- c. Installation of water mains, sanitary sewer mains, storm water mains, water and sanitary sewer service lines, storm drains, and all related structures.
 - d. Construction of curb, gutter, curb & gutter, sidewalks, medians, streets, alleyways, or any other infrastructure.
 - e. Installation of fiber optic, cabling, conduit, electrical, natural gas, or any other utility infrastructure.
- 2. Mun-2: Right-of-Way Occupation. A license to occupy the public way, shall be required for any work occurring in the public way, inclusive of:
 - a. Traffic control.
 - b. Installation of street and/or pedestrian lights. A separate electrical permit may be required from the Building Division.
 - c. Tree trimming and/or cutting on public or private property.
 - d. Staging or storage of materials, equipment, storage containers, and/or trash receptacles.
 - e. Installation of any permanent public or privately-owned infrastructure.

Sec. 6-37-90. Examination and Qualification Requirements

- A. Examination and Qualification requirements listed in this section are required for specific contractors. The list is not exhaustive and may change without notice.
- B. ICC – International Code Council – National Testing Requirements
 - 1. Class A
 - a. F11-N - National Standard General Building Contractor (A)
 - 2. Class B
 - a. F12-N - National Standard General Building Contractor (B)
 - 3. Class C
 - a. F13-N - National Standard Residential Building Contractor (C)
 - 4. Class D-2
 - a. G14-N - General Roofing Contractor
 - b. F14-N - National Standard Roofing Contractor/Subcontractor
 - 5. Class M

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- a. F29 - National Standard Master Mechanical
 - b. F31 - National Standard Journeyman Mechanical
 - C. State of Colorado Licensing and Certification
 - 1. Class E
 - a. Master Electrician License
 - b. Electrical Contractor License
 - 2. Class P
 - a. Master Plumber License
 - b. Plumbing Contractor License
 - 3. Class D-11
 - a. Conveyance Contractor License
 - 4. Class D-14
 - a. Fire Suppression Contractors License
 - D. For any work requiring a licensed contractor, permits shall be issued only to the licensed contractor or to the contractor's authorized representative.
 - E. The Building Division may require an exam of any specialty contractor if it becomes necessary to establish proper credentials for licensing.

Sec. 6-37-100. Term of license.

All contractor's licenses issued pursuant to this chapter shall expire one year from date of issuance.

Sec. 6-37-110. License and examination fees.

Contractor and examination fees shall be established and from time to time revised by resolution of the Town Board.

Sec. 6-37-120. Authority to deny issuance of license.

- A. The Building Division may deny a license under this chapter upon a finding of any of the following:
 - 1. The applicant has failed to provide information requested on the application form;

2. The applicant has failed to obtain required insurance;
 3. The applicant has failed to pay the required license fee;
 4. The applicant is not qualified by experience, training, or education to engage in the activity authorized by the license;
 5. The applicant has previously had a contractor's license revoked or suspended in this or another jurisdiction;
 6. The applicant has failed to pass an examination designed to test the applicant's qualification for the license requested;
 7. The applicant has previously failed to comply with the ordinances and regulations of the Town relating to conducting any contracting business licensed by this chapter.
- B. If the Building Division denies a license application under this section, such official shall notify the applicant in writing stating the specific grounds for the denial. The applicant may thereafter appeal the denial of the application under the procedures prescribed by section 6-37-140.

Sec. 6-37-130. Contractor responsibilities.

- A. The contractor licensed under this chapter is responsible for all work performed under each contract executed pursuant to such license, whether the contractor, an employee, or a subcontractor performs the work.
- B. The contractor licensed is responsible for obtaining permits prior to any work being performed on-site.
- C. The licensed A, B, and C contractor is required to inform the Building Division at the time a permit is issued of the major subcontractors working on the project, if any, including, but not limited to, plumbing, electrical, and mechanical subcontractors, and to ensure that all other subcontractors are licensed for the specialty work that they are hired to do.

Sec. 6-37-140. Revocation and suspension of license.

- A. The Building Division shall, upon the verified complaint in writing of any person, require any contractor or qualified individual, pursuant to this chapter, to appear before the board for hearing on the suspension or revocation of a license. The contractor or qualified individual shall be given a copy of the complaint and a written notice of the time and place of the contemplated hearing before the board at least 20 days prior to the hearing. The written notice shall be served personally or shall be posted by first class mail to the last known mailing address. At the hearing before the board, the contractor or qualified individual shall have the right to present his, her, or its case by oral and documentary evidence, to submit rebuttal evidence, and to conduct such cross

examination as may be required for a full and true disclosure of the facts. The contractor or qualified individual shall be entitled at said hearing to have the benefit of legal counsel of his, her, or its own choosing and at his, her, or its own expense.

- B. The board, after review of the evidence presented, shall have the power to suspend or revoke said license and to suspend or revoke the contractor's right to act as a contractor and shall have the power to suspend or revoke the right of the qualified individual to serve for any other partnership if, in the opinion of three of the five board members, the evidence supports a finding that the contractor and/or qualified individual committed one or more of the following acts or omissions:
1. Fraudulent departure of a life, health, safety, or structural nature from plans or specifications without authority from the Building Division;
 2. Willfully violating any provisions of this Code including any codes that are adopted by reference;
 3. Failure to comply with any lawful order of the Building Division or any other authorized representative of the Town;
 4. Fraudulent use of a contractor's license to obtain permits required under the building codes for any other person, corporation, or legal entity;
 5. Misrepresentation by an applicant of a material fact when applying for a contractor's license, or fraud in obtaining a contractor's license;
 6. Commitment of any act of gross negligence or willful misconduct in the conduct of the contractor's specific trade of business on work done by the contractor that is regulated by the provisions of the building code;
 7. Failure to obtain a proper permit for any work for which a permit is required by virtue of this Code;
 8. Willful and deliberate failure to give written notice to the Building Division within three business days of the retirement, termination, or cessation of employment or disassociation with the contractor of the person, who by examination, qualified for the contractor's license; or
 9. Conviction by a court having competent jurisdiction of the contractor and/or the examinee of fraudulent use of funds or property received by virtue of contract.
- C. Emergency suspension. If the Building Division finds that emergency cause exists for suspension or revocation of a license, such official may enter an order for immediate suspension of such license, pending further investigation and proceedings for suspension or revocation, as provided in this chapter.

D. Definitions. The following words, terms, and phrases, when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. Board means the Building Appeals Board.
2. Division means the Building Division.
3. Fraudulent acts or conduct. The elements necessary for establishing fraudulent acts or conduct are:
 - a. The contractor made a false representation of a past or present fact;
 - b. The fact was material;
 - c. The contractor made the representation without an honest belief that it was true;
 - d. The contractor made the representation with the intent that the Town and/or owner act or refrain from acting in reliance on it;
 - e. The Town and/or owner, relying on the representation, acted or refrained from acting as the contractor intended;
 - f. The Town and/or owner's reliance was justified.
4. If the board finds that all of these elements have been established by preponderance of the evidence, then it may find that the contractor has committed a fraudulent act or acts or has committed fraudulent conduct. If, on the other hand, any one or more of the elements has not been established by a preponderance of the evidence, the board shall not find the acts or conduct to be fraudulent.
5. Gross negligence, as used in this chapter, means negligence that consists of an affirmative act purposefully committed, or the purposeful failure to do an act that the contractor (or examinee) was under a duty to perform, which act or omission the contractor (or examinee) knew was dangerous to another person or property and that he or she performed or omitted heedlessly without regard to the consequences of the rights, health, safety, or welfare of another person or property.
6. Willfully, as used in this chapter, means designed, intentional, not accidental or involuntary, proceeding from a conscious motion of the will. A willful act may be described as one done intentionally, knowingly, and purposely, without justifiable excuse, as distinguished from an act done carelessly, thoughtlessly, heedlessly, or inadvertently.

- E. The Building Division may voluntarily suspend licenses upon the written consent and approval of the licensee. The decision of the Building Division shall be final and any appeal therefrom shall be pursuant to rule 106(a)(4), Colorado Rules of Civil Procedure.

Sec. 6-37-150. Violation, penalties.

Violation of this section, if brought in municipal court, shall be proven by a preponderance of evidence at trial. The court shall punish any person, firm, or corporation violating this chapter by a fine pursuant to Sec. 6-14 of this Chapter. Each day or part of a day any violation exists is a separate offense.

Sec. 6-37-160. Conflicts with other provisions.

Nothing contained in this chapter shall be deemed a waiver of the provisions of any other ordinance or regulation applicable to the construction industry. If there is a conflict between this chapter and any other ordinance or regulation, the more stringent shall apply.

Section 2. Article V of Chapter 11, is hereby established and adopted as follows:

Article V.

Design Standards and Construction Specifications

Sec. 11-101. Standards and specifications adopted.

There is adopted, by reference, a code entitled the Frederick Design Standards and Construction Specifications to have the same force and effect as though set forth in this Chapter in every particular. Said code may be updated and amended from time to time by the Town Engineer for clarification, industry updates, or easier interpretation. Any changes made by the Town Engineer shall be automatically incorporated into the current edition of the Frederick Design Standards and Construction Specifications and are hereby adopted.

Sec. 11-102. Violations – Penalties.

Any person, firm, or corporation who shall alter or change these Design Standards, except in the manner prescribed in this Article, or who shall alter or tamper with the Code in any manner so as to cause the ordinances of the Town to be misrepresented thereby shall, upon conviction thereof, be punishable as provided in the enforcement section of the Frederick Design Standards and Construction Specifications Section 102.03, as amended.

Sec. 11-103. Interpretation.

- (a) In their interpretation and application, the provisions of the Town's Design Standards shall be held to be minimum requirements adopted for the promotion of the public health, safety, and welfare.
- (b) Whenever the requirements of these Design Standards are in conflict with the requirements of any other ordinance, rule, regulation, private covenant, or deed restriction, the more restrictive or that imposing the higher standards shall govern.
- (c) These standards and specifications are composed of written engineering standards, materials specifications, and detail drawings. The interpretation of any Section, or of any difference between Sections, when appropriate, shall be made by the Town Engineer or designee, and his/her interpretation shall be binding and controlling in its applications.

Sec. 11-104. Titles and headings not part of legislation.

Section titles and headings and other divisions in the Design Standards or in supplements made to the Design Standards are inserted in the Design Standards and may be inserted in supplements to the Design Standards for the convenience of persons using the Design Standards and are not part of the Design Standards.

Sec. 11-105. Severability.

If any Section, subsection, or provision of the Design Standards or the application thereof to any person or circumstances is declared unconstitutional or otherwise invalid by any competent court, the remainder of the Design Standards shall continue in full force and effect, it being the intent of the Board of Trustees that the Design Standards would have been adopted even if such unconstitutional or invalid matter had not been included herein. It is further declared that if any Section, provision, or part of the Design Standards or the application thereof to any person or circumstances is held invalid, the remainder of the Design Standards and the application thereof to other persons or circumstances shall not be affected thereby.

Sec. 11-106. Copy on file.

At least one (1) copy of the current edition of the Frederick Design Standards and Construction Specifications, as adopted, is on file in the office of the Town Clerk and may be inspected during regular working business hours. In addition, an electronic copy is available to the public and may be downloaded free of charge on the Frederick website.

Sec. 11-107—18-130.

Reserved.

Section 3. Chapter 18 is repealed and replaced as follows:

Chapter 18
Building Regulations

Article I.

Frederick Building Code

Sec. 18-1-10. Title.

The regulations contained herein shall be known as the "Frederick Building Code" and may be cited as such and will be referred to herein as "this building code."

Sec. 18-1-20. Purpose.

This building code is adopted in order to provide minimum standards to preserve and protect the public health, safety, and general welfare and the safety, protection, and sanitation of dwellings, buildings, and structures in the incorporated areas of the Town. The purpose of this building code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this building code.

Sec. 18-1-30. Scope.

This building code provides for the regulation of the construction, alteration, use, and occupancy of dwellings, buildings, and structures, together with plumbing, mechanical, and electrical installations, fuel-gas piping, fuel-gas utilization equipment, and related accessory equipment, the abatement of dangerous buildings and the installation and maintenance of sewage systems therein or in connection therewith, located in the incorporated areas of the Town. Additions, alterations, repairs, and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as otherwise provided in this building code. Vehicles, vessels or other mobile structures (excluding mobile or manufactured homes) shall be treated as buildings in fixed locations when occupied as dwellings.

Sec. 18-1-40. Standards.

The standards in this building code shall be those listed in the standard codes named below, which are hereby incorporated into and made a part of this building code, along with

the amendments noted. Unless otherwise provided in this building code, no section of any standard code that deals with the administration or enforcement of said standard code shall be considered to be incorporated into this building code. Any reference made to the standard codes in this building code shall be the same as those incorporated by reference into this building code.

Sec. 18-1-50. Authority.

This building code is adopted and administered under the authority granted by Part 6 of Article 15 of Title 31, Part 4 of Article 15 of Title 31, Part 1 of Article 16 of Title 31, and Part 2 of Article 16 of Title 31, C.R.S.

Sec. 18-1-60. Violations.

Violation of the provisions of this Building Code, including each supplemental code adopted herein, shall be subject to this general violation section.

1. *Unlawful Acts.* It shall be unlawful for any person, firm, or corporation to erect, construct, alter, repair, move, remove, demolish, or utilize any building, structure, or equipment regulated by this Building Code, or cause the same to be done, in conflict with or in violation of any of the provisions of this Building Code.
2. *Commencement of Proceedings.* Whenever the Building Official has inspected or caused to be inspected any building or premises and has found and determined that violations of this Building Code exist, he or she shall commence proceedings to cause the correction of said violations.
 - a. *Notice and Order.* The Building Official may issue a notice and order directed to the record owner of the building or premises. The notice and order shall contain:
 - (1) The street address and a legal description sufficient for identification of the premises upon which the building or premises is located.
 - (2) A concise description of the conditions found to be in violation of this Building Code and including the specific section of the code violated.
 - (3) A statement of the action required to be taken as determined by the Building Official.
 - (a) If the Building Official has determined that a building or structure must be repaired, the order shall require that all required permits be secured therefor and the work physically commenced within such time (not to exceed sixty (60) days from the date of the order) and completed within such time as the Building Official shall determine is reasonable under all of the circumstances.
 - (b) If the Building Official has determined that a building or structure must be vacated, the order shall require that the building or structure shall be vacated within a time certain from the date of the order as determined by the Building Official to be reasonable.
 - (c) If the Building Official has determined that a building or structure must be demolished, the order shall require that the building be vacated within such

- time as the Building Official shall determine is reasonable (not to exceed sixty (60) days from the date of the order); that all required permits be secured therefor within sixty (60) days from the date of the order; and that the demolition be completed within such time as the Building Official shall determine is reasonable.
- (4) Statements advising that if any required repair or demolition work (without vacation also being required) is not commenced within the time specified, the Building Official:
- (a) Will order the building or premises vacated and posted to prevent further occupancy until the work is completed; and
 - (b) May proceed to cause the work to be done and charge the costs thereof against the property or its owner.
- (5) Statements advising:
- (a) That any person having any record title or legal interest in the building or premises may appeal from the notice and order or any action of the Building Official to the Building Appeals Board; provided, that the appeal is made in writing as provided in this Building Code and filed with the Building Official within thirty (30) days from the date of service of such notice and order; and
 - (b) That failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.
- b. *Service of Notice and Order.* The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner and posted on the property; and one (1) copy thereof shall be served on each of the following if known to the Building Official or disclosed from official public records: the holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease of record; and the holder of any other estate or legal interest of record in or to the building, premises or the land on which it is located. The failure of the Building Official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed on him or her by the provisions of this Section.
- c. *Method of Service.* Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at his or her address as it appears on the last property assessment roll of the County or as known to the Building Official. If no address of any such person so appears or is known to the Building Official, then a copy of the notice and order shall be so mailed, addressed to such person, at the address of the building involved in the proceedings. The failure of any such person to receive such notice or to accept delivery of such notice shall not affect the validity of any proceedings taken under this Section. Service by certified mail in the manner herein provided shall be effective on the date of mailing.
- d. *Proof of Service.* Proof of service of the notice and order shall be certified to at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the time, date and manner in which service was

- made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice and order retained by the Building Official.
3. *Stop Work Orders.* Upon notice from the Building Official that work is being done contrary to the provisions of this Building Code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Building Official shall not be required to give a written notice prior to stopping the work. Any person who continues any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, may be issued a municipal court summons and complaint, for which violation shall be of a civil nature subject to a preponderance of evidence at trial.
 4. *Prosecution of Violation.* If the notice of violation is not complied with promptly, the Building Official may request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Building Code or of the order or direction made pursuant thereto. These remedies are not exclusive; one does not preclude pursuit of any other remedy noted herein or otherwise available to the Town.
 5. *Violation Penalties.* Persons who violate a provision of this Building Code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this Building Code, shall be guilty of a noncriminal violation subject to a preponderance of evidence at trial, punishable according to sections 1-72 and 10-7 of the Town's Municipal Code. Each day that a violation continues after due notice has been served shall be deemed a separate and distinct offense.
 6. *Abatement of Violation.* The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction, or to restrain, correct, or abate a violation, prevent illegal occupancy of a building, structure, or premises, or stop an illegal act, conduct, business, or utilization of the installations on or about any premises.
 7. *Repair, Vacation, and Demolition.* The following standards shall be followed by the Building Official (and by the Building Appeals Board, if an appeal is taken) in ordering the repair, vacation or demolition of any dangerous building or structure:
 - a. Any building declared a dangerous building under this Building Code shall comply with one (1) of the following:
 - (1) The building shall be repaired in accordance with the current building code or other current code applicable to the type of substandard conditions requiring repair; or
 - (2) The building shall be demolished at the option of the building owner; or

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- (3) If the building does not constitute an immediate danger to the life, limb, property, or safety of the public, it may be vacated, secured, and maintained against entry.
- b. If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property, or safety of the public or its occupants, it shall be ordered to be vacated.
8. *Unsafe Installations.* An installation that is unsafe, constitutes a fire or health hazard, or is otherwise dangerous to human life, as regulated by this Building Code, is hereby declared an unsafe installation. Use of an installation regulated by this Building Code constituting a hazard to health, safety, or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage, or abandonment is hereby declared an unsafe use. Such unsafe installations are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition, or removal.
- a. *Authority to Condemn Installations.* Whenever the Building Official determines that any installation, or portion thereof, regulated by this Building Code has become hazardous to life, health, or property, he or she shall order in writing that such installations either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective installation after receiving such notice. When such installation is to be disconnected, written notice as prescribed in Subsection (2) of this Section shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.
- b. *Authority to Disconnect Service Utilities.* The Building Official shall have the authority to require disconnection of utility service to the building, structure, or system regulated by the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall notify the serving utility and, wherever possible, the owner and occupant of the building, structure, or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner or occupant of the building, structure, or service system shall be notified in writing as soon as practicable thereafter.
- c. *Connection After Order to Disconnect.* A person shall not make energy source connections to installations regulated by this Building Code that have been disconnected or ordered to be disconnected by the Building Official, or the use of which has been ordered to be discontinued by the Building Official, until the Building Official authorizes the reconnection and use of such installations. When an installation is maintained in violation of this Building Code, and in violation of a notice issued pursuant to the provisions of this Section, the Building Official shall institute appropriate action to prevent, restrain, correct, or abate the violation.
9. *Notice to Vacate.*
- a. *Posting.* Every notice to vacate shall, in addition to being served as provided in Subsection (2)(b) of this Section, be posted at or upon each exit of the building and shall be in substantially the following form:
- DO NOT ENTER
UNSAFE TO OCCUPY
It is unlawful to occupy this building, or to remove or deface this notice.
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Building Official, Town of Frederick

- b. *Compliance.* Whenever such notice is posted, no person shall remain in or enter any building that has been so posted, except that entry may be made to repair, demolish, or remove such building under a permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition, or removal have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code.

Sec. 18-1-70. Nonliability.

The adoption of the resolution codified in this chapter shall not create any duty to any person, firm, corporation, or other entity with regard to the enforcement or nonenforcement of said resolution or the code. No person, firm, corporation, or other entity shall have any private right of action, claim, or civil liability remedy against the Town of Frederick, the Town of Frederick Building Division, or their commissions, boards of appeals, or officers, employees, or agents of such bodies or entities, for any damage arising out of or in any way connected with the adoption, enforcement, or nonenforcement of said resolution or the code. Nothing in said resolution or in the code shall be construed to create any liability, or to waive any of the immunities, limitations on liability, or other provisions of the Governmental Immunity Act, C.R.S. §24-10-101, or to waive any immunities or limitations on liability otherwise available to the Town of Frederick or the Town of Frederick Building Division, or their commissions, boards of appeals, or officers, employees, or agents of such bodies or entities.

18-1-80 – 18-1-90.

Reserved.

Article II.

International Building Code

Sec. 18-2-10. Adopted.

The 2024 International Building Code, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 35 inclusive, and Appendices J and K, is hereby incorporated by this reference as part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The

adopted code includes comprehensive provisions and standards regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use, and occupancy, location, maintenance, removal, and demolition of buildings and structures for the purpose of safeguarding the public health, safety, and general welfare. All references in this Code to the International Building Code are to the edition referenced above.

Sec. 18-2-20. Amendments

The International Building Code, and the secondary codes and standards adopted therein by reference as described and adopted in Section 18-2-10 of this Code, are hereby amended as follows:

1. Section 101.1 of the International Building Code is revised by the following:

101.1 Title. These regulations shall be known as the Building Code of the Town of Frederick, hereinafter referred to as “this code.”

2. Section 103.1 of the International Building Code is revised as follows:

103.1 Creation of enforcement agency. The Building Division is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

3. Section 107.3.3, Phased approval of the International Building Code, is revised by adding an additional sentence at the end of the section as follows:

Additional fees shall be assessed in accordance with Section 109.2.

4. Section 109.2 of the International Building Code is deleted in its entirety and reenacted to read as follows:

109.2 Scheduled permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the Board of Trustees. The Board of Trustees may amend the tables and schedules providing for fees by the adoption of a resolution.

109.2.1 Plan review. A plan review fee shall be paid when a permit application is submitted.

5. Section 109.3 of the International Building Code is deleted in its entirety and reenacted to read as follows:

109.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include the total

value of the work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. For the purpose of determining the valuation for new construction, the building official shall use the value provided by the permit applicant or the most current Building Valuation Data table published by the International Code Council as of the application date, whichever is higher.

6. Section 109.4 of the International Building Code is deleted in its entirety and reenacted to read as follows:

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, gas, mechanical, electrical or plumbing system before obtaining the necessary permits shall be subject to an additional investigation fee equal to the permit fee.

7. Section 111.3, Temporary occupancy of the International Building Code, is revised to add a new sentence at the end of the paragraph as follows:

Additional fees shall be assessed in accordance with Section 109.2.

8. Section 114 of the International Building Code is hereby deleted in its entirety.

9. Section 1612.3 of the International Building Code to read as follows:

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the Town of Frederick," as specified in the Land Use Code, Article 8.

Sec. 18-2-30 – 18-2-90.

Reserved.

Article III.

International Residential Code

Sec. 18-3-10. Adopted.

The 2024 International Residential Code, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478, , Chapters 1 through 44 inclusive, is hereby incorporated by this reference as part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The adopted code includes comprehensive provisions and standards regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of the attached one (1) and two (2) family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories in height with a separate means of egress and their accessory structures. The purpose of this Code is to provide minimum requirements to safeguard the public health, safety, and general welfare, through affordability, structural strength, means of the egress facilities, stability, sanitation, light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment. All references in this Code to the International Residential Code are to the edition referenced above.

Sec.18-3-20. Amendments.

The International Residential Code, and the secondary codes and standards adopted therein by reference as described and adopted in Section 18-3-10 of this Code, are hereby amended as follows:

1. Section 101.1 of the International Residential Code is revised by the following:

101.1 Title. These regulations shall be known as the Residential Code of the Town of Frederick, hereinafter referred to as "this code."

2. Section R104.10.1 of the International Residential Code is amended to read as follows:

R104.10.1 Areas prone to flooding. The Building Official shall not grant modifications to any provision related to areas prone to flooding as established by Table R301.2(1) without the granting of a variance to such provisions by the Town Flood Plain Administrator.

3. Add Section R105.1.1 of the International Residential Code to read as follows:

R105.1.1 Excavation permit. No person shall excavate for a foundation for a building or a structure without first having obtained a permit from the building official.

4. (4) Amend Section R105.2 "Work Exempt from Permit":

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided that the floor area is not greater than 200 square feet (11 m²).

No change for items 2 through 10.

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5. Section R106.1.4 of the International Residential Code is amended to read as follows:

R106.1.4 Information for construction in areas prone to flooding. If design flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the Town Flood Plain Administrator and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.

6. Section R106.3.3, Phased approval of the International Residential Code, is revised by adding an additional sentence at the end of the section as follows:

Additional fees shall be assessed in accordance with Section 108.2.

7. Section R108.2 of the International Residential Code is amended to read as follows:

R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the Board of Trustees. The Board of Trustees may amend the tables and schedules providing for fees by the adoption of a resolution.

R108.2.1 Plan review. A plan review fee shall be paid when a permit application is submitted.

8. Section R108.3 of the International Residential Code is deleted in its entirety and reenacted to read as follows:

R108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include the total value of the work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. For the purpose of determining the valuation for new construction, the building official shall use the value provided by the permit applicant or the most current Building Valuation Data table published by the International Code Council as of the application date, whichever is higher.

9. Section R108 of the International Residential Code is amended by the addition of a new Section R108.6, to read as follows:

R108.6 Work commencing before permit issuance. Any person who commences any work on a building, structure, gas, mechanical, electrical or plumbing system before obtaining the necessary permits shall be subject to an additional investigation fee equal to the permit fee.

10. Section R108 of the International Residential Code is amended by the addition of a new Section R108.7, to read as follows:

R108.7 Re-inspections. A re-inspection fee may be assessed when inspections are requested before the work is ready, and on the second occurrence for re-inspection.

11. Section 110.3, Temporary occupancy of the International Building Code is revised to add a new sentence at the end of the paragraph as follows:

Additional fees shall be assessed in accordance with Section 108.2.

12. Section 113 of the International Residential Code is hereby deleted in its entirety.

13. Table R301.2 (1) of the International Residential Code is hereby amended to read as follows:

TABLE R301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load	Wind Design				Seismic Design Category
	Speed (mph)	Topographic effects	Special wind region	Wind-borne debris zone	
30 psf	115	No	No	No	B

TABLE R301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA (cont.)

Subject To Damage From			Ice Barrier Underlayment Required	Flood Hazards
Weathering	Frost Line Depth	Termites		
Severe	36 in.	Slight/ Moderate	Yes	August 1995

TABLE R301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA – MANUAL J DESIGN CRITERIA

Elevation	Altitude correction factor	Coincident wet bulb	Indoor winter design relative humidity	Indoor winter design dry- bulb temperature	Outdoor winter design dry-bulb temperature	Heating temperature difference
4,984	.84	60	30%	70	1	69° F
Latitude	Daily range	Summer design gains	Indoor summer design relative humidity	Indoor summer design dry- bulb temperature	Outdoor summer design dry- bulb temperature	Colling temperature difference

40	High	-25 to -60	50%	75° F	92° F	17° F
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14. Table R302.1(2), footnote a of the International Residential Code is amended to read as follows:

a. For dwellings and townhouses equipped throughout with an automatic sprinkler system installed in accordance with Section P2904, the fire separation distance for exterior walls not fire-resistance rated and for fire-resistance-rated projections shall be permitted to be reduced to 0 feet, and unlimited unprotected openings and penetrations shall be permitted, where the adjoining lot provides an open setback yard that is 5 feet or more in width on the opposite side of the property line.

15. Section R309.2 of the International Residential Code (Automatic Fire Sprinkler Systems) is amended by adding the following language after “dwellings”:

having a fire separation distance of 5 feet or less; or having a fire separation distance of 10 feet or less when located on the same lot.

16. Section R401.2 of the International Residential Code is amended by the addition of the following paragraph:

Foundations shall be designed and the construction drawings stamped by a Colorado registered professional engineer or licensed architect. The foundation design must be based on an engineer’s soils report. The drawings must be noted with the engineering firm name, specific location for the foundation design and a soils report number. A site certification prepared by a State of Colorado licensed professional engineer or surveyor is required for setback verification on all new Group R Division 3 occupancies.

17. Chapter 11 of the International Residential Code is deleted in its entirety.

18. Section G2417.4.1 (406.4.1) of the International Residential Code is deleted in its entirety and reenacted to read as follows:

G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall not be less than one and one-half times the proposed maximum working pressure, but not less than 10 psig, irrespective of design pressure.

19. Section P2603.5.1 is amended to read as follows:

P2603.5.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be not less than 12 inches (mm) below finished grade at the point of septic tank connection. Building sewers shall be not less than 12 inches (mm) below grade.

20. Section P2904 of the International Residential Code is deleted in its entirety and reenacted to read as follows.

SECTION P2904**DWELLING UNIT AUTOMATIC SPRINKLER SYSTEMS****P2904.1 General.**

The design and installation of automatic sprinkler systems shall be in accordance with NFPA 13D.

21. Section P3103.1 of the International Residential Code is deleted in its entirety and reenacted to read as follows:

P3103.1 Roof extension. All open vent pipes that extend through a roof shall be terminated at least 6 inches above the roof or 6 inches above the anticipated snow accumulation, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

Sec. 18-3-30 – 18-3-90.**Reserved.****Article IV.****National Electric Code****Sec. 18-4-10. Adopted.**

The 2023 National Electric Code, as published by the NFPA, 1 Batterymarch Park, Quincy, MA 02169-7471, Chapters 1 through 9 and Appendices A through I, as adopted by the Colorado State Electrical Board, including appendices, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The 2026 National Electrical Code, as published by NFPA, is hereby adopted on the date that the Colorado State Electrical Board adopts the code. The purpose of this Code is regulating the installation of electric conductors and equipment within or on public and private buildings or other structures, including mobile homes, recreational vehicles, floating buildings, and other premises such as yards, carnivals, parking lots, and industrial substations; the installation of conductors and equipment that

connect to the supply of electricity; the installation of other outside conductors and equipment on premises; and the installation of optical fiber cable in the Town. All references in this Code to the National Electric Code are to the edition referenced above.

Sec. 18-4-20 – 18-4-90.

Reserved.

Article V.

International Fire Code

Sec. 18-5-10. Adopted.

2024 Edition of the International Fire Code, adopted.

Subject to the amendments set forth in Section 18-5-20 of this Code, the 2024 International Fire Code® as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478, including the outline of contents, index, Chapters 1 through 80 inclusive, and Appendices B through O, is hereby adopted and incorporated by this reference as part of this Building Code. The 2024 International Fire Code® shall have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. All references in this Code to the International Fire Code® are to the 2024 Edition referenced above with the local amendments set forth in Section 18-5-20 of this Code. The purpose and subject matter of the International Fire Code® are to:

1. Regulate and govern the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials, and devices;
2. Provide greater safety and protection to the public from conditions hazardous to life or property in the occupancy of buildings or premises; and
3. Provide for the issuance of permits and collection of fees therefore.

The Town Clerk shall maintain sufficient copies of the International Fire Code as required by law in the Town Hall.

The code adopted herein shall be enforced by the Frederick-Firestone Fire Protection District having jurisdiction within the Town and which shall serve as the Bureau of Fire Prevention of the Town.

Sec. 18--5-20. - Amendments.

The code adopted herein is hereby modified by the following amendments:

1. Section 112.1 of the International Fire Code is amended to read:

In order to hear and decide appeals of orders, decisions, or determinations made by the Fire Code Official in the application and interpretation of this International Fire Code, there is hereby created a board of appeals. The three-member board of appeals shall be comprised of the Chief Building Official, the Fire Chief, and an independent fire safety engineer, architect, industrial hygienist, or other qualified individual with expertise in interpreting and applying this International Fire Code with respect to the specific issues being appealed, and who is mutually agreed upon by the Chief Building Official and the Fire Chief. The board of appeals may adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a copy to the Fire Code Official.

2. Section 112.3 is deleted in its entirety.

3. Section 904.1 is amended to read:

General. Automatic fire-extinguishing systems, other than automatic sprinkler systems, shall be designed, installed, inspected, tested, and maintained in accordance with the provisions of this section and the applicable referenced standards. Alarms shall be required to indicate the operation of alternative automatic fire-extinguishing systems, distinctive audible, visible alarms and warning signs shall be provided to warn of pending agent discharge. All alternative automatic fire-extinguishing systems shall be monitored by a building fire alarm system in accordance with NFPA 72.

4. Section 904.3.4 is amended to read:

Alarms and warning signs. Alarms shall be required to indicate the operation of automatic fire-extinguishing systems. Distinctive audible, visible alarms, and warning signs shall be provided to warn of pending agent discharge. Where exposure to automatic-extinguishing agents poses a hazard to persons, and a delay is required to ensure the evacuation of occupants before agent discharge, a separate warning signal shall be provided to alert occupants once agent discharge has begun. Audible signals shall be in accordance with Section 907.5.2.

5. Section 904.3.5 is amended to read:

Monitoring. All automatic fire-extinguishing systems shall be monitored by a building fire alarm system in accordance with NFPA 72.

6. Section 907.2.7.1.1 Occupant notification is deleted in its entirety.

7. Appendix A of the International Fire Code is deleted in its entirety, and the following new Appendix A is added:
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Appendix A – Board of Appeals

Section A101 – General.

A101.1 Scope. A board of appeals shall be established within the jurisdiction for the purpose of hearing applications for modification of the requirements of the International Fire Code pursuant to the provisions of Section 108. The board shall be established and operated in accordance with this section, and shall be authorized to hear evidence from appellants, the Fire Code Official, and other interested parties pertaining to the application and intent of this International Fire Code for the purpose of issuing orders pursuant to these provisions.

A101.2 Membership. The three-member board shall consist of the Chief Building Official, the Fire Chief, and an independent fire safety engineer, architect, industrial hygienist, or other qualified individual with expertise in interpreting and applying this code with respect to the issues being appealed. The Fire Chief and the Chief Building Official shall mutually agree upon the individual to serve as the third board member.

A101.3 Quorum. All three members of the board are required for a quorum. In varying the application of any provisions of this International Fire Code or in modifying an order of the Fire Code Official, an affirmative vote of at least two of the three board members is required.

A101.4 Secretary of the Board. The Fire District's Administrative Assistant shall serve as the secretary of the board and shall keep a detailed record of all its proceedings, which shall set forth the reasons for its decisions, and the vote of each member.

A101.5 Meetings. The board shall meet within ten (10) days after notice of appeal has been received, or as soon thereafter as practicable.

A101.6 Procedures. The board shall establish rules and regulations for its own procedures not inconsistent with the provisions of the Frederick Municipal Code and laws of the State of Colorado.

A101.7 Decisions. Every decision shall be promptly filed in writing in the office of the Fire Code Official, the town administrator, and town clerk, and shall be open to public inspection. A copy of such decision shall be kept publicly posted in the office of the Fire Code Official for twenty-one days (21) days after filing. A certified copy of the board's decision shall be sent by mail or otherwise to the appellant by the Fire Code Official.

Sec. 18-5-30—18-5-90.

Reserved.

Article VI

Colorado Wildfire Resiliency Code

Sec. 18-6-10 - Adopted.

The 2025 Colorado Wildfire Resiliency Code, as published by the State of Colorado Division of Fire Prevention and Control, Chapters 1 through 5 inclusive, is hereby incorporated by this reference as part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The adopted code includes comprehensive provisions and standards regulating the construction, alteration, movement, repair, maintenance, and use of any building, structure, or premises that contain occupiable and/or habitable space, or change in use resulting in an occupiable and/or habitable space, unless excepted, within the wildland-urban interface areas of Colorado. All references in this Code to the Colorado Wildfire Resiliency Code are to the edition referenced above.

Sec. 18-6-20. – Amendments

The Colorado Wildfire Resiliency Code, and the secondary codes and standards adopted therein by reference and this Code are hereby amended as follows:

1. Section 101.1 of the Colorado Wildfire Resiliency Code is revised as follows:

101.1 Title. These regulations shall be known as the Colorado Wildfire Resiliency Code as adopted by Town of Frederick, hereinafter referred to as “this code.

2. Section 103.1 of the Colorado Wildfire Resiliency Code is revised as follows:

103.1 Creation of agency. The Firestone-Frederick Fire Protection District 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.

Sec. 18-6-30—18-6-90.

Reserved.

Article VII.

International Mechanical Code

Sec. 18-7-10. Adopted.

The 2024 International Mechanical Code, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 15, is hereby incorporated by this reference as a part of this Building Code to have the same force and

effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. This Code shall regulate the design, installation, maintenance, alteration, and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This Code shall also regulate those mechanical systems, system components, equipment, and appliances specifically addressed herein. All references in this Code to the International Mechanical Code are to the edition referenced above.

Sec. 18-7-20. Amendments.

The International Mechanical Code, and the secondary codes and standards adopted therein by reference as described and adopted in Section 18-1-60 of this Code, are hereby amended as follows:

1. Section 101.1 of the International Mechanical Code is revised by the following:

101.1 Title. These regulations shall be known as the Mechanical Code of the Town of Frederick, hereinafter referred to as “this code.”

2. (Section 103.1 of the International Mechanical Code is revised as follows:

103.1 Creation of enforcement agency. The Building Division 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.

3. Section 108.2 of the International Mechanical Code is hereby deleted in its entirety and reenacted to read as follows:

108.2 Schedule of permit fees. The fees for mechanical work shall be in accordance with the schedule as established by the Board of Trustees. The Board of Trustees may amend the tables and schedules providing for fees by the adoption of a resolution.

4. Section 108.3 of the International Mechanical Code is deleted in its entirety and reenacted to read as follows:

108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include the total value of the work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems.

5. Section 114 of the International Mechanical Code is deleted in its entirety.

Sec. 18-7-30 - 18-7-90.**Reserved.****Article VIII****International Fuel Gas Code****Sec. 18-8-10. Adopted.**

The 2024 International Fuel Gas Code, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 8, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The adopted code includes comprehensive provisions and standards regulating the erection, installation, alteration, repairs, relocation, replacement, addition to, use, or maintenance of fuel gas piping systems, fuel gas utilization equipment and related accessories within this jurisdiction. All references in this Code to the International Fuel Gas Code are to the edition referenced above.

Sec.18-8-20. Amendments.

The International Fuel Gas Code, and the secondary codes and standards adopted therein by reference as described and adopted in Section 18-8-10 of this Code, are hereby amended as follows:

1. Section 101.1 of the International Fuel Gas Code is revised by the following:

101.1 Title. These regulations shall be known as the Fuel Gas Code of the Town of Frederick, hereinafter referred to as "this code."

2. The International Fuel Gas Code is amended by substituting the words "Building Division" in lieu of the words "department of inspection" wherever said words may appear in the International Fuel Gas Code.
3. Section 108.2 of the International Fuel Gas Code is hereby deleted in its entirety and reenacted to read as follows:

108.2 Schedule of permit fees. The fees for mechanical work shall be in accordance with the schedule as established by the Board of Trustees. The Board of Trustees may amend the tables and schedules providing for fees by the adoption of a resolution.

4. Section 108.3 of the International Fuel Gas Code is deleted in its entirety and reenacted to read as follows:

108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include the total value of the work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems.

5. Section 113 of the International Fuel Gas Code is hereby deleted in its entirety.
6. Section 406.4.1 of the International Fuel Gas Code is hereby deleted in its entirety and reenacted to read as follows:

406.4.1 Test pressure. The test pressure to be used shall not be less than one and one-half times the proposed maximum working pressure, but not less than 10 psig, irrespective of design pressure.

Sec. 18-8-30 – 18-8-90.

Reserved.

Article IX

International Plumbing Code

Sec. 18-9-10. Adopted.

The 2024 International Plumbing Code, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 15, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The adopted code includes comprehensive provisions and standards regulating the erection, installation, alteration, repairs, relocation, replacement, addition to, use, or maintenance of plumbing systems within this jurisdiction. This Code shall also regulate nonflammable medical gas, inhalation anesthetic, vacuum typing, nonmedical oxygen systems and sanitary and condensate vacuum collection systems. All references in this Code to the International Plumbing Code are to the edition referenced above.

Sec. 18-9-20. Amendments.

The International Plumbing Code, and the secondary codes and standards adopted therein by reference as described and adopted in Section 18-9-10 of this Code, are hereby amended as follows:

1. Section 101.1 of the International Plumbing Code is revised by the following:

101.1 Title. These regulations shall be known as the Plumbing Code of the Town of Frederick, hereinafter referred to as "this code."

2. Section 101.5 of the International Plumbing Code is added to read as follows:

101.5 Intent. The intent of this Code is to meet or exceed the requirements of the State of Colorado Plumbing Code. When technical requirements, specifications, or standards in the Colorado Plumbing Code conflict with the adopted plumbing code, the code that imposes a greater restriction or a higher standard shall apply. Specifically, the Colorado Plumbing Code shall apply in those instances where the adopted plumbing code does not provide technical requirements, specifications, or standards. The adopted plumbing code shall apply in those instances where the Colorado Plumbing Code does not provide technical requirements, specifications, or standards. Should the Colorado Plumbing Code and the adopted plumbing code each provide technical requirements, specifications, or standards on any single matter in terms so distinct that determining which is more restrictive or imposes a higher standard is not readily apparent, the Colorado Plumbing Code shall apply.

3. Section 108.2 of the International Plumbing Code is hereby deleted in its entirety and reenacted to read as follows:

108.2 Schedule of Fees. The fees for all plumbing work shall be in accordance with the schedule as established by the Board of Trustees. The Board of Trustees may amend the tables and schedules providing for fees by the adoption of a resolution.

4. Section 108 of the International Plumbing Code is hereby deleted in its entirety.

Sec. 18-9-30 – 18-9-90.

Reserved.

Article X

International Existing Building Code

Sec. 18-10-10. Adopted.

The 2024 International Existing Building Code, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 16, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The adopted code is intended to provide alternative approaches to remodeling, repair, or alteration of existing buildings. Many existing buildings and structures do not comply with the current building code requirements for new construction. Although many of these buildings are potentially salvageable, rehabilitation is often cost-prohibitive because compliance with all the requirements for new construction could require extensive changes that go well beyond the value of the building or the original scope of the rehabilitation. At the same time, it is necessary to regulate construction in existing buildings that undergo additions, alterations, renovations, extensive repairs, or change of occupancy. Such activity represents an opportunity to ensure that new construction complies with the current building codes and that existing conditions are maintained, at a minimum, to their current level of compliance or are improved as required to meet basic safety levels. To accomplish this objective, and to make the rehabilitation process easier, this Code allows for options for controlled departure from full compliance with the International Codes dealing with new construction, while maintaining basic levels for fire prevention, structural, and life safety features of the rehabilitated building. All references in this Code to the International Existing Building Code are to the edition referenced above.

Sec. 18-10-20. Amendments.

The International Existing Building Code, and the secondary codes and standards adopted therein by reference as described and adopted in Section 18-10-10 of this Code, are hereby amended as follows:

1. Section 101.1 of the International Existing Building Code is amended to read as follows:

101.1 Title. These regulations shall be known as the Existing Building Code of Town of Frederick hereinafter referred to as "this code."

2. Section 103.1 of the International Existing Building Code is amended to read as follows:

103.1 Creation of agency. The Building Division 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.

Sec. 18-10-30 – 18-10-90.

Reserved.

Article XI

International Energy Conservation Code

Sec. 18-11-10. Adopted.

The 2024 International Energy Conservation Code, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 6, for Commercial and Chapters 1 through 6 for Residential, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. The adopted code regulates minimum energy conservation requirements for new buildings. The IECC addresses energy conservation requirements for all aspects of energy uses in both commercial and residential construction, including heating and ventilating, lighting, water heating, and power usage for appliances and building systems. All references in this Code to the International Energy Conservation Code are to the edition referenced above.

Sec. 18-11-20. Amendments.

The International Energy Conservation Code, and the secondary codes and standards adopted therein by reference as described and adopted in Section 18-11-10 of this Code, are hereby amended as follows:

1. Section C101.1 of the International Energy Conservation Code is hereby amended to read as follows:

C101.1 Title. This code shall be known as the International Energy Conservation Code of the Town of Frederick, and shall be cited as such. It is referred to herein as "this code."

2. Section C105.2 of the International Energy Conservation Code is hereby amended by adding numbers 19 and 20 to the list to read as follows:

19. Additional energy efficiency credit requirements.

20. Renewable and load management credits requirements.

3. Subsection C302.1 of the International Energy Conservation Code is hereby amended as follows:

C302.1 Interior design conditions. The interior design temperatures used for heating and cooling load calculations shall be a maximum of 70°F (20°C) for heating and minimum of 75°F (24°C) for cooling.

4. Subsection C402.2.6 of the International Energy Conservation Code is hereby amended as follows:

C402.2.6 Insulation of radiant heating systems. Radiant heating system panels, and their associated components that are installed in interior or exterior assemblies, shall be insulated to an R-value of not less than R-5 on all surfaces not facing the space being heated. Radiant heating system panels that are installed in the building thermal envelope shall be separated from the exterior of the building or unconditioned or exempt spaces by not less than the R-value of insulation installed in the opaque assembly in which they are installed or the assembly shall comply with Section C402.1.4.

Exception: Heated slabs on grade insulated in accordance with Section C402.2.4.

5. Section C405.15 of the International Energy Conservation Code is deleted in its entirety.
6. Section R101.1 of the International Energy Conservation Code is hereby amended to read as follows:

R101.1 Title. This code shall be known as the International Energy Conservation Code of the Town of Frederick, and shall be cited as such. It is referred to herein as "this code."

7. Section R105.2 of the International Energy Conservation Code is hereby amended by adding number 10 to the list to read as follows:

10. Additional efficiency package requirements.

8. Subsection R302.1 of the International Energy Conservation Code is hereby amended as follows:

R302.1 Interior design conditions. The interior design temperatures used for heating and cooling load calculations shall be a maximum of 70°F (20°C) for heating and minimum of 75°F (24°C) for cooling."

9. Section R403.4 of the International Energy Conservation Code is amended by adding an exception as follows:

Exception:

Piping for radiant heating or cooling systems located within the floor system and within the building thermal envelope.

10. Section R407 of the International Energy Conservation Code is deleted in its entirety.

Sec. 18-11-30 – 18-11-90.**Reserved.****Article XII****Colorado Model Electric Ready and Solar Ready Code****Sec. 18-2-10. Adopted.**

There is hereby adopted by reference the Colorado Model Electric Ready and Solar Ready Code, as published by the Colorado Energy Office and Colorado Department of Local Affairs. This code is available for viewing at:

<https://energyoffice.colorado.gov/building-energy-codes-toolkit>

The subject matter of this code prepares new homes and buildings for electric vehicles, rooftop solar, and high efficiency electric appliances.

Sec. 18-12-20. Amendments.

The Colorado Model Electric Ready and Solar Ready Code, and the secondary codes and standards adopted therein by reference as described and adopted in Section 18-12-10 of this Code, are hereby amended as follows:

1. Section 101.1 is hereby amended by inserting "Town of Frederick" so the section will read as follows:

101.1 Title. This code shall be known as the Electric Ready and Solar Ready Code of the Town of Frederick and shall be cited as such. It is referred to herein as "this code."

Sec. 18-12-30 – 18-12-90.**Reserved.****Article XIII**

International Swimming Pool and Spa Code

Sec. 18-13-10. Adopted.

The 2024 International Swimming Pool and Spa Code as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 11 inclusive, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. This Code is intended to regulate the minimum requirements for the design, construction, alteration, repair, and maintenance of swimming pools, spas, hot tubs, and aquatic facilities to adequately protect public health, safety, and welfare of the community. All references in this Code to the International Swimming Pool and Spa Code are to the edition referenced above.

Sec. 18-13-20. Amendments.

The International Swimming Pool and Spa Code, and the secondary codes and standards adopted therein by reference as described and adopted in Section 18-13-10 of this Code, are hereby amended as follows:

1. Section 101.1 of the International Swimming Pool and Spa Code is amended to read as follows:

101.1 Title. These regulations shall be known as the Swimming Pool and Spa Code of Town of Frederick hereinafter referred to as "this code."

2. Section 103.1 of the International Swimming Pool and Spa Code is amended to read as follows:

103.1 Creation of agency. The Building Division 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.

3. Section 113 of the International Swimming Pool and Spa Code is hereby deleted in its entirety.

Sec. 18-13-30 – 18-13-90.

Reserved.

Article XIV.

International Property Maintenance Code

Sec. 18-14-10. Adopted.

The 2024 International Property Maintenance Code, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 8, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this Chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this Chapter. This Code is intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation, and fire safety. Responsibility is fixed among owners, operators, and occupants for code compliance. The IPMC provides for the regulation and safe use of existing structures in the interest of the social and economic welfare of the community. All references in this Code to the International Property Maintenance Code are to the edition referenced above.

Sec. 18-14-20. Amendments.

The International Property Maintenance Code, and the secondary codes and standards adopted therein by reference as described and adopted in Section 18-14-10 of this Code, are hereby amended as follows:

1. Section 101.1 of the International Property Maintenance Code is amended to read as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of Town of Frederick hereinafter referred to as "this code."

2. Section 103.1 of the International Property Maintenance Code is amended to read as follows:

103.1 Creation of agency. The Building Division 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.

3. Section 107 of the International Property Maintenance Code is hereby deleted in its entirety.
4. Section 302.4 of the International Property Maintenance Code is hereby amended to read as follows:

302.4: Weeds. Premises and exterior property shall be maintained free from weeds or plant growth in excess of eight (8) inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 107.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

5. Section 304.14 of the International Property Maintenance Code is hereby amended to read as follows:

304.14: Insect Screens. During the period from March to October of each year, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

6. Section 602.3 of the International Property Maintenance Code is hereby amended to read as follows:

602.3: Heat Supply. Every owner and operator of any building who rents, leases, or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September to April to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

The exceptions shall remain unchanged.

7. Section 602.4 of International Property Maintenance Code is hereby amended to read as follows:

602.4: Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from September to April to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Sec. 18-14-30 – 18-14-90.**Reserved.**

- Section 4. Effective Date. This ordinance shall be published and become effective on March 1, 2026.
- Section 5. Severability. If any part, section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the Ordinance including each part, section, subsection, sentence, clause, or phrase thereof, regardless of the fact that one or more parts, sections, subsections, sentences, clauses, or phrases are declared invalid.
- Section 6. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof in conflict with this ordinance are, to the extent of such conflict, hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution, or motion, no revive any ordinance, resolution, or motion thereby.
- Section 7. Certification. The Town Clerk shall certify the passage of this ordinance and make not less than one copy of the adopted ordinance available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED THIS ____ DAY OF _____, 2026.

ATTEST:

TOWN OF FREDERICK

By _____
Tricia David, Town Clerk

By _____
Tracie Crites, Mayor

Building Division Municipal Code Updates

Mike Theisen
Chief Building Official

BUILT ON WHAT MATTERS

Strategic Plan Alignment



EFFECTIVE, EFFICIENT & STRATEGIC GOVERNMENT

OPERATIONS - As an employer of choice, the Town of Frederick will lead the region in a culture of efficiency, innovation, and strategic partnerships in all municipal services to far exceed the community's expectations and exemplify the fact that Frederick is Built on What Matters, its people.

Built on What Matters.



Purpose of the Update

- Improve organization and clarity of the Municipal Code
- Align local regulations with the State and 2024 ICC Building Codes
- Eliminate outdated and duplicative provisions
- Provide clear and concise regulations for contractors
- Enhance consistency for staff, contractors, and the public

Built on What Matters.



Timeline

- May 27 - Mentioned at mini retreat
- October 31 – Public and contractor outreach
- December 3 – Discussion item at board meeting
- January 7 – First reading
- January 21 – Second reading
- January 30 - Accept permit applications using new or old code
- March 1 – New code adoption date
- March 31 – Last day to submit using old code

Built on What Matters.



Questions?

Mike Theisen
Chief Building Official
(720) 382-5604

Built on What Matters.



Recommended Motions

Approval:

I move that Ordinance Number 1408, Amending Chapter 6 of the municipal code relating to licensing of building contractors within the town; adding article V to chapter 11 to house the engineering design standards and construction specifications; and amending Chapter 18 of the Town's municipal code, building regulations, relating to updates to the Frederick building code be approved.

Approval with Changes:

I move that Ordinance Number 1408, Amending Chapter 6 of the municipal code relating to licensing of building contractors within the town; adding article V to chapter 11 to house the engineering design standards and construction specifications; and amending Chapter 18 of the Town's municipal code, building regulations, relating to updates to the Frederick building code be approved with the following changes

No Action:

I move to take no action on Ordinance Number 1408.

Built on What Matters.



Built On What Matters

TOWN OF FREDERICK

Board of Trustees

Staff Report

Tracie Crites, Mayor

Kevin Brown, Mayor Pro Tem
Dan March, Trustee
Mark Lamach, Trustee

Adam Mahan, Trustee
Windi Padia, Trustee

Resolution 26-R-03 Moving Elections to November

Agenda Date: Board of Trustees January 21, 2026

Attachments:

1. Reso Change Election Date
2. April to November Presentation

Reviewed By:

Action Type

1) Legislative: Actions that relate to subjects of a long term and general applicability; such as the passing of ordinances/resolutions/policies/etc.

Strategic Plan Alignment:



EFFECTIVE, EFFICIENT & STRATEGIC GOVERNMENT OPERATIONS - As an employer of choice, the Town of Frederick will lead the region in a culture of efficiency, innovation, and strategic partnerships in all municipal services to far exceed the community's expectations and exemplify the fact that Frederick is Built on What Matters, its people.

1.1 Develop and implement a strategy for delivering a parks, streets and downtown "win" including assessing available political capital.

1.2 Complete an update to the Municipal Code in connection with 2.5 below.

Summary Statement:

This resolution formally enacts the ballot question language necessary to refer a question to the voters to change the Town's regular Municipal Election date from April to the November Coordinated Election. This change aligns with the Board of Trustees' intent to increase voter turnout, reduce administrative costs, and improve election efficiency. Upon the adoption of this resolution the Town Clerk's office will work to place this on the April 2026 Regular Election Ballot.

Detail of Issue/Request:

During the 2025 Legislative Session, the Colorado Legislature enacted Senate Bill 25-1 "Colorado Voting Rights Act" which modified portions of the Colorado Revised Statutes with the intent of increasing voter participation and codifying specific provisions prohibiting conduct by political subdivisions deemed to constitute voter suppression. The Town of Frederick desires to promote efficiency, increase voter turn out, comply with the requirements of the Colorado Voting Rights Act, and lower election costs through coordinating elections with Weld County. At present, the Town of Frederick, Pursuant to C.R.S., § 31-1-101(10), is required to have its regular election held on the first Tuesday of April in each even-numbered year, and April 7, 2026, is a Regular Town Election Date.

Pursuant to section 31-11-112(2), the governing body of each municipality, in consultation with the clerk and recorder of the county in which the municipality is located, may submit to a vote of the registered electors of the municipality for placement on the ballot the question of whether the regular election date of such municipality shall be changed to either the Tuesday succeeding the first Monday of November in each odd - numbered year or the Tuesday succeeding the first Monday of November in each even - numbered year.

In order to promote efficiency, voter participation, compliance with the Colorado Voting Rights Act and to reduce Town election costs, in accordance with Sections 31-101- 109 and 31-11-111(2), C.R.S., the Town Board of Trustees can submit to a vote of the registered electors of the Town a ballot question to determine whether the regular election date of the Town should be changed to the Tuesday succeeding the first Monday in November of each even numbered year.

Proposed Ballot Question:

SHALL THE TOWN OF FREDERICK'S REGULAR ELECTION DATE BE MOVED FROM THE FIRST TUESDAY IN APRIL OF EACH EVEN-NUMBERED YEAR TO THE TUESDAY ON WHICH THE GENERAL STATEWIDE ELECTION IS HELD IN NOVEMBER OF EACH EVEN NUMBERED YEAR TO INCREASE VOTER PARTICIPATION, TO ALLOW THE TOWN TO SAVE ELECTION COSTS AND TO PARTICIPATE IN ELECTIONS COORDINATED BY THE COUNTY?

YES

NO

Coordinated vs Regular Election Frederick Numbers

2024 Regular Election – Total Votes Cast: 1,242

2023 Coordinated Election – Total Votes Cast: 4,438

3,196 more voters participated in the 2023 coordinated election (November) than the 2024 regular election (April).

Legal Comments:

Alternatives/Options

Approval: The Board of Trustees can approve Resolution 26-R-03 which submits a ballot question on whether the regular Town election date should be changed, and sets the ballot title for such question.

Approval with conditions: The Board of Trustees can approve Resolution 26-R-03 which submits a ballot question on whether the regular Town election date should be changed, and sets the ballot title for such question, with the following conditions:

Denial: The Board of Trustees can deny Resolution 26-R-03 and not submit a ballot question on whether the regular Town election date should be changed, or set the ballot title for such question.

Financial Considerations

Staff Recommendation

Staff recommends approving Resolution 26-R-03 as presented.

Community Impact

The Town of Frederick regular elections have historically seen a lower voter turnout than state elections held in November of even-numbered years. Moving regular elections to November of even numbered years may increase community involvement in local elections.

TOWN OF FREDERICK, COLORADO RESOLUTION NO. 26-R-03

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO, TO
CONSIDER CHANGING THE TOWN OF FREDERICK REGULAR ELECTION
FROM APRIL TO NOVEMBER IN EVEN NUMBERED YEARS; AND
SUBMITTING A BALLOT QUESTION ON WHETHER THE REGULAR
TOWN ELECTION DATE SHOULD BE CHANGED AND SETTING THE
BALLOT TITLE FOR SUCH QUESTION**

WHEREAS, during the 2025 legislative session, the Colorado Legislature enacted Senate Bill 25-1 the “Colorado Voting Rights Act”; and,

WHEREAS, the Colorado Voting Rights Act modified portions of the Colorado Revised Statutes, with the intent to increase voter participation and codify specific provisions prohibiting conduct by political subdivisions deemed to constitute voter suppression; and,

WHEREAS, the Town of Frederick is a municipal corporation duly organized and operating as a statutory municipality under the Constitution and laws of the State of Colorado; and,

WHEREAS, the Town of Frederick desires to promote efficiency, increase voter turn out, comply with the requirements of the Colorado Voting Rights Act, and lower election costs through coordinating elections with Weld County; and,

WHEREAS, at present, the Town of Frederick, pursuant to C.R.S., § 31-1-101(10), is required to have its regular election held on the first Tuesday of April in each even-numbered year,” and,

WHEREAS, pursuant to C.R.S., § 31-1-101(I)(a), April 7, 2026 is a Regular Town election date; and,

WHEREAS, the Town of Frederick regular elections have historically seen a lower voter turnout than state elections held in November of even numbered years; and,

WHEREAS, C.R.S., § 31-10-109(1)(a) states, "Pursuant to section 31-11-112(2), the governing body of each municipality, in consultation with the clerk and recorder of the county in which the municipality is located, may submit to a vote of the registered electors of the municipality for placement on the ballot the question of whether the regular election date of such municipality shall be changed to either the Tuesday succeeding the first Monday of November in each odd - numbered year or the Tuesday succeeding the first Monday of November in each even - numbered year[;]"; and,

WHEREAS, C.R.S. § 31-11-111(2) states, "The legislative body of any municipality may, without receipt of any petition, submit any proposed or adopted ordinance or resolution or any question to a vote of the registered electors of the municipality. The legislative body of the municipality or its designee shall fix a ballot

title for the referred measure[;]" and

WHEREAS, the Town Board finds and determines that moving the Town's regular election from April to November in even-numbered years would allow, among other things, the Town to enter into an agreement with the Weld County Clerk and Recorder, who would conduct a coordinated election including the Town, substantially reducing the burden on town staff and resulting in cost savings to the Town; and

WHEREAS, the Town Board further finds and determines that to ensure as many eligible voters as possible are able to participate in municipal elections, it is in the best interests of the Town and all eligible electors to change the date of regular municipal elections to the first Tuesday in November in even-numbered years; and

WHEREAS, the Town Board interprets C.R.S., § 31-10-109(l)(a) to mean that if a majority of the voters approve the question of whether the Town's regular election date should be changed, then the voters must have implicitly approved a corresponding extension of the terms of each elected or appointed member of the Town Board in office at the conclusion of the regular election held April 7, 2026 to accomplish the change in election dates in an orderly manner beginning with the coordinated election date in November 2028; and

WHEREAS, the Town Board further interprets C.R.S., § 31-10-109(l)(a) and (l)(b), working in tandem with one another, to mean that to effectuate the will of the electors voting in favor of a change in election dates, then by operation of law the Town Board must establish the new regular election date by ordinance and include in that ordinance a provision extending the terms of each currently elected or appointed member of the Board of Trustees seated at the conclusion of the April 7, 2026 election such that their terms shall expire in November rather than in April of the year in which the term expires beginning in 2028; and

WHEREAS, in order to promote efficiency, voter participation, compliance with the Colorado Voting Rights Act and to reduce Town election costs, in accordance with Sections 31-101- 109 and 31-11-111(2), C.R.S., the Town Board of Trustees desires to submit to a vote of the registered electors of the Town a ballot question to determine whether the regular election date of the Town should be changed to the Tuesday succeeding the first Monday in November of each even numbered year.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, WELD COUNTY, COLORADO THAT;

Section 1. Question Submitted. In accordance with Sections 31-10-109 and 31-11-111 (2), C.R.S., The Board of Trustees hereby submits the following ballot question to the eligible electors of the Town:

SHALL THE TOWN OF FREDERICK'S REGULAR ELECTION DATE BE MOVED FROM THE FIRST TUESDAY IN APRIL OF EACH EVEN-NUMBERED YEAR TO THE TUESDAY ON WHICH THE

GENERALSTATEWIDE ELECTION IS HELD IN NOVEMBER OF EACH
EVEN NUMBERED YEAR TO INCREASE VOTER PARTICIPATION, TO
ALLOW THE TOWN TO SAVE ELECTION COSTS AND TO PARTICIPATE
IN ELECTIONS COORDINATED BY THE COUNTY?

____YES
____NO

Section 2. Ballot Title Fixed. This Resolution shall serve to set the context for the ballot question set forth herein and the ballot title for such question shall be the text if teg question itself

Section 3. Effective Date. This resolution shall become effective immediately upon adoption.

Section 4. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 5. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 21ST DAY OF
JANUARY, 2026.**

ATTEST:

TOWN OF FREDERICK

By_____

By_____

Tricia David, Town Clerk

Tracie Crites, Mayor



Moving Elections to November

Tricia David – Town Clerk

Emily Nitcher – Deputy Town Clerk

BUILT ON WHAT MATTERS



Item Overview

- Strategic Plan Alignment
- January 7, 2026 Work Session
- Senate Bill 25-1
- Proposed Resolution 26-R-03
- Proposed Ballot Language
- April 7, 2026, Election
- Ordinance to Implement Voter Approved Change in Election Date.
- Board of Trustees Extended Terms Beginning in 2028

Built on What Matters.

Strategic Plan Alignment



EFFECTIVE, EFFICIENT & STRATEGIC GOVERNMENT OPERATIONS

- As an employer of choice, the Town of Frederick will lead the region in a culture of efficiency, innovation, and strategic partnerships in all municipal services to far exceed the community's expectations and exemplify the fact that Frederick is Built on What Matters, its people.

1.1 Develop and implement a strategy for delivering a parks, streets and downtown "win" including assessing available political capital.

1.2 Complete an update to the Municipal Code in connection with 2.5 below.

Built on What Matters.



January 7, 2026, Work Session

- This item was brought before the Board of Trustees at the January 7, 2026 Work Session.
- Staff received feedback on the Resolution and Ballot Language.

Built on What Matters.



Senate Bill 25-1 Colorado Voting Rights Act

- During the 2025 Legislative Session, the Colorado Legislature enacted Senate Bill 25-1 "Colorado Voting Rights Act".
- The Act modified portions of the Colorado Revised Statutes with the intent of increasing voter participation and codifying specific provisions prohibiting conduct by political subdivisions deemed to constitute voter suppression.

Built on What Matters.



Frederick Past Election Numbers

- 2024 Regular Election – Total Votes Cast: 1,242
- 2023 Coordinated Election – Total Votes Cast: 4,438
- 3,196 more voters participated in the 2023 coordinated election (November) than the 2024 regular election (April).

Built on What Matters.



Resolution 26-R-03

- This resolution formally enacts the ballot question language necessary to refer a question to the voters to change the Town's regular Municipal Election date from April to the November Coordinated Election.
- This change aligns with the Board of Trustees' intent to increase voter turnout, reduce administrative costs, and improve election efficiency. Upon the adoption of this resolution the Town Clerk's office will work to place this on the April 2026 Regular Election Ballot.

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Proposed Ballot Language

SHALL THE TOWN OF FREDERICK'S REGULAR ELECTION DATE BE MOVED FROM THE FIRST TUESDAY IN APRIL OF EACH EVEN-NUMBERED YEAR TO THE TUESDAY ON WHICH THE GENERAL STATEWIDE ELECTION IS HELD IN NOVEMBER OF EACH EVEN NUMBERED YEAR TO INCREASE VOTER PARTICIPATION, TO ALLOW THE TOWN TO SAVE ELECTION COSTS AND TO PARTICIPATE IN ELECTIONS COORDINATED BY THE COUNTY?

YES

NO

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Recommended Motions

Approval:

I move to approve Resolution 26-R-03 which submits a ballot question on whether the regular Town election date should be changed and sets the ballot title for such question.

Approval with Conditions:

I move to approve Resolution 26-R-03 which submits a ballot question on whether the regular Town election date should be changed, and sets the ballot title for such question, with the following conditions:

Denial:

I move to deny Resolution 26-R-03 and not submit a ballot question on whether the regular Town election date should be changed or set the ballot title for such question.

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Next Steps

- Communication Plan
- April 7, 2026, Election
- Ordinance to Implement Voter Approved Change in Election Date.
- Board of Trustees Extended Terms Beginning in 2028

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Built On What Matters

TOWN OF FREDERICK

Board of Trustees

Staff Report

Tracie Crites, Mayor

Kevin Brown, Mayor Pro Tem
Dan March, Trustee
Mark Lamach, Trustee

Adam Mahan, Trustee
Windi Padia, Trustee

Allo Update
