



Town Council Regular Meeting
Tuesday, November 11, 2025, 7:00 PM
Town Hall Council Chambers
150 Ski Hill Road
Breckenridge, Colorado

THE TOWN OF BRECKENRIDGE CONDUCTS HYBRID MEETINGS. This meeting will be held in person at Breckenridge Town Hall and will also be broadcast live over Zoom. Join the live broadcast available by computer or phone: <https://us02web.zoom.us/j/82918442465> (Telephone: 1-719-359-4580; Webinar ID: 829 1844 2465). If you need special assistance in order to attend any of the Town's public meetings, please notify the Town Clerk's Office at (970) 547-3127, at least 72 hours in advance of the meeting.

This document may not fully meet accessibility standards due to technical limitations, format constraints or original source content. If you require this information in an alternative format or need assistance accessing its content, please contact the Town Clerk's Office at (970)547-3127 or websitclerk@townofbreckenridge.com.

I. CALL TO ORDER, ROLL CALL

II. APPROVAL OF MINUTES

- A. TOWN COUNCIL MINUTES - OCTOBER 28, 2025

III. APPROVAL OF AGENDA

IV. COMMUNICATIONS TO COUNCIL

- A. PUBLIC COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)
- B. BRECKENRIDGE TOURISM OFFICE UPDATE

V. CONTINUED BUSINESS

- A. SECOND READING OF COUNCIL BILLS, SERIES 2025
 - 1. COUNCIL BILL NO. 18, SERIES 2025 - AN ORDINANCE AMENDING SECTIONS 5-8-5 AND 5-8-12 OF THE BRECKENRIDGE TOWN CODE CONCERNING NOISE
 - 2. COUNCIL BILL NO. 19, SERIES 2025 — AN ORDINANCE APPROVING A LEASE WITH COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC FOR A CABLE AND BROADBAND COMMUNICATIONS SIGNAL PROCESSING AND TRANSMISSION FACILITY
 - 3. COUNCIL BILL NO. 20, SERIES 2025 — AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2026

VI. NEW BUSINESS

- A. FIRST READING OF COUNCIL BILLS, SERIES 2025
 - 1. COUNCIL BILL NO. 21, SERIES 2025 — AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 1 OF TITLE 8 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE BUILDING CODES OF THE TOWN OF BRECKENRIDGE; ADOPTING BY REFERENCE AND AMENDING: THE INTERNATIONAL BUILDING CODE, 2024 EDITION INCLUDING APPENDIX P; THE INTERNATIONAL RESIDENTIAL CODE, 2024 EDITION, INCLUDING APPENDIX BE AND BG; THE INTERNATIONAL PLUMBING CODE, 2024 EDITION INCLUDING APPENDIX C; THE INTERNATIONAL MECHANICAL CODE,

2024 EDITION, INCLUDING APPENDIX A; THE INTERNATIONAL FUEL GAS CODE, 2024 EDITION, INCLUDING APPENDIX A AND B; THE INTERNATIONAL ENERGY CONSERVATION CODE, 2024 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE, 2024 EDITION; THE INTERNATIONAL POOL AND SPA CODE, 2024 EDITION; THE NATIONAL ELECTRICAL CODE, 2023 EDITION; THE ICC ELECTRICAL CODE – ADMINISTRATIVE PROVISIONS, 2006 EDITION; THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION; THE COLORADO WILDFIRE RESILIENCY CODE, 2025 EDITION; THE COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE, 2023 EDITION; ADOPTING BY REFERENCE WITHOUT AMENDMENTS THE INTERNATIONAL FIRE CODE, 2024 EDITION, INCLUDING APPENDICES B THROUGH Q AND THE ICC A117.1-2017 STANDARD FOR ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES, 2017 EDITION.

- B. RESOLUTIONS, SERIES 2025
- C. OTHER

VII. PLANNING MATTERS

- A. PLANNING COMMISSION DECISIONS

VIII. REPORT OF TOWN MANAGER AND STAFF

IX. REPORT OF MAYOR AND COUNCIL MEMBERS

- A. CAST/MMC
- B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE
- C. BRECKENRIDGE TOURISM OFFICE
- D. BRECKENRIDGE HISTORY
- E. BRECKENRIDGE CREATIVE ARTS
- F. SOCIAL EQUITY ADVISORY COMMISSION
- G. ARTS & CULTURE MASTER PLAN STEERING COMMITTEE

X. OTHER MATTERS

XI. SCHEDULED MEETINGS

- A. SCHEDULED MEETINGS FOR NOVEMBER AND DECEMBER

XII. ADJOURNMENT

EXECUTIVE SESSION CERTIFICATE

Town of Breckenridge)
County of Summit)
State of Colorado)

Kelly Owens the duly elected, qualified and acting Mayor of the Town of Breckenridge, hereby certifies as follows:

As part of the town council regular meeting on Tuesday, October 28, 2025 at 6:22 pm, Council Member Rankin moved to convene in executive session pursuant to Paragraph 4(b) of Section 24-6-402, C.R.S., relating to conferences with the town attorney for purposes of receiving legal advice on specific legal questions; and Paragraph (4)(e) determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiations. Council Member Beckerman seconded the motion.

The Mayor stated a motion had been made to go into executive session pursuant to Paragraph 4(b) of Section 24-6-402, C.R.S., relating to conferences with the town attorney for purposes of receiving legal advice on specific legal questions; Paragraph (4)(e) determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiations.

The subject of the executive session as stated in the motion included:

- (i) To discuss negotiations related to three agreements between the town and the developer of Berlin Placer PUD and receive legal advice related thereto.
- (ii) Receive legal advice regarding a Rule 106 appeal on BGV Parcel 3 approval.
- (iii) Receive legal advice regarding a national lawsuit by municipalities over ending of SNAP benefits.

A roll call vote was taken and all were in favor of the motion.

The individuals present were Mayor Kelly Owens, Councilmembers Marika Page, Todd Rankin, Carol Saade, Dick Carleton, Steve Gerard, and Jay Beckerman, Town Manager Shannon Haynes, Deputy Town Manager Scott Reid, and Town Attorney Keely Ambrose.

The conference with the Town Attorney involved a confidential discussion of legal issues involved in the announced subjects of the executive session.

Council Member Rankin moved to adjourn the executive session at 6:59 pm. Council Member Beckerman seconded the motion. All were in favor of the motion.

No decisions were made as a result of the executive session when Council returned to the open meeting and no further discussion was had.

This certificate shall be included before the minutes of the regular Town Council meeting of Tuesday, October 28th, 2025.

ATTEST:

TOWN OF BRECKENRIDGE

Mae Watson, Town Clerk

Kelly Owens, Mayor

[ONLY SIGN IF APPLICABLE]

As Town Attorney, I hereby attest that it is my opinion that the portion of the discussion in executive session which was not recorded constitutes a privileged attorney-client communication that is not required to be recorded pursuant to C.R.S. §24-6-402(2)(d.5)(II)(B).

ATTEST:

Keely Ambrose, Town Attorney

I) CALL TO ORDER, ROLL CALL

Mayor Owens called the meeting of October 28th, 2025, to order at 7:02pm. The following members answered roll call: Steve Gerard, Marika Page, Carol Saade, Jay Beckerman, Todd Rankin, and Mayor Kelly Owens. Dick Carleton was absent.

II) APPROVAL OF MINUTES

A) TOWN COUNCIL MINUTES – OCTOBER 14, 2025

There were no changes or corrections to the meeting minutes of October 14, 2025. Mayor Owens declared they would stand approved as presented.

III) APPROVAL OF AGENDA

Town Manager Shannon Haynes stated there were no changes to the agenda. Mayor Owens stated the agenda stands approved as presented.

IV) COMMUNICATIONS TO COUNCIL

A) PUBLIC COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT)

Mayor Owens opened public comment.

With no public comments, Mayor Owens closed public comment.

B) BRECKENRIDGE TOURISM OFFICE UPDATE

Lucy Kay, Breckenridge Tourism Office President, provided a lodging update. Summer room nights ended down 12% and revenue down 10%, consistent with summer trends in similar mountain towns. Winter projections appear more optimistic with some upward movement in bookings and revenues.

Kay reported that the Governor's Conference on Tourism was held last week in Colorado Springs, and Breckenridge will host the event in September 2026, with Beaver Run credited for winning the bid. Kay thanked Council for supporting Global Fire, noting planning is underway for June 2026. Kay also reviewed lessons from Oktoberfest, stating the event will be restructured to include multiple breweries. She provided an update on the upcoming International Snow Sculpture Championships, noting strong lodging support. Kay added that the resident survey response rate remains low and encouraged participation.

C) BRECKENRIDGE SKI RESORT UPDATE

Jon Copeland, Vice President and Chief Operating Officer of Breckenridge Ski Resort, provided an update on summer and upcoming winter operations. Copeland reported the resort operated 97 days this summer, with the coaster and alpine slide as top attractions and the scenic chair rides seeing the greatest increase in use. Weather and lightning were the main challenges. He noted strong participation in four local appreciation mornings.

Copeland described resort investments in infrastructure improvements, including new energy-efficient snowmaking guns, intake upgrades, lift enhancements, and reopening the Chair 6 warming hut. Copeland highlighted ongoing investment in employees, with a new leadership program and an employee preview day. Copeland noted the resort is seeing its highest staff return rates and satisfaction scores, and the resort is on track to be fully staffed.

Copeland previewed upcoming winter events, including the Rockstar Energy Open, a reimagined Toyota Big Mountain Challenge, and Peaks and Beats Pond Skimming Weekend. The resort is also developing new on-mountain music experiences and a communal "ULLR Time" shot-ski event.

Copeland described sustainability initiatives to reduce waste and continue food donations to FIRC's Café Food Rescue. Copeland thanked the Town for its partnership with parking coordination.

V) CONTINUED BUSINESS

A) SECOND READING OF COUNCIL BILLS, SERIES 2025 - PUBLIC HEARINGS

No council bills were presented for second reading.

VI) NEW BUSINESS

A) FIRST READING OF COUNCIL BILLS, SERIES 2025

- 1) COUNCIL BILL NO. 18, SERIES 2025 – AN ORDINANCE AMENDING SECTIONS 5-8-5 AND 5-8-12 OF THE BRECKENRIDGE TOWN CODE CONCERNING NOISE
Mayor Owens read the title into the record.

Town Attorney Keely Ambrose introduced a proposed ordinance on first reading to amend the Town Code in response to recent state law changes on allowable decibel levels for commercial and residential zones and a Supreme Court ruling limiting who a town can grant noise exceptions too.

Mayor Owens opened the public hearing.
There were no public comments and the hearing was closed.

Council Member Rankin made a motion to approve COUNCIL BILL NO. 18, SERIES 2025 – AN ORDINANCE AMENDING SECTIONS 5-8-5 AND 5-8-12 OF THE BRECKENRIDGE TOWN CODE CONCERNING NOISE. Council Member Gerard seconded the motion.

The motion passed 6-0. Council Member Carleton was absent.

- 2) COUNCIL BILL NO. 19, SERIES 2025 — AN ORDINANCE APPROVING A LEASE WITH COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC FOR A CABLE AND BROADBAND COMMUNICATIONS SIGNAL PROCESSING AND TRANSMISSION FACILITY
Mayor Owens read the title into the record.

Chris Luberto, Director of IT, introduced a proposed ordinance for first reading to renew a 10-year lease with Comcast Cable Communications for the head end facility at 524 Wellington Road. The renewal will include a rent increase from \$3,300 to \$5,700 per month with 5 % annual escalations. Staff recommend approval on first reading.

Mayor Owens opened the public hearing.
There were no public comments and the hearing was closed.

Council Member Rankin made a motion to approve COUNCIL BILL NO. 19, SERIES 2025 — AN ORDINANCE APPROVING A LEASE WITH COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC FOR A CABLE AND BROADBAND COMMUNICATIONS SIGNAL PROCESSING AND TRANSMISSION FACILITY. Council Member Gerard seconded the motion.

The motion passed 6-0. Council Member Carleton was absent.

- 3) COUNCIL BILL NO. 20, SERIES 2025 — AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2026
Mayor Owens read the title into the record.

Pamela Ness, Revenue Manager, introduced a proposed ordinance for first reading setting the 2026 mill levy within the Town of Breckenridge at 5.07 mills. Ness stated this levy is the amount the town was authorized to impose and according to state law cannot be increased without an election. Ness noted the levy will result in tax revenue of 5.3 million for the purpose of deferring the expenses of the general fund. Staff recommend approval on first reading.

Council Member Gerard clarified for the record that this mill levy has been in place at this rate since 2014 and has not been increased. Ness confirmed that is correct.

Mayor Owens opened the public hearing.
There were no public comments and the hearing was closed.

Council Member Rankin made a motion to approve COUNCIL BILL NO. 20, SERIES 2025 — AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2026. Council Member Gerard seconded the motion.

The motion passed 6-0. Council Member Carleton was absent.

- B) RESOLUTIONS, SERIES 2025

- 1) RESOLUTION NO. 12, SERIES 2025 — A RESOLUTION ADOPTING THE 2026 BUDGET AND MAKING APPROPRIATIONS THEREFOR; AND APPROVING THE 2026 CAPITAL IMPROVEMENT PLAN AND PUBLIC HEARING
Mayor Owens read the title into the record.

Tracey Lambert, Senior Accountant, presented a resolution to adopt the 2026 Budget and Capital Improvement Plan and to make appropriations for the total expenditures for 2026. The resolution was amended to include changes requested at the October 14th budget retreat and reclass \$250,000 moved from the Special Projects Fund to the General Fund. Town Council was provided the amended resolution at tonight's meeting.

Mayor Owens opened the public hearing.
There were no public comments and the hearing was closed.

Council Member Rankin made a motion to approve RESOLUTION NO. 12, SERIES 2025 — A RESOLUTION ADOPTING THE 2026 BUDGET AND MAKING APPROPRIATIONS THEREFOR; AND APPROVING THE 2026 CAPITAL IMPROVEMENT PLAN AND PUBLIC HEARING in the form that was handed out. Council Member Beckerman seconded the motion.

The motion passed 6-0. Council Member Carleton was absent.

- C) OTHER

VII) PLANNING MATTERS

- A) PLANNING COMMISSION DECISIONS
Mayor Owens declared the Planning Commission Decisions would stand approved as presented.

VIII) REPORT OF TOWN MANAGER AND STAFF

Deputy Town Manager Scott Reid stated that Council received an email from Mark Rizzo about a potential development agreement for a proposed indoor pickleball facility. Reid noted the email was sent Council prematurely, and staff requested more time to review. Council supported further investigation.

IX) REPORT OF MAYOR AND COUNCIL MEMBERS

- A) CAST/MMC
Mayor Owens reported there had been no recent meetings and there are no updates.
- B) BRECKENRIDGE OPEN SPACE ADVISORY COMMISSION
Council Member Beckerman reported a 20:1 ratio of hikers to bikers on Aspen Alley and discussed possible reasons for the trend, expressing hope for a new uphill trail in the future. Council Member Beckerman noted BOSAC approved the Marble Run for a one-year. He summarized THK's presentation on the future of the bike path and shared insights from a recent Jefferson County Open Space and Trails field trip, noting that Breckenridge could learn from Jefferson County's larger-scale operations.
- C) BRECKENRIDGE TOURISM OFFICE
Council Member Beckerman summarized Thursday's meeting, noting that summer performance was not as bleak as presented and Breckenridge outperformed competitors. Oktoberfest generated a \$26,000 surplus for the BTO. He reported out-of-state visitation was down, with trends showing fewer family trips and more friend-group travel. First-time visitors made up 82%, and part-time homeowners increased. Beckerman added that a group will be formed to proactively plan for the upcoming Rockstar event and future resort activities.
- D) BRECKENRIDGE HISTORY
Council Member Rankin reported that crews are working on the Trestle in Main Street Station Village. He noted the Welcome Center Museum will close soon to prepare for the 250/150 event, and the Smithsonian Americans exhibit will open on January 17.
- E) BRECKENRIDGE CREATIVE ARTS
Council Member Gerard reported that BCA and its partners presented earlier today, highlighting that the arts are thriving and performing better than expected. He also attended a luncheon with a group called Thing Thing, which plans to collaborate with Precious Plastics to expand the marketability of recycled plastics.

- F) **SOCIAL EQUITY ADVISORY COMMISSION**
Council Member Saade reported that the last meeting included new commissioner Carlos. The group reviewed the Pathway to Homeownership class and discussed the Beginners Guide to Local Government. They heard a presentation from the McCain Open Space consultant and recommended improvements for ADA accessibility. Council Member Saade also noted an update from Jackie with the Breckenridge Backstage Theatre and a brief discussion on immigration, where commissioners shared how their communities have been affected.
- G) **ARTS & CULTURE MASTER PLAN STEERING COMMITTEE**
Council Member Beckerman stated they will be issuing RFP.
- X) **OTHER MATTERS**
Council Member Beckerman noted the castaways staircase has been repaired and tape removed. He thanked Kristin Brownson for the work.
- XI) **SCHEDULED MEETINGS**
SCHEDULED MEETINGS FOR OCTOBER, NOVEMBER, DECEMBER
- XII) **ADJOURNMENT**
With no further business to discuss, the meeting adjourned at 7:41 pm. Submitted by Mae Watson, Town Clerk.

ATTEST:

Mae Watson, Town Clerk

Kelly Owens, Mayor



Memo

To: Town Council
From: Keely Ambrose, Town Attorney
Date: 11/3/2025 (for 11/11/2025)
Subject: Noise Ordinance Amendment (Second Reading)

Town Council Goals (Check all that apply)

- | | | | |
|-------------------------------------|---------------------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | More Boots & Bikes, Less Cars | <input type="checkbox"/> | Leading Environmental Stewardship |
| <input type="checkbox"/> | Deliver a Balanced Year-Round Economy | <input type="checkbox"/> | Hometown Feel & Authentic Character |
| <input checked="" type="checkbox"/> | Organizational Need | | |

Summary

Staff requests that Town Council hold a public hearing and, taking into account any testimony received, approve on second reading an amendment to the Town’s noise ordinance.

Background

There have been two changes to state law necessitating amendment of the noise ordinance. One was a legislative change that altered the times and maximum decibel levels applicable to all jurisdictions across the state. The other change was a recent Colorado Supreme Court decision that interpreted a section of state statute to narrow the universe of applicants that can receive a variance to exceed the maximum decibel levels for a special event or series of events. The court’s decision limited the group of applicants to whom the Town can grant a variance to government and non-profit entities, or lessees, licensees, or permittees of government or non-profit entities who are using land owned or controlled by a government or non-profit entity.

The Town has not issued many variances under the Code in recent years and almost all of those have been issued to applicants who would meet the newly clarified criteria. CML has indicated that it will be seeking to clarify the law around exceptions during the 2026 legislation session.

Public outreach/engagement

None; the amendment is driven by the changes in state law regarding noise regulations.

Financial Implications

None.

Equity Lens

This will impact some members of the general public who will no longer be able to seek a variance to the Town’s noise regulations, as the Town can only issue such variances to the aforementioned categories of applicants. In the event CML is successful in its legislative efforts and the Town’s ability to permit exceptions to the maximum noise levels for private landowners is restored, the Town will revisit this portion of the noise ordinance

Mission: The Town of Breckenridge protects, maintains, and enhances our sense of community, historical heritage, and alpine environment. We provide leadership and encourage community involvement.

Staff Recommendation

Staff recommends that Town Council hold a public hearing on the proposed amendment to the noise ordinance and, after consideration of any testimony received, approve the amendment on second reading.

COUNCIL BILL NO. 18

Series 2025

**AN ORDINANCE AMENDING SECTIONS 5-8-5 AND 5-8-12 OF THE
BRECKENRIDGE TOWN CODE CONCERNING NOISE**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
COLORADO:

Section 1. Section 5-8-5 of the Breckenridge Town Code is hereby amended by deleting the language stricken and adding the language underlined to read as follows:

5-8-5: MAXIMUM PERMISSIBLE NOISE LEVELS; GENERALLY:

It shall be unlawful for any person to operate or permit to be operated any noise source which creates a sound which exceeds the limits set forth below. The sound shall be measured in accordance with the requirements of section 5-8-4 of this chapter. When a noise source can be identified and its noise measured in more than one of the town noise zones, the limits of the most restrictive town noise zone shall apply at the boundaries between the different town noise zones.

MAXIMUM PERMISSIBLE NOISE LEVELS; GENERALLY

Town Noise Zone	7:01 <u>7:01</u> A.M. To Next 10:59 <u>7:00</u> P.M. (In Decibels)	11 7:00 <u>7:00</u> P.M. To Next 7:00 <u>7:00</u> A.M. (In Decibels)
Commercial noise zone	70-60	65 <u>55</u>
Residential noise zone	55	50

Section 2. Section 5-8-12(A) of the Breckenridge Town Code is hereby amended by deleting the language stricken and adding the language underlined to read as follows:

5-8-12: PERMIT TO EXCEED LIMITS; APPEAL:

A. ~~Any person~~ Government entities, non-profit organizations, and lessees, licensees or permittees of property owned or controlled by government entities or non-profit organizations desiring to obtain a permit to exceed the noise levels designated in this chapter may make an application to the town manager. The town manager shall have the authority to grant a permit to exceed the maximum permissible noise levels

1 designated in this chapter in accordance with the provisions of this section. In
2 determining whether to grant a permit under this section, the town manager shall give
3 consideration to: 1) the time of day that the noise is proposed to be created, 2) the
4 duration of the proposed noise, 3) the loudness of the proposed noise relative to the
5 required limits, 4) whether the proposed noise is temporary or continuous in nature,
6 5) the extensiveness of the proposed noise, and 6) the technical and economic
7 feasibility of bringing such proposed noise source into conformance with the
8 provisions of this chapter. The town manager may prescribe any reasonable
9 conditions or requirements on the permit which the town manager deems necessary to
10 minimize the adverse effects upon the community or the surrounding neighborhood,
11 including but limited to, specific decibel limitations, limitations on time(s) and
12 location of the noise source, and equipment limitations or requirements. Any permit
13 granted by the town manager under this section shall be effective only for the location
14 and times designated within the permit, and shall be further subject to such conditions
15 as may be set forth in such permit. There shall be no charge for an application
16 submitted to the town manager under this section.
17

18 Section 3. Except as specifically amended hereby, the Breckenridge Town Code, and the
19 various secondary codes adopted by reference therein, shall continue in full force and effect.
20

21 Section 4. The Town Council hereby finds, determines and declares that this ordinance is
22 necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
23 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants
24 thereof.
25

26 Section 5. This ordinance shall be published and become effective as provided by Section
27 5.9 of the Breckenridge Town Charter.
28

29 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
30 PUBLISHED IN FULL this 28th day of October, 2025. A Public Hearing shall be held at the
31 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 11th day of
32 November, 2025, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
33 Town.
34

35 TOWN OF BRECKENRIDGE, a Colorado
36 municipal corporation
37

38
39
40 By: _____
41 Kelly Owens, Mayor
42
43
44
45
46

1 ATTEST:

2

3

4

5

6 _____
Mae Watson

7 Town Clerk

8

9

10

11 APPROVED:

12

13

14

15 _____
Town Attorney

16

17

18

19

20



Memo

To: Town Council
From: Chris Luberto – Director of Information Technology
Date: 11/04/2025 (for 11/11/2025)
Subject: Comcast Head End Facility Lease (Second Reading)

Town Council Goals (Check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> More Boots & Bikes, Less Cars | <input type="checkbox"/> Leading Environmental Stewardship |
| <input type="checkbox"/> Deliver a Balanced Year-Round Economy | <input type="checkbox"/> Hometown Feel & Authentic Character |
| <input checked="" type="checkbox"/> Organizational Need | |

Summary

Town Council is requested to review and approve a 10-year lease renewal with Comcast Cable Communications Management. Comcast currently leases an approximately 872 square foot structure located at 524 Wellington Road from the Town of Breckenridge. The site houses Comcast’s head end facility, which serves as the primary cable and internet signal distribution hub for the Breckenridge area. There have been no changes since first reading.

Background

The original lease between the Town and Comcast was executed on May 12, 2015, and has now reached the end of its 10-year term. There was a delay in the renewal because the lease renewal was dependent on the renewal of the Comcast Franchise Agreement that was approved by Council on second reading on July 8, 2025. The new head end facility lease establishes a new 10-year term beginning August 1, 2025, and ending July 31, 2035, with updated rent and administrative provisions. The renewed lease maintains the same site footprint and operational purpose, ensuring uninterrupted broadband and cable service to the community.

Public outreach/engagement

There was no public outreach besides the standard Town Council two-hearing approval process. This renewal extends an existing and long-standing lease.

Financial Implications

Under the original 2015 lease, Comcast paid a monthly rent of \$2,500, with annual adjustments of 3%. The 2025 rent per the original lease was \$3,359. The new lease establishes a base monthly rent of \$5,700 beginning August 1, 2025, with annual 5% increases each year through July 31, 2035. This escalation clause represents a significant and appropriate market adjustment to reflect current commercial lease rates for utility and telecommunications infrastructure. The lease ensures continued, stable revenue to the Town over the next decade while supporting Comcast’s critical broadband operations. There is no impact on the current fiscal year budget, and future rent escalations will contribute positively to the Town’s property management revenue projections.

Equity Lens

Comcast’s continued partnership with the Town supports digital equity and community connectivity, ensuring residents, schools, and businesses maintain access to essential broadband and television services. Comcast also continues its

Mission: The Town of Breckenridge protects, maintains, and enhances our sense of community, historical heritage, and alpine environment. We provide leadership and encourage community involvement.

Internet Essentials and Affordable Connectivity Programs, which align with Town goals around inclusion and equitable access to technology.

Staff Recommendation

Staff recommends approval of the new Comcast Cable Communications Lease Agreement for the continued operation of the head end facility. This renewal secures reliable broadband infrastructure for the Town while maintaining consistent lease revenue and compliance with current policy standards.

COUNCIL BILL NO. 19

Series 2025

AN ORDINANCE APPROVING A LEASE WITH COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC FOR A CABLE AND BROADBAND COMMUNICATIONS SIGNAL PROCESSING AND TRANSMISSION FACILITY

WHEREAS, the Town owns a parcel of real property located in Breckenridge, Colorado, known as the Stillson Patch Placer (“Property”); and

WHEREAS, the Town has previously leased a portion of the Property (“Leased Premises”) to Comcast Cable Communications Management, LLC (“Comcast”) for use as a cable and broadband communications signal processing and transmission facility (“Permitted Uses”); and

WHEREAS, the Town and Comcast desire to enter into a new ten (10) year lease of the Leased Premises for the Permitted Uses; and

WHEREAS, Section 1-11-4 of the Breckenridge Town Code requires that leases of Town real property longer than one year must be approved and authorized by ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. Town Council hereby approves the lease between the Town of Breckenridge and Comcast, a copy of which is attached hereto as **Exhibit A**.

Section 2. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 28th day of October 2025. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 11th day of November 2025, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

TOWN OF BRECKENRIDGE, a Colorado
municipal corporation

By: _____
Kelly Owens, Mayor

ATTEST:

Mae Watson
Town Clerk

APPROVED:

Town Attorney

LEASE

THIS LEASE (“Lease”) is made and entered into this ____ day of _____, 2025, between the TOWN OF BRECKENRIDGE, a Colorado municipal corporation (“Landlord”) and COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC, a Delaware limited liability company (“Tenant”).

Landlord hereby leases to Tenant, and Tenant hereby leases from Landlord, the following real property located in the Town of Breckenridge, County of Summit and State of Colorado:

A parcel of land located in a portion of the Blue River Placer M.S. 816, Section 31, Township 6 South, Range 77 West of the 6th Principal Meridian, Summit County, Colorado and being more particularly described as follows:

Commencing at Corner 12 of the Blue River Placer as shown on the Annexation Plat of a portion of the Blue River Placer M.S. 816, Reception No. 221385, a ½ inch rebar with a plastic cap stamped PLS 9939, thence N 75° 25'02" W along the line between said Corner 12 and the Southeast Corner of said Annexation Plat a distance of 207.97 feet to a ½ inch rebar with a broken cap stamped PLS 9939, thence N 18°47'59" W a distance of 346.99 feet to the point of beginning of this description.

Thence N 58°55'26" W a distance of 26.50 feet to a point; Thence N 31°04'34" E a distance of 34.50 feet to a point; Thence S 58°55'26" E a distance of 26.50 feet to a point; Thence S 31°04'34" W a distance of 34.50 feet to the point of beginning.

Containing 0.02 acres, more or less

(the “Leased Premises”, which are depicted on the attached Exhibit “A”, which is incorporated herein by reference)

upon the following terms and conditions:

1. Term.

A. The initial term of this Lease (the “Initial Term”) shall be for ten (10) years and shall commence as of 12:01 A.M., local time, on August 1, 2025 (the “Commencement Date”).

B. Should Tenant remain in possession of the Leased Premises with the consent of Landlord after the natural expiration of this Lease, a new tenancy from month to month shall be created between Landlord and Tenant which shall be subject to all the terms and conditions hereof, but shall be terminable on thirty (30) days’ written notice served by either Landlord or Tenant on the other party.

2. Rent. The monthly rent to be paid by the Tenant for this Lease during the first year of the term shall be Five Thousand Seven Hundred Dollars (\$5,700.00) payable without demand on the first day of each month. The monthly rent shall be increased to reflect the annual

1 cost-of-living adjustment as provided in Paragraph 3. A late charge of five percent (5%) shall be
2 paid on any installment of rent not received by Landlord within five (5) days of the due date. If
3 this Lease commences on any date other than the first day of a month, the rent for the first and last
4 months shall be prorated. The rental for the first month of the term shall be paid within ten (10)
5 business days after the mutual execution and delivery of this Lease.

6 3. Annual Rent Adjustment. On each anniversary date of the Commencement Date of
7 this Lease during the Initial Term, commencing with the first anniversary date in 2026, the monthly
8 rent for the Leased Premises shall be increased by an amount equal to five percent (5%) of the
9 monthly rent paid in the immediately preceding year.

Term	Monthly	Annual
8/1/2025 – 7/31/2026	\$5,700.00	\$68,400.00
8/1/2026 – 7/31/2027	\$5,985.00	\$71,820.00
8/1/2027 – 7/31/2028	\$6,284.25	\$75,411.00
8/1/2028 – 7/31/2029	\$6,598.46	\$79,181.55
8/1/2029 – 7/31/2030	\$6,928.39	\$83,140.63
8/1/2030 – 7/31/2031	\$7,274.80	\$87,297.66
8/1/2031 – 7/31/2032	\$7,638.55	\$91,662.54
8/1/2032 – 7/31/2033	\$8,020.47	\$96,245.67
8/1/2033 – 7/31/2034	\$8,421.50	\$101,057.95
8/1/2034 – 7/31/2035	\$8,842.57	\$106,110.85

10
11

12 4. Use of Leased Premises. The Leased Premises may be used by the Tenant only to
13 provide a location for constructing, maintaining, and operating a cable and broadband
14 communications signal processing and transmission facility together with uses incidental thereto,
15 in accordance with applicable laws. No other use of the Leased Premises shall be made by Tenant
16 without Landlord’s prior written consent, which consent may be withheld in Landlord’s sole and
17 absolute discretion. Tenant shall comply with all the reasonable rules and regulations which the
18 Landlord may make for the protection of the Leased Premises (provided that in the event of any
19 conflict or inconsistency between such rules and regulations and this Lease, the terms of this Lease
20 shall govern) and with all the laws, ordinances, regulations, rules, and orders of appropriate
21 governmental authorities either now in force or hereafter enacted pertaining to police, fire,
22 sanitation, occupancy, and preservation of the Leased Premises during the term of this Lease.
23 Tenant shall not, during the term hereof, maintain, commit, or permit the maintenance or
24 commission of any hazard or nuisance on the Premises.

25 5. Inspection of Leased Premises. Tenant acknowledges that it is aware of the
26 geological and topographical condition of the Leased Premises based upon its occupancy and use
27 of the Leased Premises pursuant to a prior lease. Tenant accepts the Leased Premises in “AS IS”
28 condition without recourse to Landlord for any dangerous conditions, known or unknown.

29 6. Right to Enter. Tenant shall permit Landlord, its agents, employees and contractors,
30 to have access to and to enter the Leased Premises at all reasonable and necessary times to inspect

HEAD END FACILITY LEASE

1 the Leased Premises for any purpose connected with the repair, improvement, care and
2 management of the Leased Premises, or for any other purpose reasonably connected with
3 Landlord's interest in the Leased Premises, and to perform any such work or other act found
4 necessary on such inspection; provided that such inspection shall not unreasonably interfere with
5 Tenant's use of the Leased Premise and Landlord shall indemnify and hold Tenant harmless from
6 any damage or personal injury resulting from Landlord's inspection of the Leased Premise.

7 7. Surrender of Leased Premises; Removal of Tenant's Property. At the end of the
8 term of this Lease (whether by the natural expiration of the term of this Lease or the earlier
9 termination of this Lease as herein provided) Tenant shall surrender the Leased Premises to the
10 Landlord in as good a condition as existed at the time of the commencement of this Lease, normal
11 wear and tear excepted. At the end of the term of this Lease Tenant shall remove its property from
12 the Leased Premises. Any property of Tenant's not removed from the Leased Premises by Tenant
13 at the expiration of this Lease shall be considered abandoned and Landlord shall have the right
14 (but not the duty), without any notice to Tenant, to sell or otherwise dispose of the same at the
15 expense of the Tenant and shall not be accountable to the Tenant for any part of the proceeds of
16 such sale, if any.

17 8. Parking. Use of any parking area provided by the Landlord for the Leased Premises
18 shall be governed by such rules and regulations as may be made from time to time by Landlord.
19 The use of any such parking area by Tenant shall be at Tenant's risk and with the understanding
20 and agreement that Landlord shall not be liable for personal injury therein or loss of or damage to
21 property thereon. No overnight parking of Tenant's vehicles shall be permitted.

22 9. Alterations and Improvements. Tenant shall make no structural alterations to the
23 Leased Premises or construct any building or make other exterior or structural improvements to
24 the Leased Premises without the prior written consent of Landlord, which consent shall not be
25 unreasonably withheld, conditioned, or delayed. Tenant may make non-structural alterations or
26 improvements to the Leased Premises without the Landlord's consent. Landlord hereby approves
27 all alterations and improvements constructed on the Leased Premises by Tenant or Tenant's
28 predecessors prior to the Commencement Date. All alterations, changes and improvements built,
29 constructed or placed on the Leased Premises by Tenant, with the exception of fixtures removable
30 without damage to the Leased Premises, and Tenant's moveable personal property shall, unless
31 otherwise provided by written agreement between Landlord and Tenant, become the property of
32 the Landlord and remain on the Leased Premises at the expiration or sooner termination of this
33 Lease.

34 10. Maintenance and Snow Plowing. During the term of this Lease, Tenant, at Tenant's
35 sole expense, shall keep the Leased Premises in a neat and clean condition and provide all required
36 maintenance, snow plowing and snow removal necessary to allow the Leased Premises to be used
37 by Tenant for the uses described in Paragraph 7.

38 11. Utilities. Tenant shall initiate, contract for, and pay the cost of obtaining, in its sole
39 name, all utility services required by Tenant on the Leased Premises, and Tenant shall pay all
40 charges for such services as they become due. Without limiting the generality of the foregoing,
41 Tenant shall continue to have a separate electric meter installed and maintained at the Leased
42 Premises.

HEAD END FACILITY LEASE

1 12. Trash Removal. Tenant shall pay the cost of any trash removal required in
2 connection with its use of the Leased Premises.

3 13. Hazardous Materials. Tenant shall not store or permit the storage on the Leased
4 Premises of any type of hazardous or similar material which is regulated by federal, state or local
5 regulation, except strictly in accordance with all applicable laws and regulations.

6 14. Damage to Premises. If the Leased Premises should be damaged, regardless of
7 cause, to the extent that Tenant cannot operate, Tenant shall have the right to either rebuild or
8 repair the Leased Premises at its cost and continue this Lease or terminate this Lease by giving
9 Landlord written notice.

10 15. Insurance.

11 A. Tenant shall procure and maintain general liability insurance with
12 minimum combined single limits of not less than One Million One Hundred and Ninety Five
13 Thousand Dollars (\$1,195,000) or an amount equal to the statutory damages cap under the
14 Colorado Governmental Immunity Act, as amended from time to time by the Colorado
15 Secretary of State. Such coverage shall be procured and maintained with insurers reasonably
16 acceptable to the Landlord and rated A - VII by AM Best. Such coverage shall be continuously
17 maintained to cover all liability, claims, demands, and other obligations assumed by Tenant
18 pursuant to this Lease. In the case of any claims-made policy, the necessary retroactive
19 damages and extended reporting periods shall be procured to maintain such continuous
20 coverages.

21 B. The policy required by Paragraph (A), above, shall be endorsed to
22 include the Landlord as an additional insured, which may be achieved through a blanket
23 additional insured endorsement. Such policy shall be primary insurance, and any insurance
24 carried by Landlord, its officers, or its employees, or carried by or provided through any
25 insurance pool of which Landlord is a member, shall be excess and not contributory insurance
26 to that provided by Tenant, but only with respect to losses for which Tenant is responsible
27 hereunder. Tenant shall be solely responsible for any deductible losses under the policy
28 required above.

29 C. A certificate of insurance shall be completed by Tenant's insurance
30 agent and provided to the Landlord as evidence that a policy providing the required coverage,
31 conditions, and minimum limits is in full force and effect and shall be reviewed and approved
32 by Landlord prior to commencement of the term of this Lease. The certificate shall identify
33 this Lease and shall provide that the coverage afforded under the policy shall not be cancelled
34 until at least thirty (30) days' prior written notice has been given to Landlord. The completed
35 certificate of insurance shall be sent to:

36 Town Clerk
37 Town of Breckenridge
38 150 Ski Hill Road
39 P.O. Box 168
40 Breckenridge, CO 80424

HEAD END FACILITY LEASE

1
2 D. Notwithstanding any other portion of this Lease, failure on the part of
3 Tenant to procure or maintain policies providing the required coverage, conditions, and
4 minimum limits, or to provide the required additional insured policy endorsement, shall
5 constitute a material breach of this Lease for which Landlord may immediately terminate this
6 Lease.

7 16. Indemnification. Tenant agrees to indemnify and hold harmless Landlord, its
8 officers, and employees from and against all liability, claims, and demands, on account of injury,
9 loss, or damage, including without limitation claims arising from bodily injury, personal injury,
10 sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which
11 occur on the Leased Premises and which arise out of or are in any manner connected with Tenant's
12 occupancy or use of the Leased Premises pursuant to this Lease. Tenant agrees to investigate,
13 handle, respond to, and to provide defense for and defend against any such liability, claim, or
14 demand at the sole expense of Tenant. Tenant also agrees to bear all other costs and expenses
15 related thereto, including court costs and reasonable attorney's fees. Tenant's indemnification
16 obligation shall not extend to any damages arising out of the gross negligence or intentional acts
17 of Landlord, its employees or agents. As to any indemnification required hereunder, Tenant shall
18 have the right to choose qualified counsel to defend Landlord, and Tenant shall have full settlement
19 authority.

20 17. Liens. Tenant shall not permit the creation of any type of lien upon the Leased
21 Premises, including, but not limited to a mechanic's or materialmen's lien. The indemnification
22 provisions of Paragraph 19 of this Lease shall apply to any such lien. If, because of any act or
23 omission of Tenant, and resulting from Tenant's work on the Leased Premises, any mechanic's or
24 other lien, charge or order for the payment of money shall be filed against the Leased Premises,
25 Tenant shall, at its own cost and expense, cause the same to be discharged of record or bonded
26 within ninety (90) days from the filing of such lien.

27 18. Taxes.

28 A. Taxes Defined. As used in this Lease, the term "taxes" shall mean all
29 personal property and real property taxes that may be levied, assessed or imposed arising out of
30 Tenant's occupancy and use of the Leased Premises pursuant to this Lease.

31 B. Possessory Interests. Pursuant to Section 39-3-105, C.R.S., all real or
32 personal property owned by Landlord is exempt from taxation. However, the parties acknowledge
33 that Tenant's occupancy and use of the Leased Premises pursuant to this Lease may be deemed to
34 be a taxable possessory interest.

35 C. Tenant To Pay Taxes. Any taxes lawfully assessed arising from Tenant's
36 occupancy and use of the Leased Premises pursuant to this Lease shall be paid by Tenant, and
37 Tenant shall indemnify and hold Landlord harmless from any such taxes. Any taxes due arising
38 from Tenant's occupancy and use of the Lased Premises pursuant to this Lease shall be paid by
39 Tenant in a timely manner. Prior to the last day for payment of such taxes without penalty or
40 interest, Tenant shall provide to Landlord a photostatic copy of the receipt(s) or cancelled check(s)
41 showing payment of the taxes. Tenant may pay any taxes in installments if permitted by law.

HEAD END FACILITY LEASE

1 D. Tenant's Right to Contest Taxes. In the event Tenant is liable for the
2 payment of any taxes arising from Tenant's occupancy and use of the Leased Premises pursuant
3 to this Lease, Tenant shall have the right, at Tenant's sole expense, to contest any such taxes by
4 the commencement and prosecution, in good faith and with due diligence, of appropriate legal
5 proceedings; provided that Tenant makes timely payment of such taxes if Tenant loses the contest.
6 Tenant shall advise Landlord prior to instituting any such contest and shall as a condition of
7 exercising such right provide Landlord such reasonable assurance as it may request that such
8 contest shall be in compliance with the provisions of this Paragraph. Landlord, at Tenant's sole
9 cost and expense, shall reasonably cooperate with Tenant in any such contest, may join in the
10 contest, and shall execute and deliver such documents and instruments as may be necessary or
11 appropriate for prosecuting an effective contest.

12 19. Right to Relocate Tenant's Head End Facility. Landlord shall have the right, at its
13 sole cost and expense, to relocate Tenant's head end facility from the Leased Premises to another
14 site similar in size, location and suitability for Tenant's technical requirements (i.e., location,
15 altitude, etc.) which is reasonably acceptable to Tenant. Landlord shall give Tenant not less than
16 one hundred eighty (180) days' notice prior to such relocation. Such relocation shall be done in
17 such a manner as to minimize any disruption in Tenant's business operations. If Tenant finds the
18 proposed relocated site reasonably unacceptable, Tenant shall not be relocated. Landlord shall
19 waive any development fees required as a result of such relocation. In the event of such relocation,
20 an Amendment to this Lease shall be executed by Landlord and Tenant describing the replacement
21 property for this Lease.

22 20. Landlord hereby grants to Tenant during the term of this Lease, the right to install,
23 access and maintain an emergency generator and related above-ground fuel storage tank
24 (collectively, the "Generator Equipment") in order to provide a source of emergency power for
25 Tenant's operations at the Premises. Tenant shall be responsible for compliance with all laws
26 applicable to the installation, maintenance, use and removal of the Generator Equipment. Tenant
27 will immediately report to Landlord any spill or release of fuel or hazardous substances and any
28 citations or notices of violation and will provide Landlord with copies thereof. Such notification
29 will not relieve Tenant from its obligations to notify governmental agencies. Any cleanup or
30 remediation of any spill or release with respect to the Generator Equipment required by any
31 governmental agency will be completed by Tenant in accordance with all applicable laws.
32 Landlord may make periodic inspections to ensure regulatory compliance and the proper
33 operation, maintenance and repair of the Generator Equipment. Tenant shall give to Landlord
34 notice of any notices which Tenant receives from third parties that any of the Generator Equipment
35 is or may be in violation of any law. Tenant shall pay all taxes of any kind or nature whatsoever
36 levied upon the Generator Equipment and all licensing fees, franchise taxes and other charges,
37 expenses and other costs of any nature whatsoever relating to the construction, ownership,
38 maintenance and operation of the Generator Equipment. Within ten (10) days after expiration or
39 termination of this Lease, Tenant, at Tenant's sole cost and expense, shall remove any Generator
40 Equipment installed hereunder.

41 21. Tenant Default. Tenant shall be in default under this Lease if Tenant fails to comply
42 with any of the terms, provisions or covenants of this Lease within ten (10) days following service
43 of a demand for compliance notice by Landlord in accordance with Colorado law; provided,
44 however, as to any non-monetary default not capable of being cured within ten (10) days following

HEAD END FACILITY LEASE

1 service of a demand for compliance notice, Tenant shall not be in default if it commences
2 correcting the non-monetary default within ten (10) days of service of the demand for compliance
3 notice and thereafter corrects the default with due diligence.

4 22. Landlord's Remedies upon Default. If the Tenant is in default under this Lease,
5 Landlord shall have all of the remedies provided for in such circumstances by Colorado law,
6 including without limitation, the right to terminate this Lease by written notice to Tenant, in which
7 event Tenant shall immediately surrender the Leased Premises to Landlord and, if Tenant fails to
8 do so, Landlord may, without prejudice to any other remedy which it may have for possession or
9 arrearages in rent, enter upon and take possession of the Leased Premises and expel or evict Tenant
10 and any other person who may be occupying the Leased Premises or any part thereof, by force if
11 necessary, without being liable for any claim for damages therefore.

12 23. Landlord's Default. Landlord shall be in default under this Lease if Landlord fails
13 to comply with any of the terms, provisions or covenants of this Lease within ten (10) days
14 following service of a notice by Tenant; provided, however, as to any non-monetary default not
15 capable of being cured within ten (10) days following service of the notice, Landlord shall not be
16 in default if it commences correcting the non-monetary default within ten (10) days of service of
17 the notice and thereafter corrects the default with due diligence.

18 24. Tenant's Remedies upon Default. If the Landlord is in default under this Lease,
19 Tenant shall have all of the remedies provided for in such circumstances by Colorado law.

20 25. No Waiver of Governmental Immunity. The parties hereto understand and agree
21 that Landlord is relying on, and does not waive or intend to waive by any provision of this Lease,
22 the monetary limitations or any other rights, immunities, and protections provided by the Act, as
23 from time to time amended, or any other limitation or defense otherwise available to Landlord, its
24 officers, or its employees.

25 26. Waiver. The waiver by Landlord or Tenant of any breach of any term, covenant, or
26 condition herein contained shall not be deemed to be a waiver of any other term, covenant, or
27 condition of this Lease, or of any subsequent breach of the same or any other term, covenant, or
28 condition herein contained. The subsequent acceptance of rent hereunder by Landlord shall not be
29 deemed to be a waiver of any preceding breach by Tenant of any term, covenant, or condition of
30 this Lease, regardless of Landlord's knowledge of such preceding breach at the time of acceptance
31 of such rent. A waiver of Landlord or Tenant of any of its rights hereunder shall be valid and
32 binding only if contained in a written instrument signed by Landlord or Tenant, as applicable.
33 Tenant expressly recognizes Landlord's right to compensation for the use of the Leased Premises,
34 whether characterized as rent or damages, and acceptance of rent during Tenant's occupation shall
35 not constitute a waiver of any breach, even if accepted after notice of termination or institution of
36 court proceedings.

37 27. Non-liability of Landlord. Tenant hereby releases Landlord, and the
38 representatives, agents, attorneys and employees of Landlord, from any and all liability for any
39 injury or damage to Tenant, or to Tenant's property located on or about the Leased Premises ,
40 resulting from any cause whatsoever, except injury or damage resulting from the gross negligence

1 or the willful or intentional act of Landlord, or the representatives, agents, attorneys and employees
2 of Landlord.

3 28. Attorney's Fees and Costs. If any action is brought in a court of law by either party
4 to this Lease concerning the enforcement, interpretation or construction of this Lease, the
5 prevailing party, either at trial or upon appeal, shall be entitled to reasonable attorney's fees as
6 well as reasonable costs, including expert witness's fees, incurred in the prosecution or defense of
7 such action. Tenant shall further reimburse Landlord for its attorneys' fees incurred in connection
8 with the preparation of this Lease, in an amount not to exceed \$3,000.00, within thirty (30) days
9 after receipt of a copy of Landlord's attorney's invoice.

10 29. Intentionally deleted

11 30. Assignment and Sublease. Tenant shall not sublet the Leased Premises or any part
12 thereof, or assign this Lease, or any part hereof, or grant any concession or license to use the
13 Leased Premises or any part thereof, without the prior written consent of the Landlord, which
14 consent may be withheld in Landlord's sole and absolute discretion. An assignment of this Lease
15 resulting from the:

- 16 i. merger of Tenant with another business entity;
- 17 ii. acquisition of Tenant by another business entity; or
- 18 iii. transfer of the Lease to another business entity controlled by Tenant or
19 a parent, subsidiary, or affiliate of Tenant,

20 shall be deemed a permitted assignment not requiring Landlord's prior consent.

21
22 31. Notices. Any notices required or permitted hereunder shall be sufficient if
23 personally delivered or if sent by certified mail, return receipt requested, or by nationally
24 recognized overnight courier service, addressed as follows:

25 If to Landlord: Town Manager
 26 Town of Breckenridge
 27 150 Ski Hill Road
 28
 29 Breckenridge, CO 80424

30
31 WITH A COPY (WHICH SHALL NOT CONSTITUTE NOTICE) TO:

32 _____
 33 _____
 34 _____
 35 _____

36 If to Tenant: Comcast Cable Communications Management, LLC
 37 9401 E. Panorama Circle
 38 Centennial, CO 80112
 39 Attention: Director of Real Estate
 40

1 WITH A COPY (WHICH SHALL NOT CONSTITUTE NOTICE) TO:

2
3 Comcast Cable Communications, LLC
4 One Comcast Center
5 1701 John F. Kennedy Boulevard
6 Philadelphia, PA 19103-2838
7 Attn: Real Estate Counsel
8

9 And with copies sent by email to:

10
11 Real_estate@cable.comcast.com
12 Legal_notices@comcast.com
13

14 Notices mailed in accordance with the provisions of this Paragraph shall be effective on the fifth
15 calendar day following mailing or on the first business day following submission to a nationally
16 recognized overnight courier service. Notices personally delivered shall be effective upon
17 delivery. Nothing herein shall prohibit the giving of notice in the manner provided for in the
18 Colorado Rules of Civil Procedure for service of civil process. E-mail is not a valid means of
19 giving notice under this Lease.
20

21 32. Time of Essence. Time is of the essence of this Lease.

22 33. No Partnership. Notwithstanding anything contained in this Lease to the contrary,
23 it is expressly understood and agreed that the Landlord shall not be construed or held to be a
24 partner, associate or joint venturer of Tenant in the conduct of its business.

25 34. Third Parties. This Lease does not, and shall not be deemed or construed to, confer
26 upon or grant to any third party (except a party to whom the Tenant may assign this Lease in
27 accordance with the terms hereof) any right to claim damages or to bring suit, action or other
28 proceeding against the Landlord because of any breach hereof or because of any of the terms,
29 covenants, agreements and conditions herein.

30 35. Complete Agreement. It is understood and agreed that this Lease contains the
31 complete and final expression of the agreement between the parties as to the subject matter of this
32 Lease and that there are no promises, representations, or inducements except as are herein set forth.

33 36. Modification. This Lease may be modified or amended only by a duly authorized
34 written instrument executed by the parties hereto. Oral amendments to this Lease are not permitted.

35 37. Applicable Law. This Lease shall be interpreted in all respects in accordance with
36 the laws of the State of Colorado without regard to its conflict of laws principles.

37 38. Forum Selection. The parties agree to the jurisdiction and venue of the state courts
38 of Summit County, Colorado in connection with any litigation arising out of or in any manner
39 connected with this Lease.

HEAD END FACILITY LEASE

1 39. Waiver of Right to Jury Trial. BOTH PARTIES WAIVE THE RIGHT TO A JURY TRIAL
2 IN CONNECTION WITH ANY LITIGATION ARISING OUT OF OR IN ANY MATTER CONNECTED WITH
3 THIS LEASE.

4 40. Counterparts. This Lease may be executed simultaneously in two or more
5 counterparts, each of which shall be considered an original for all purposes and all of which
6 together shall constitute but one and the same instrument.

7 41. Paragraph Headings. Paragraph headings are inserted for convenience only and in
8 no way limit or define the interpretation to be placed upon this Lease.

9 42. No Recording. This Lease **SHALL NOT BE RECORDED** in the real property records
10 of the Clerk and Recorder of Summit County, Colorado.

11 43. Binding Effect. This Lease shall be binding upon, and shall inure to the benefit of,
12 the parties and their respective successors and permitted assigns.

13 Landlord Authority. The execution of this Lease by Landlord was authorized by Ordinance No.
14 _____ Series 2025 , adopted by the Town Council of the Town of Breckenridge
15 on _____, 2025.

16
17 LANDLORD:

18
19 TOWN OF BRECKENRIDGE, a Colorado
20 municipal corporation
21

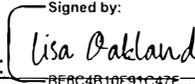
22
23
24
25 _____
26 Shannon B. Haynes, Town Manager

27 ATTEST:

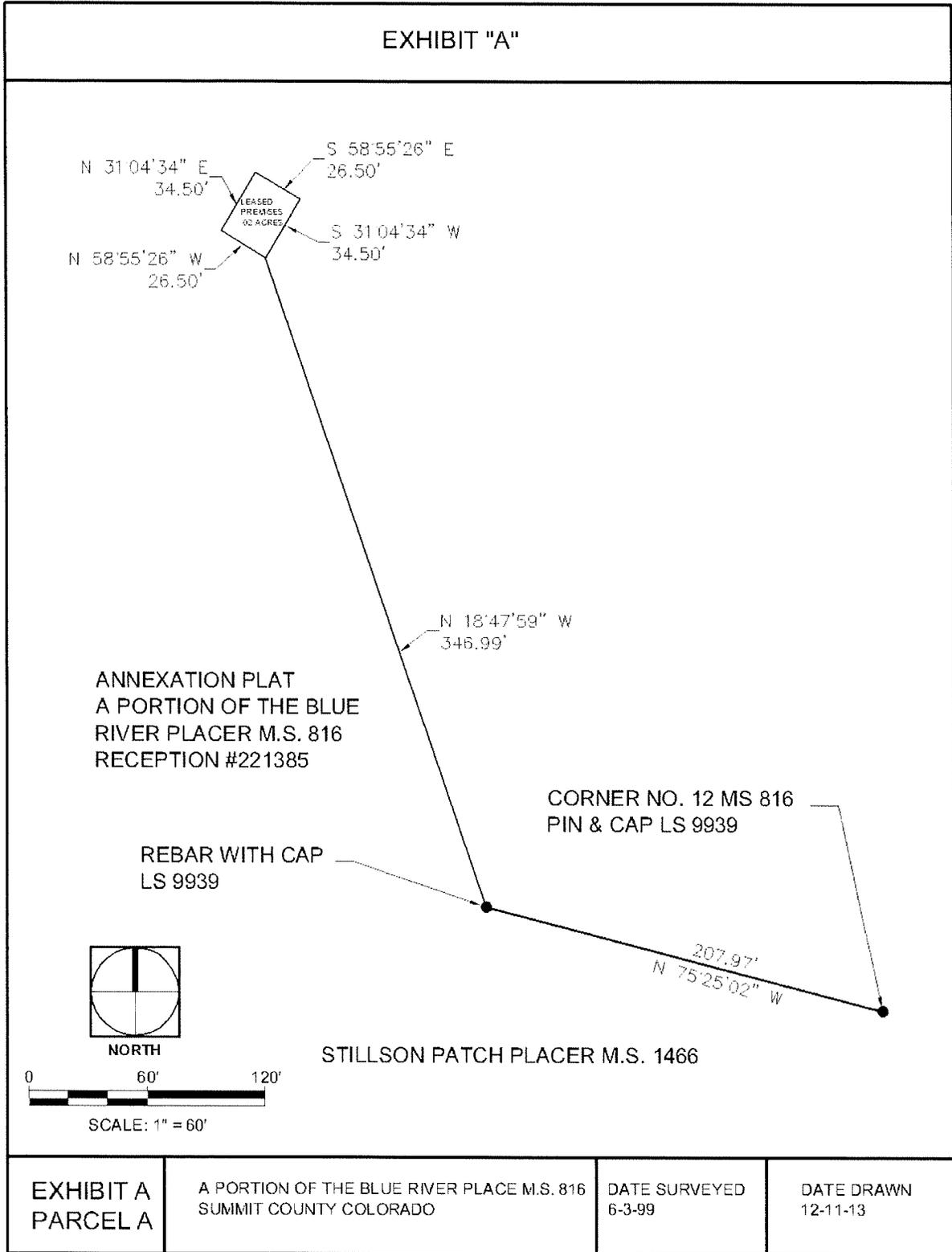
28
29
30 _____
31 Town Clerk

32
33 TENANT:

34
35 COMCAST CABLE COMMUNICATIONS
36 MANAGEMENT, LLC
37

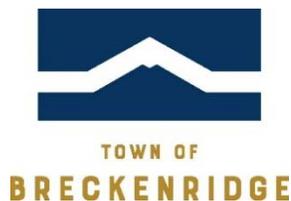
38
39 By:  Signed by:
40 Name: Lisa Oakland
41 Title: Vice President Real Estate/Facilities/PMO
42

HEAD END FACILITY LEASE



1

HEAD END FACILITY LEASE



Memo

To: Town Council
From: Pamela Ness, Revenue Manager
Date: November 3rd, 2025 (for the November 11, 2025 meeting)
Subject: 2026 Property Tax Mill Levy

Town Council Goals (Check all that apply)

- | | | | |
|-------------------------------------|---------------------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | More Boots & Bikes, Less Cars | <input type="checkbox"/> | Leading Environmental Stewardship |
| <input checked="" type="checkbox"/> | Deliver a Balanced Year-Round Economy | <input type="checkbox"/> | Hometown Feel & Authentic Character |
| <input checked="" type="checkbox"/> | Organizational Need | | |

Summary

Attached, please find the ordinance setting the 2026 mill levy within the Town of Breckenridge at 5.07 mills. The ordinance is submitted for second reading.

Background

The 5.07 mill levy is the amount the Town is authorized to impose and, according to state law, cannot be increased without an election. This same mill rate has been consistently applied within the Town since 2014. For the 2026 budget year, we are forecasting the 5.07 mill levy to result in property tax revenues of \$5.3M.

Town Council Goals

The proposed mill levy is a critical tool to help achieve Town Council's long-term goals. By securing additional funding, we can invest in key areas such as infrastructure, public safety, housing, and sustainability, which aligns with our commitment to responsible stewardship of resources. This levy supports the Council's vision of a thriving, resilient community by addressing current and future needs, and ensuring that the Town remains a place where residents can live, work, and prosper. Through this measure, we can meet today's challenges while planning for tomorrow's opportunities, in line with our core values of adaptability, innovation, and integrity.

Financial Implications

The 5.07 mills are for the purpose of defraying the expenses of the General Fund.

Equity Lens

As we consider the mill levy proposal, we are mindful of our commitment to fostering a community that values diversity, equity, and inclusion. This initiative aligns with our core values by ensuring that all residents, regardless of background or socioeconomic status, can benefit from the enhanced services funded by the mill levy. By prioritizing equitable resource distribution and inclusive decision-making, we aim to strengthen our community fabric and create opportunities for all to thrive. This commitment will guide both the planning and implementation phases, ensuring that no group is left behind.

Staff Recommendation

We recommend that Town council approve the mill levy at 5.07 mills on second reading.

Mission: The Town of Breckenridge protects, maintains, and enhances our sense of community, historical heritage, and alpine environment. We provide leadership and encourage community involvement.

COUNCIL BILL NO. 20

Series 2025

**AN ORDINANCE SETTING THE MILL LEVY WITHIN
THE TOWN OF BRECKENRIDGE FOR 2026**

WHEREAS, the Town Council of the Town of Breckenridge has determined that a mill levy of 5.07 mills upon each dollar of the assessed valuation of all taxable property within the Town of Breckenridge is needed to balance the 2026 Town budget.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. For the purpose of defraying the expense of the General Fund of Breckenridge, Colorado for the fiscal year 2026, there is hereby levied a tax of 5.07 mills upon each dollar of assessed valuation for all taxable property within the Town of Breckenridge.

Section 2. The Town Clerk is authorized and directed, after adoption of the budget by the Town Council, to certify to the Board of County Commissioners of Summit County, Colorado, the tax levies for the Town of Breckenridge, Colorado as herein set forth.

Section 3. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 28th day of October 2025. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 11th day of November 2025, at 7:00 p.m., or as soon thereafter as possible.

ATTEST:

TOWN OF BRECKENRIDGE

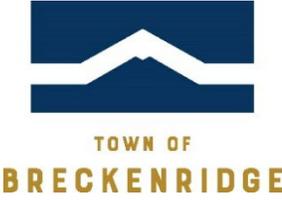
Mae Watson, Town Clerk

Kelly Owens, Mayor

APPROVED AS TO FORM

Town Attorney

Date



Memo

To: Town Council
From: Rick Fout, Chief Building Official & Philip Sweet, Deputy Building Official
Date: November 5, 2025 (for the first reading on 11/11/25)
Subject: 2024 ICC Code Amendments Ordinance First Reading

Town Council Goals (Check all that apply)

- | | | | |
|-------------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> | More Boots & Bikes, Less Cars | <input checked="" type="checkbox"/> | Leading Environmental Stewardship |
| <input type="checkbox"/> | Deliver a Balanced Year-Round Economy | <input type="checkbox"/> | Hometown Feel & Authentic Character |
| <input checked="" type="checkbox"/> | Organizational Need | | |

Summary

A work session was held on October 28th, 2025, to familiarize the Council with the series of updated building codes proposed to be adopted before the end of 2025. A memo with a summary sheet of important changes and more detailed explanation sheets were included as attachments to that memo. Attached to this memo is the full ordinance with all of the proposed amendments included.

Background

The Town of Breckenridge typically adopts a new series of building codes once every six years. We are currently using the 2018 versions of the International Code Council (ICC) codes, along with a few national, state, and local codes. Listed below are the codes that are proposed for re-adoption/adoption. Codes A through L are proposed for re-adoption, codes M and N are proposed for first-time adoption.

- (A) The 2024 International Building Code
- (B) The 2024 International Residential Code
- (C) The 2024 international Plumbing Code
- (D) The 2024 International Mechanical Code
- (E) The 2024 International Fuel Gas Code
- (F) The 2024 International Existing Building Code
- (G) The 2024 International Fire Code
- (H) The ICC A117.1-2017 Accessible and Usable Buildings and Facilities Code
- (I) The 2024 International Swimming Pool and Spa Code
- (J) The 2023 National Electric Code
- (K) The 2006 ICC Electrical Code
- (L) The 1997 Uniform Code for the Abatement of Dangerous Buildings
- (M) The 2025 Colorado Wildfire Resiliency Code
- (N) The 2025 Summit County Aquatic Health Code

Re-adopting/adopting these codes above and their proposed changes will help further the Town’s sustainability efforts. For instance, code D requires that new mechanical systems have more energy conserving features than

Mission: The Town of Breckenridge protects, maintains, and enhances our sense of community, historical heritage, and alpine environment. We provide leadership and encourage community involvement.

what was required by the 2018 codes. Code C, E, I and J have similarly increased energy conservation requirements. Code M achieves higher sustainability standards through increased durability requirements (e.g., the hardening of structures, etc.).

Public outreach/engagement

Breckenridge’s Building Division, in collaboration with our Mobility and Sustainability Division, held six open houses earlier this year. The main focus of these open houses was the new energy code. However, staff also covered the other code re-adoptions/adoptions (listed above) that would also need to be completed by the end of the year.

Financial Implications

Some of the proposed code amendments will result in additional construction costs for builders and homeowners. The proposed fire sprinkler requirements for all homes 4,500 square feet or greater (currently 6,000 sq. ft. or greater) will result in increased costs of approximately \$27,000 for fire sprinkler installation (4,500 sq. ft. x approx. \$6 a sq. ft). The increased wind and snow load requirements for our climate zone could add moderately to the construction costs on some ceilings and roofs. Most other changes to the codes are not expected to have significant financial implications for construction.

Equity Lens

Related to the Town’s Equity Blueprint and corresponding Equity Lens, the adoption of the 2024 ICC library of I-Codes, is neutral as it provides minimal requirements, with some area driven amendments, to safeguard the public health, safety, welfare and energy efficiency of new and existing buildings and structures.

Staff Recommendation

Staff recommends that Council approve the attached ordinance with its proposed amendments at the first reading.

1
2 COUNCIL BILL NO. ____
3

4 Series 2025
5

6 AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 1 OF
7 TITLE 8 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE BUILDING
8 CODES OF THE TOWN OF BRECKENRIDGE; ADOPTING BY REFERENCE AND
9 AMENDING: THE INTERNATIONAL BUILDING CODE, 2024 EDITION INCLUDING
10 APPENDIX P; THE INTERNATIONAL RESIDENTIAL CODE, 2024 EDITION,
11 INCLUDING APPENDIX BE AND BG; THE INTERNATIONAL PLUMBING CODE, 2024
12 EDITION INCLUDING APPENDIX C; THE INTERNATIONAL MECHANICAL CODE,
13 2024 EDITION, INCLUDING APPENDIX A; THE INTERNATIONAL FUEL GAS CODE,
14 2024 EDITION, INCLUDING APENDIX A AND B; THE INTERNATIONAL ENERGY
15 CONSERVATION CODE, 2024 EDITION; THE INTERNATIONAL EXISTING BUILDING
16 CODE, 2024 EDITION;
17 THE INTERNATIONAL POOL AND SPA CODE, 2024 EDITION; THE NATIONAL
18 ELECTRICAL CODE, 2023 EDITION; THE ICC ELECTRICAL CODE –
19 ADMINISTRATIVE PROVISIONS, 2006 EDITION; THE UNIFORM CODE FOR THE
20 ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION; THE COLORADO
21 WILDFIRE RESILIENCY CODE, 2025 EDITION; THE COLORADO MODEL ELECTRIC
22 READY AND SOLAR READY CODE, 2023 EDITION; ADOPTING BY REFERENCE
23 WITHOUT AMENDMENTS THE INTERNATIONAL FIRE CODE, 2024 EDITION,
24 INCLUDING APPENDICES B THROUGH Q AND THE ICC A117.1-2017 STANDARD FOR
25 ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES, 2017 EDITION.
26

27 WHEREAS, the Town of Breckenridge previously adopted Ordinance 2019-38, which
28 adopted with amendments certain codes of the 2018 building code series published by the
29 International Code Council; and
30

31 WHEREAS, the Town of Breckenridge also adopted an energy conservation code which
32 has since been repealed and replaced by Ordinance 2025-14, which is scheduled to go into effect
33 concurrently with the adoption of the other 2024 codes under this ordinance; and
34

35 WHEREAS, the Town of Breckenridge now wishes to repeal the codes listed herein and
36 adopt, with amendments, the 2024 editions of certain codes published by the International Code
37 Council as well as other specified codes.
38

39 NOW, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
40 BRECKENRIDGE, COLORADO:
41

BUILDING CODES ORDINANCE

- 1
2 A. The Town is authorized by law to set fees for permits issued under the Town’s building
3 and other technical codes.
- 4 B. The Building Division of the Department of Community Development is the primary
5 Town department charged with the duty to process permit applications under the Town’s
6 building and other technical codes, but other Town departments and personnel, such as the
7 Engineering Department, expend time in connection with the review of such applications.
8 The time expended by all Town personnel in reviewing such applications are part of the
9 present operational cost and future expansion of the Building Division of the Department
10 of Community Development. Such costs are part of the overall costs required to operate
11 such Department.
- 12 C. On occasion the Town incurs additional out-of-pocket expenses in connection with the
13 review of an application for a permit under the Town’s building and other technical codes.
14 Such expenses may include, without limitation, fees paid by the Town to the Town
15 Attorney and/or fees paid by the Town to special counsel or special consultants. Such fees
16 are part of the overall costs required to process the permit application for which they were
17 incurred.
- 18 D. Pursuant to Bainbridge, Inc. v. The Board of County Commissioners of Douglas County,
19 964 P.2d 575 (Colo. App. 1998) the application fees that may lawfully be charged by the
20 Town for permits under the Town’s building and other technical codes may include both
21 the direct and indirect costs of operating the Building Division of the Town’s Department
22 of Community Development, as well as the other Town departments and personnel which
23 assist in the review of permit applications.
- 24 E. The permit fees established in this Chapter are approximately required to offset the direct
25 and indirect costs of operating the Building Division of the Department of Community
26 Development and the cost to the Town of actually processing building permit applications.
- 27 F. The application fees for Building Permits and Plan Reviews established by this Chapter do
28 not exceed the direct and indirect costs of operating the Department of Community
29 Development and the cost to the Town of actually processing permit applications.
- 30 **8-1-3: STANDARD CODES ADOPTED BY REFERENCE:** The following standard codes,
31 as hereinafter amended, are adopted by reference as part of the Town of Breckenridge Building
32 Code:
33
- 34 A. International Building Code, 2024 Edition, including Appendix P, published by the
35 International Code Council, Inc.

BUILDING CODES ORDINANCE

- 1 B. International Residential Code, 2024 Edition, including Appendix BE and BG, published
2 by the International Code Council, Inc.
- 3 C. International Plumbing Code, 2024 Edition, including Appendix C, published by the
4 International Code Council, Inc.
- 5 D. International Mechanical Code, 2024 Edition, including Appendix A, published by the
6 International Code Council, Inc.
- 7 E. International Fuel Gas Code, 2024 Edition, including Appendix A and B, published by the
8 International Code Council, Inc.
- 9 F. International Energy Conservation Code, 2024 Edition, published by the International
10 Code Council, Inc.
- 11 G. International Existing Building Code, 2024 Edition, published by the International Code
12 Council, Inc.
- 13 H. International Fire Code, 2024 Edition, including Appendices B, C, D, E, F, G, H, I, J, K,
14 L, M, N, O, P, and Q published by the International Code Council, Inc.
- 15 I. ICC A117.1-2017 Standard for Accessible and Usable Buildings and Facilities, 2017
16 Edition, published by the International Code Council, Inc.
- 17 J. International Pool and Spa Code, 2024 Edition, published by the International Code
18 Council, Inc.
- 19 K. National Electrical Code, 2023 Edition, published by the National Fire Protection
20 Association.
- 21 L. ICC Electrical Code – Administrative Provisions, 2006 Edition, published by the
22 International Code Council, Inc.
- 23 M. Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the
24 International Conference of Building Officials.
- 25 L. Colorado Wildfire Resiliency Code, 2025 Edition, published by
26 the Colorado Department of Public Safety, Division of Fire Prevention and Control.
27
- 28 M. Colorado Model Electric Ready and Solar Ready Code, 2023 Edition, published by the
29 Colorado Department of Local Affairs.
- 30 N. Summit County Aquatic Health Code, 2025 Edition, based on the 4th Edition Model

BUILDING CODES ORDINANCE

1 Aquatic Health Code, published by the Centers for Disease Control.

2 **8-1-4: AMENDMENTS TO THE INTERNATIONAL BUILDING CODE:** The following
3 sections of the International Building Code, 2024 Edition, are amended to read as follows:
4

5 1. **Section 101.1** **Title** is amended to read as follows:

6 **101.1 Title.** These regulations shall be known as “The TOWN OF BRECKENRIDGE
7 BUILDING CODE” herein after referred to as “this code.”

8 2. **Section 101.4.3** **Plumbing** is amended by deleting the last sentence that references the
9 *International Private Sewage Disposal Code*.

10 3. **Section 101.4.4** **Property Maintenance** is deleted in its entirety.

11 4. **Section 102.6** **Existing Structures** is amended by removing the reference to the
12 *International Property Maintenance Code*.

13 5. **Section 103.2** **Appointment** is amended to read as follows:

14 **103.2 Building Official.** The Building Official is hereby authorized and directed to
15 enforce all of the provisions of this code. However, such authorization and direction
16 shall be neither an expressed nor implicit guaranty that all buildings and structures have
17 been constructed in accordance with all of the provisions of this code, nor be deemed as
18 any representation as to the quality of such buildings or structures in any manner.

19 6. **Section 103.3** **Deputies** is amended to read as follows:

20 **103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction, the
21 building official shall have the authority to appoint a deputy building official, related
22 technical officers, inspectors, plans examiners and other employees. Such employees
23 shall have the powers and duties as delegated by the building official.

24 7. **Section 104.8** **Liability** is amended by adding the following additional first paragraph:

25 The adoption of this code, and any previous building, construction and housing standard
26 adopted by the Town of Breckenridge, shall not be deemed to give rise to a duty of care
27 on the part of any public entity, public employee or agent, nor shall this code or any
28 previous building, construction and housing standard be deemed to create any civil
29 remedy against a public entity, public employee or agent.

30 8. **Section 105.1.1** **Annual Permit** and **Section 105.1.2** **Annual Permit Records** are
31 deleted in their entirety.

BUILDING CODES ORDINANCE

1 **9. Section 105.2 Work exempt from permit Item 11** is amended to read as follows:

2 **Item 11.** Swings and other playground equipment.

3

4 **10. Section 105.5 Expiration** is amended to read as follows:

5 **105.5 Expiration.** Every permit issued by the building official under the provisions of
6 this code shall expire 18 months after the date of issue, with the exception of hot-tub/spa
7 permits and reroof permits, both of which shall expire 6 months after the date of issue.
8 Every permit issued shall become invalid unless the work on the site authorized by such
9 permit is commenced within 180 days after its issuance, or if the work authorized on the
10 site by such permit is suspended or abandoned for a period 180 days after the time the
11 work is commenced. The building official is authorized to grant, in writing, extensions of
12 time, for periods of not more than 6 months. An extension shall be requested in writing
13 and shall demonstrate justifiable cause for the extension.

14 **11. Section 107.1 General** is amended to read as follows:

15 **107.1 General.** Construction documents, special inspection and structural observation
16 programs and other data shall be submitted as established by the Administrative Rules
17 and Regulations of the Building Department with each application for a permit. A
18 Colorado Licensed Design Professional shall prepare the construction documents. The
19 Building Official may waive the requirement for a design professional when it is found
20 that the nature of the scope of work is such that a design professional is not necessary to
21 obtain compliance with this code. Where special conditions exist the building official is
22 authorized to require additional construction documents.

23 **12. Section 107.3 Examination of documents** is amended by adding the following
24 paragraph:

25 The issuance or granting of a permit by the Town of Breckenridge, based on plans and
26 specifications and other data, shall not prevent the subsequent requiring of the correction
27 of errors or omissions in said plans specifications and other data and shall not be
28 construed to be a permit for approval of any violation of any of the provisions of this
29 code or any other law of the Town of Breckenridge.

30 **13. Section 107.3.1 Approval of construction documents** is amended by replacing the
31 words “reviewed for code compliance”, with “approved for issuance of building permit.”

32 **14. Section 109.2 Schedule of permit fees** is amended to read as follows:

33 **109.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical
34 and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid

1 as required, in accordance with the following Town of Breckenridge Building Permit and
 2 Inspection Fee Schedule:

3
 4
 5

Town of Breckenridge Building Permit and Inspection Fee Schedule

TOTAL VALUATION	FEE
\$1.00 TO \$500	\$50.00
\$501 TO \$2,000	\$50.00 for the first \$500, plus \$1.25 for each additional \$100 or fraction thereof, to and including \$2,000
\$2001 TO \$25,000	\$69.25 for the first \$2,000, plus \$14.00 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$391.25 for the first \$25,000, plus \$10.10 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000, plus \$7.00 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,000 to \$500,000	\$1,169.55 for the first \$100,000, plus \$6.73 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$3,663.00 for the first \$500,000, plus \$5.34 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 and higher	\$6,332.22 for the first \$1,000,000, plus \$3.90 for each additional \$1,000 or fraction thereof
Other Inspections and Fees:	
1. Inspection outside of normal business hours (minimum charge – two hours)	\$65.00/hour
2. Re-inspection	\$65.00/hour
3. Inspection for which no fee is specifically indicated (minimum charge – one hour)	\$65.00/hour
4. Additional plan review required by changes, additions or revisions to plans (minimum charge – one hour)	\$65.00 /hour
5. For use of outside consultants for plan checking and inspections, or both.....	Actual cost

1

ELECTRICAL PERMIT FEES	
UNIT AREA	PERMIT FEE
Not more than 1,000 sq. ft.	\$120.00
Over 1,000 sq. ft., and not more than 1,500 sq. ft.	\$168.00
Over 1,500 sq. ft., and not more than 2,000 sq. ft.	\$216.00
Over 2,000 sq. ft.	\$216.00 plus \$9.60 per 100 sq. ft. or fraction thereof over 2,000 sq. ft.
ALL OTHER FEES: Except for inspection in mobile homes and travel parks, all other permit fees shall be computed on the dollar value of the electrical installation, including labor and material, and such fees shall be computed as follows:	
VALUATION	PERMIT FEE
Not more than \$2,000.00	\$120.00
More than \$2,000.00	\$9.60 per thousand or fraction thereof plus \$120.00
Mobile homes and travel parks per space	\$120.00
Additional plan review	\$65.00 per hour or fraction thereof
Re-inspection on all above	\$65.00
Temporary Power Permit	\$65.00
Hot Tub Electrical Permit	\$120.00
**Plan review fees – The plan review fees for electrical work shall be calculated as 65 percent of the electrical permit fee. **	

2

3

4

All permits have a plan review fee of 65% in addition to the permit fee.

5

Hot tub permits fees are \$125.25.

6

7

Work commencing before issuance of a building permit is subject to three times the permit fee.

8

9

10 **15. Section 110.3.6 Lath and Gypsum Board Inspection** is amended by deleting the
11 Exception.

12 **16. Section 110.3.12 Final Inspection** is amended to read as follows:

13 **110.3.11 Final Inspection.** The final inspection is to be made only after the finished
14 grading and the building or structure is completed in accordance with the provisions on
15 the International Building Code, technical codes and the Town’s Development Code,
16 including flooring, tile, wallpaper, painting, trim, finish, and final cleaning. A security

BUILDING CODES ORDINANCE

1 deposit may be posted for work required by the Town's Department of Community
2 Development, i.e., landscaping, exterior painting, and paving that cannot be completed as
3 a result of prevailing weather conditions.

- 4 **17. Section 110 Inspections** is amended by adding a new subsection, 110.7 Re-inspections,
5 to read as follows:

6 **110.7 Re-inspections.** A re-inspection fee, as specified in the Town of Breckenridge
7 Building Permit and Inspection Fee Schedule, may be assessed for each inspection or re-
8 inspection when such portion of work for which inspection is called is not complete or
9 when corrections called for are not made. Re-inspection fees may be assessed when the
10 inspection records are not posted or otherwise available on the work site, the approved
11 plans are not readily available to the inspector, or failing to provide access on the date for
12 which the inspection is requested, or for deviating from plans requiring the approval of
13 the building official. In instances where re-inspection fees have been assessed, no
14 additional inspection of the work will be performed until the re-inspection fees have been
15 paid.

- 16 **18. Section 111 Certificate of Occupancy** is amended by adding the following sentence:

17 A Certificate of Occupancy shall not be construed as an approval of a violation of the
18 provisions of this code or any other ordinance of the Town. Certificates presuming to
19 give authority to violate or cancel the provisions of this code or other ordinances of the
20 Town shall not be valid.

- 21 **19. Section 111.1 Change of Occupancy** is amended by adding the following sentence:

22
23 Certificates authorizing a Change of Occupancy presuming to give authority to violate or
24 cancel the provisions of this code or other Town ordinances shall not be valid.
25

- 26 **20. Section 111.3 Temporary Occupancy** is amended to read as follows:

27 A Temporary Certificate of Occupancy may be issued at the discretion of the Chief
28 Building Official before the completion of the entire scope of work covered by the permit,
29 provided that such portion or portions shall be occupied safely, as determined in the sole
30 discretion of the Chief Building Official. The permit holder shall request in writing the
31 reasons for the request for the issuance of a Temporary Certificate of Occupancy and the
32 requested time period. The time period during which the Temporary Certificate of
33 Occupancy is valid shall be set at 30 day intervals not to exceed 180 days.
34

- 35 **21. Section 111, Certificate of Occupancy**, is amended by adding a new subsection 111.5,

BUILDING CODES ORDINANCE

1 Certificate of Completion, to read as follows:

2 **111.5 Certificate of Completion.**

3 A certificate of completion shall be issued, upon request, for minor work not directly
4 related to occupancy when such work complies with the provisions of this code and all
5 other laws and regulations implemented by the code enforcement agency.
6

7 **22. Section 115 Stop Work Order** is amended to read as follows:

8 **115.1 Authority.**

9 Where the *building official* finds any work, unpermitted work or unsafe condition
10 regulated by this code being performed in a manner contrary to the provisions of this code
11 or in a dangerous or unsafe manner, the *building official* is authorized to issue a stop work
12 order.
13

14 **115.2 Issuance.**

15 The stop work order shall be in writing, posted on site, and shall be given to the *owner* of
16 the property, the *owner's* authorized agent or the *person* performing the work. Upon
17 issuance of a stop work order, the cited work shall immediately cease. The stop work
18 order shall state the reason for the order and the conditions under which the cited work is
19 authorized to resume. The stop work order may not be removed until a permit is issued or
20 the site is deemed safe.
21

22 **115.3 Emergencies.**

23 Where an emergency exists, the *building official* shall not be required to give a written
24 notice prior to stopping the work.
25

26 **115.4 Failure to comply.**

27 The contractor, owner or agent shall have 3 business days to submit an application for a
28 permit. Any *person* who shall continue any work after having been served with a stop work
29 order, except such work as that *person* is directed to perform to remove a violation or
30 unsafe condition, shall be subject to three times the calculated permit fee per the fee
31 schedule in Section 109.2. Any work commencing before issuance of a building, plumbing,
32 mechanical, electrical, or permit change is also subject to such fees.
33

34 **23. Section 202 Definitions** is amended by adding the following definitions within the
35 alphabetical order of the existing definitions:

36 **BEDROOM:** A room or space within a dwelling unit having a floor area of at least 70
37 square feet and a ceiling height of at least 5 feet, will be considered a bedroom as
38 follows:

1 a. Interior walls and door(s) on the same level of the building as the space in order
2 to separate the space and provide privacy.

3 b. An egress window complying with 2024 IBC Section 1031 or complies with
4 2024 IBC Section 1031.2 Where required.

5 c. Operable smoke detectors that comply with 2024 IBC Section 907.2.8 through
6 907.2.9.3 and carbon monoxide detectors pursuant to Colorado law within 15 feet
7 of any bedroom and complying with 2024 IBC Section 915.

8 d. A built-in closet consisting of dry wall, or built-in clothes storage area
9 permanently affixed to the wall, requiring repairs if removed. Built-in bunk beds
10 with built-in clothes storage space complies with this requirement but the
11 following are examples of things that do not constitute a closet in compliance
12 with this definition:

- 13 1. Bunk bed with drawers purchased from a furniture store does not comply.
- 14 2. An armoire or similar piece of furniture.

15 e. Has a full or partial bathroom connected to the space or room or has a path of
16 travel to a full or partial bathroom which does not first pass through a habitable
17 space.

18 **UNFINISHED SPACE:** A room or space within a dwelling unit with no interior
19 partition walls, no gypsum board (unless required by code), no finishes (mud, tape,
20 and/or paint) on areas requiring gypsum board, and no floor finishes.

21 **CERTIFIED SOLID FUEL BURNING DEVICE:** A solid fuel burning device that is
22 certified by the Air Pollution Control Division of the Colorado Department of Health or
23 approved by the building official as meeting the emission standards set forth in Section
24 IV of Regulation No. 4 of Volume I of the Colorado Air Quality Control Commission
25 (EPA Phase II or III).

26 **NEW CONSTRUCTION:** For the purpose of section 2113 new construction” is
27 construction of a residential, commercial, industrial, agricultural or accessory building.
28 This shall include any modifications, replacement or relocation of existing solid fuel
29 burning devices. However, modifications to solid fuel burning devices shall not include
30 repair, replacement or relocation of flue pipe.
31

32 **SLEEPING LOFT:** A space designated for sleeping on an intermediate level or levels
33 between the floor and ceiling of a Group R occupancy Dwelling or Sleeping Unit, open on
34
35

1 one or more sides to the room in which the space is located, and in accordance
2 with Appendix P Sleeping Lofts.

3
4 **SOLID FUEL BURNING DEVICE:** Any fireplace, stove, firebox, or other device
5 intended and or used for the purpose of burning wood, coal, pulp, paper, pellets or other
6 non-liquid or non-gaseous fuel.
7

8 **24. Section 502.1 Address identification** is amended to read as follows:

9 **502.1 Address identification.** New and existing buildings shall have *approved* address
10 identification. The address identification shall be legible and placed in a position that is
11 visible from the street or road fronting the property. Address identification shall contrast
12 with their background. Address numbers shall be Arabic numbers or alphabetical letters
13 in a plain text font. Numbers shall not be spelled out. Each character shall be not less than
14 12 inches (127 mm) high with a minimum stroke width of 1.5 inches (38.1 mm), unless
15 otherwise approved. Where required by the code official, address identification shall be
16 provided in additional approved locations to facilitate emergency response. Where access
17 is by means of a private road and the building cannot be viewed from the *public way*, a
18 monument, pole or other sign or means shall be used to identify the structure. Address
19 numbers shall be maintained and visible in all weather conditions.
20

21 **Exception:** One- and two-family dwellings and townhouses, not more than three stories
22 above grade plane, that fall under the prescriptive provisions of the International
23 Residential Code shall have address numbers a minimum of 5 inches (127 mm) high or 4
24 inches (101.6 mm) reflective on a contrasting background, unless otherwise *approved*,
25 with a minimum stroke width of ½ inch (12.7 mm) and be visible from the street or road
26 fronting the property. Address numbers shall be Arabic numbers or alphabetical letters in
27 a plain text font and shall be maintained and visible in all weather conditions.
28

29 **25. Section 718 Concealed Spaces** is amended by adding two new subsections, 718.6
30 Factory-built fireplace enclosures and 718.7 Factory-built chimney enclosures, and one
31 exception, to read as follows:
32

33 **718.6 Factory-built fireplace enclosures.** Combustible construction enclosing factory
34 built fireplaces with Class A chimneys shall be protected on the interior (fireplace) side
35 by one-hour fire resistive construction.
36

37 **718.7 Factory-built chimney enclosures.** Factory-built Class A chimneys shall be
38 enclosed within a continuous enclosure protected on the interior (flue) side by not less
39 than one-hour fire resistive construction.
40

1 **Exception.** The portion of the chimney located in the same room as the appliance and
2 the portion of the chimney above the finished roof are not required to be enclosed.
3 However, if they are enclosed, the interior of the shaft shall be protected by one-hour fire
4 resistive construction.

- 5
6 **26. Section 901.5 Acceptance tests** is amended by adding a new subsection, 901.5.1
7 Special inspector required, to read as follows:

8 **901.5.1 Special inspector required.** All fire protection systems required by this code
9 shall be reviewed, inspected, and approved by a special inspector. The special inspector
10 shall be an authorized representative of the Red White and Blue Fire Protection District
11 or another qualified individual with prior approval of the building official. Approvals of
12 special inspectors, inspections approvals, and reports by special inspectors shall be in
13 accordance with Chapter 17 of this code.

- 14 **27. Section 915.1 General** is amended by adding the following sentence:

15 Carbon monoxide detection shall also be installed in accordance with *State of Colorado*
16 *House Bill 09-1091, Article 45, Title 38, C.R.S.*

- 17 **28. Section 1010.2.4 Locks and latches Item 3.3** is amended to read as follows:

18 **Item 3.3** A readily visible sign is posted on the egress side on or adjacent to the door
19 stating:

20 **THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS.**

21
22 The sign shall be in letters 1 inch (25 mm) high on a contrasting background.

- 23
24 **29. Chapter 12 Interior Environment** is amended by adding a new section to read exactly
25 as set forth in Appendix BE, Radon Control Methods, of the 2024 IRC. This shall be
26 applicable for R2 and R3 occupancies.

- 27 **30. Section 1206.2 Airborne Sound** is amended by adding the following exception to read
28 as follows:

29 **Exception:** For other than new construction and otherwise not located at an entry or exit
30 location in a dwelling unit or sleeping unit in a Group R occupancy, up to 100
31 square feet is exempt from complying with this section.

- 32
33 **31. Section 1206.3 Structure-borne Sound** is amended by adding the following exception
34 to read as follows:

1 **Exception:** For other than new construction and otherwise not located at an entry or exit
2 location in a dwelling unit or sleeping unit in a Group R occupancy, up to 100
3 square feet is exempt from compliance with this section.
4

- 5 **32. Section 1503 Weather Protection** is amended by inserting a new subsection, 1503.6
6 Snow-shed barriers, to read as follows:

7 **1503.6 Snow-shed Barriers.** Roofs shall be designed to prevent accumulations of snow
8 from shedding onto exterior balconies, decks, pedestrian and vehicular exits from
9 buildings, stairways, sidewalks, streets, alleys, areas directly above or in front of gas
10 utility or electric utility meters, or adjacent properties.

11 **Exception:** Roof areas with a horizontal dimension of no more than 48 inches (1219mm)
12 that will not receive snow shedding from a higher roof. The horizontal projection shall be
13 measured perpendicular to the exterior wall line from the edge of the roof or eave to any
14 intersecting vertical surface.
15

- 16 **33. Section 1505.1 General** is amended to read as follows:

17 **1505.1 General.** All roof coverings on new construction, additions and re-roofs shall be
18 Class A. Class A roof assemblies and roof coverings shall be tested in accordance with
19 ASTM E 108 or UL 7901. Sections 1505.3 through 1505.7 and 1505.10 shall be deleted
20 in their entirety.

- 21 **34. Table 1505.1 Minimum Roof Covering Classification for Types of Construction** and
22 all footnotes to the table are deleted in their entirety.

- 23 **35. Section 1507.1.1 Underlayment** is amended to read as follows:

24 **1507.1.1 Underlayment.** A roof underlayment consisting of an approved self-adhering
25 polymer modified bitumen sheet, or other similar material that meets the intent of this
26 section and is first approved by the building official, is required with all types of roof
27 covering. The underlayment shall extend up the slope of the roof from drip-edge or eave
28 to the roof peak. The underlayment shall cover the entire roof decking surface. In new
29 construction the underlayment shall extend a minimum of 30 inches up the walls adjacent
30 to the roof surface.
31

- 32 **36. Section 1507.1.2 Ice barriers** is amended to read as follows:

33 **1507.1.2 Ice dam protection.** An ice dam protection underlayment that consists of an
34 approved self-adhering polymer modified bitumen sheet complying with ASTM D 1970,
35 or other similar material that meets the intent of this section and is first approved by the

1 building official, shall be used with all roof coverings. This ice dam protection
2 underlayment shall extend up the slope of the roof from the drip-edge of the roof or eave
3 and cover the entire roof decking surface. In new construction ice dam protection shall
4 extend a minimum 30 inch up walls adjacent to the roof surface.

5 **37. Section 1507.8 Wood Shingles** is amended to read as follows:

6 **1507.8 Wood Shingles.** The installation of wood shingles shall comply with the
7 provisions of this section.

8
9 **38. Table 1507.8 Wood Shingle and Shake Installation** is deleted in its entirety.

10 **39. Section 1507.9 Wood Shakes** is amended to read as follows:

11 **1507.9 Wood Shakes.** The installation of wood shakes shall comply with the
12 provisions of this section.

13 **40. Section 1608.1 General** is deleted in its entirety.

14 **41. Section 1608.2 Ground Snow Loads** is amended to read as follows:

15 **1608.2 Snow loads.** The loads to be used in determining the design snow loads for
16 roofs shall be 90 psf for roofs located at an elevation below 10,000 feet, and 100 psf for
17 roofs located at an elevation of 10,000 feet or higher. There shall be no reduction in snow
18 load for pitch or duration. Ground snow load is not to be utilized, and there is no ground
19 snow load reduction. Snow load for decks and exterior balconies shall be as required for
20 roofs.

21 **42. Section 1612.3 Establishment of flood hazard areas** is amended to read as follows:

22 **1612.3 Establishment of flood hazard areas.** The Town of Breckenridge flood hazard
23 areas shall be as provided in Chapter 3 of Title 10 of the Breckenridge Town Code. The
24 adopted flood hazard map and supporting data are adopted by reference and declared to
25 be part of this section.

26 **43. Section 1703.1 Approved agency** is amended to read as follows:

27 **1703.1 Approved agency.** An approved agency shall provide all information as
28 necessary for the building official to determine that the agency meets the applicable
29 requirements. The Red White and Blue Fire Protection District shall be an approved
30 agency for special inspection of fire protection systems required by this code.

31 **44. Section 1704.2.3 Statement of special inspections** is amended by adding an additional

1 Exception to read as follows:

2 **Exception:** Special inspection required by the Red White and Blue Fire Protection
3 District of fire protection systems.

4 **45. Section 1704.2.4 Report requirement** is amended by adding an Exception to read as
5 follows:

6 **Exception:** Special inspection required by the Red White and Blue Fire Protection
7 District of fire protection systems.

8 **46. Section 1705 Required Special Inspections and Tests** is amended by adding a new
9 section, 1705.21 Fire protection and suppression systems and subsection 1705.19.1
10 Qualifications, to read as follows:

11 **1705.19.1 Qualifications.** Special inspectors for fire protection systems shall have
12 expertise in fire-protection and be approved by the Red White and Blue Fire Protection
13 District. Special inspectors for fire suppression systems shall be fire suppression systems
14 inspectors certified by the State of Colorado Division of Fire Safety and approved by the
15 Fire Protection District.

16 **1705.21 Fire protection and suppression systems.** Fire protection and suppression
17 systems shall have the design plans approved by a special inspector and the systems
18 inspected and tested by a special inspector for compliance with the requirements of this
19 code and the International Fire Code.

20 **47. Section 1809.5 Frost protection** is amended to read as follows:

21 **1809.5 Frost protection.** Except where erected on solid rock or otherwise protected
22 from frost, foundation walls piers and other permanent supports of buildings and
23 structures shall extend to at least 40 inches below finish grade or be designed and built in
24 accordance with ASCE 32. Footings 24 inches deep are permitted for decks only that do
25 not support roofs and are less than 30 inches above grade, unless otherwise designed by a
26 State of Colorado Licensed Structural Engineer. Footings shall not bear on frozen soils.
27 Frost reports shall be required before placement of concrete from Nov. 1 through May 1,
28 or if freezing temperatures occur, prior to Nov. 1 or after May 1.

29 **48. Section 2113 Masonry Chimneys** is amended by adding the following subsections,
30 2113.21 Limitation on the type and number of devices and 2113.22 Factory built
31 chimneys, to read as follows:

32 **2113.21 Limitation on the type and number of devices.** Solid fuel burning devices
33 that are not certified are prohibited in new construction. The number of certified solid

1 fuel burning devices that may be installed in newly constructed buildings shall be
2 approved by the Town's Department of Community Development.

3 **2113.22 Factory built chimneys.**

4 **a.** Factory built chimneys shall be supported at intervals not to exceed 10 feet by
5 wall straps or equivalent.

6 **b.** Factory built chimneys shall have the outer wall of adjacent chimney sections
7 fastened together by three sheet metal screws, installed approximately 120
8 degrees apart. Such fastenings shall be in addition to and not in lieu of those
9 requirements mandated by the manufacturers' instructions, except when
10 specifically prohibited by those instructions or the terms of their listing.

11 **Exception:** Where approved manufacturers' locking bands are used.

12 **c.** The points of termination of a factory built chimney shall not be within 10 inches
13 vertically of the point of termination of any adjacent chimney or appliance vent within 24
14 inches horizontally. No factory built chimney shall terminate closer than 24 inches to
15 combustible finish materials.

16 **49. Section 2302.1 General.** The first paragraph is amended to read as follows:

17 **2302.1 General.** The design of structural elements or systems, constructed partially or
18 wholly of wood or wood-based products shall be based on one of the following methods.
19 The use of load duration factors for snow load shall not be permitted in any of these
20 design methods.

21 **50. Section 2303.1.11 Structural log members** is amended by adding the following
22 paragraph:

23 All logs used in a structural capacity must be graded and marked by an approved grading
24 agency, in conformance with DOC PS 20. In lieu of a grade mark, a certificate of an
25 onsite inspection issued by a 3rd party lumber grading or inspection agency may be
26 accepted.

27
28 **51. Section 2303.1.12 Round Timber Poles and Piles** is amended by adding the following
29 paragraph:

30 All logs used in a structural capacity must be graded and marked by an approved grading
31 agency, in conformance with DOC PS 20. In lieu of a grade mark, a certificate of an
32 onsite inspection issued by a 3rd party lumber grading or inspection agency may be
33 accepted.

- 1
2 **52. Section 2308.11.12 Wood trusses** is amended by adding the following sentence:
3 Trusses shall be blocked at bearing points.
4
- 5 **53. Section 2901.1 Scope** is amended by deleting the reference to the *International Private*
6 *Sewage Disposal Code*.
- 7 **54. Section 2902.1 Minimum Number of Fixtures** is amended to add the following
8 paragraph:
9 An additional single-user toilet facility and bathing room shall be required where only
10 separate sex facilities are provided. When this single-user toilet and bathing room
11 requirement is applicable, the required separate sex toilet and bathtub/shower counts
12 required by IBC Table 2902.1 is allowed to be reduced by one in the male and female
13 toilet facility and bathing room.
14
- 15 **55. Section 2902.1.2 Single-User Toilet Facility and Bathing Room Fixtures** is amended
16 to read exactly as follows:
17 **2902.1.2 Single-User Toilet Facility and Bathing Room Fixtures.** The plumbing
18 fixtures located in single-user toilet facilities and bathing rooms, including family or
19 assisted-use toilet and bathing rooms that are required by IBC Section 1109.2, shall
20 contribute toward the total number of required plumbing fixtures for a building or tenant
21 space. Single user toilet facilities and bathing rooms and family or assisted-use toilet
22 rooms and bathing rooms shall be identified as being open for use to all persons,
23 regardless of gender. A single-occupant restroom is one that contains only one toilet and
24 a sink, or a toilet and urinal with a sink, and is intended for use by one occupant at a time.
25 Family or assisted-use restrooms must also be designated as gender-neutral. All gender
26 neutral bathrooms are to be signed accordingly.
27
- 28 **56. Section 2902.2 Exception 2** is amended to read as follows:
29 **Exception 2.** Separate facilities shall not be required in structures or tenant spaces with a
30 total occupant load, including both employees and customers, of 30 or less.
- 31 **57. Section 2902.2 Separate facilities** is amended to add an additional Exception to read as
32 follows:
33 **Exception 5.** Gender neutral single-user toilet facility and bathing room fixtures.
34
- 35 **58. Section 3309.1 Where required** is amended to read as follows:

1 **3309.1 Where required.** All structures under construction, alteration or demolition
2 shall be provided with approved portable fire extinguishers as required by the Red White
3 and Blue Fire Protection District.

4 **59. Section 3311.1 Where required** is amended to read as follows:

5 **3311.1 Where required.** Buildings four stories or more in height shall be provided
6 with standpipes as required by the Red White and Blue Fire Protection District.

7 **60. Section 3311 Standpipes** is amended by adding subsection, 3311.4 Water supply, to
8 read as follows:

9 **3311.4 Water supply.** Water supply for fire protection, either temporary or permanent,
10 shall be made available as required by the Red White and Blue Fire Protection District.

11
12 **8-1-5: AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE:** The
13 following sections of the International Residential Code, 2024 Edition, are amended to read as
14 follows:

15
16 1. **Section R101.1 Title** is amended by adding the name “Town of Breckenridge.”

17 2. **Section R101.2 Scope.** The exception is amended to read as follows:

18 **Exception.** The following shall be permitted to be constructed in accordance with this
19 code.

20 3. **Section R102.6 Existing Structures** is amended by deleting the reference to the
21 *International Property Maintenance Code*.

22 4. **Section R103.2 Appointment** is amended to read exactly as IBC Section 103.2 as
23 amended.

24 5. **Section R103.3 Deputies** is amended to read exactly as IBC Section 103.3 as amended.

25 6. **Section R104.8 Liability** is amended by adding the first paragraph to read exactly as
26 IBC Section 104.8 as amended.

27 7. **Section R105.5 Expiration** is amended to read exactly as IBC Section 105.5 as
28 amended.

29 8. **Section R106.1 Submittal documents** is amended to read as IBC Section 107.1 as
30 amended.

- 1 **9. Section R106.3 Examination of documents** is amended by adding the paragraph to
2 read exactly as IBC Section 107.3 as amended.
- 3 **10. Section R106.3.1 Approval of construction documents** is amended to read exactly as
4 IBC Section 107.3.1 as amended.
- 5 **11. Section R108.2 Schedule of permit fees** is amended by replacing “by the applicable
6 government authority” with “in accordance with the Town of Breckenridge Building
7 Permit and Inspection Fee Schedule. Refer to the IBC Section 109.2 as amended.”
- 8 **12. Section R108.3 Building permit valuations** is amended to read exactly as IBC Section
9 109.3.
- 10 **13. Section R108.6 Work commencing before permit issuance** is amended to read as
11 follows:
- 12 **R108.6 Work commencing before permit issuance.** Any person who commences any
13 work on a building, structure, electrical, gas, mechanical or plumbing system before
14 obtaining the necessary permits shall be subject to an investigation fee that shall be in
15 addition to the required permit fees. The investigation fee shall be as set forth in the
16 Town of Breckenridge Building Permit and Inspection Fee Schedule.
- 17 **14. Section R109.1.6 Final Inspection** is amended to read as follows:
- 18 **R109.1.6 Final Inspection.** To be made only after the finished grading and the building
19 or structure is completed in accordance with the provisions of the International
20 Residential Code and Technical Codes, the Development Code, including cleaning,
21 flooring, tile, wallpaper, paint, trim, finish, and final painting and paving. A security
22 deposit may be posted for work required by the Town’s Department of Community
23 Development, i.e., landscaping, exterior painting, paving, that cannot be completed as a
24 result of prevailing weather conditions.
- 25 **15. Section R109 Inspections** is amended by adding a new subsection, R109.5 Re-
26 inspections, to read as follows:
- 27 **R109.5 Re-inspections.** A re-inspection fee, as specified in the Town of Breckenridge
28 Building Permit and Inspection Fee Schedule, may be assessed for each inspection or re-
29 inspection when such portion of work for which inspection is called is not complete or
30 when corrections called for are not made. Re-inspection fees may also be assessed when
31 the inspection records are not posted or otherwise available on the work site, the
32 approved plans are not readily available to the inspector, for failing to provide access on
33 the date for which the inspection is requested, or for deviating from plans requiring the
34 approval of the building official. In instances where re-inspection fees have been

1 assessed, no additional inspection of the work will be performed until the re-inspection
2 fees have been paid.

3 **16. Section R110.2 Certificate issued** is amended by adding the following paragraph:

4 A Certificate of Occupancy shall not be construed as an approval of a violation of the
5 provisions of this code or any other ordinance of the Town. Certificates presuming to
6 give authority to violate or cancel the provisions of this code or other ordinances of the
7 Town shall not be valid.

8 **17. Section R110.3 Temporary Occupancy** is amended to read as follows:

9 **Section R110.3**_Temporary occupancy. A Temporary Certificate of Occupancy may be
10 issued at the discretion of the Chief Building Official before the completion of the entire
11 scope of work covered by the permit, provided that such portion or portions shall be
12 occupied safely, as determined in the sole discretion of the Chief Building Official. The
13 permit holder shall request in writing the reasons for the request for the issuance of a
14 Temporary Certificate of Occupancy and the requested time period. The time period
15 during which the Temporary Certificate of Occupancy is valid shall be set at 30 day
16 intervals not to exceed 180 days.

17
18 **18. Section R110 Certificate of Occupancy** is amended by adding a new subsection,
19 **R110.6 Certificate of Completion**, to read as follows:

20 **R110.6 Certificate of Completion.** A Certificate of Completion shall be issued, upon
21 request, for work not directly related to occupancy when such work complies with the
22 provisions of this code and all other relevant laws, which are enforced by the Town. A
23 Certificate of Completion shall not be construed as an approval of a violation of the
24 provisions of this code or other ordinances of the Town. Certificates presuming to give
25 authority to violate or cancel the provisions of this code or other ordinances of the Town
26 shall not be valid.

27 **19. Section R114 Stop Work Order** is amended to read as follows:

28 **114.1 Authority.**

29 Where the *building official* finds any work, unpermitted work or unsafe condition
30 regulated by this code being performed in a manner contrary to the provisions of this code
31 or in a dangerous or unsafe manner, the *building official* is authorized to issue a stop work
32 order.
33

34 **114.2 Issuance.**

1 The stop work order shall be in writing, posted on site, and shall be given to the *owner* of
2 the property, the *owner's* authorized agent or the *person* performing the work. Upon
3 issuance of a stop work order, the cited work shall immediately cease. The stop work
4 order shall state the reason for the order and the conditions under which the cited work is
5 authorized to resume. The stop work order may not be removed until a permit is issued or
6 the site is deemed safe.

7
8 **114.3 Emergencies.**

9 Where an emergency exists, the *building official* shall not be required to give a written
10 notice prior to stopping the work.

11
12 **114.4 Failure to comply.**

13 The contractor, owner or agent shall have 3 business days to submit an application for a
14 permit. Any *person* who shall continue any work after having been served with a stop work
15 order, except such work as that *person* is directed to perform to remove a violation or
16 unsafe condition, shall be subject to three times the calculated permit fee per the fee
17 schedule in Section 109.2. Any work commencing before issuance of a building, plumbing,
18 mechanical, electrical, or permit change is also subject to such fees.

- 19
20 **20. Section R202 Definitions** is amended by inserting the following definitions within the
21 alphabetical order of the existing definitions:

22 **BEDROOM:** A room or space within a dwelling unit having a floor area of at least 70
23 square feet and a ceiling height of at least 5 feet, will be considered a bedroom as follows:

24 **a.** Interior walls and door(s) on the same level of the building as the space in order
25 to separate the space and provide privacy.

26 **b.** An egress window complying with 2024 IRC Section R319 or complies with
27 2024 IRC Section R319.1 Emergency escape and rescue opening required.

28 **c.** Operable smoke detectors that comply with 2024 IRC Section R310 and carbon
29 monoxide detectors pursuant to Colorado law within 15 feet of any bedroom and
30 complying with 2024 IRC R311.

31 **d.** A built-in closet consisting of dry wall, or built-in clothes storage area
32 permanently affixed to the wall, requiring repairs if removed. Built-in bunk beds
33 with built-in clothes storage space complies with this requirement but the
34 following are examples of things that do not constitute a closet in compliance
35 with this definition:

1 1. Bunk bed with drawers purchased from a furniture store does not
2 comply.

3 2. An armoire or similar piece of furniture.

4 e. Has a full or partial bathroom connected to the space or room or has a path of
5 travel to a full or partial bathroom which does not first pass through a habitable
6 space.

7 **UNFINISHED SPACE:** A room or space within a dwelling unit with no interior
8 partition walls, no gypsum board (unless required by code), no finishes (mud, tape,
9 and/or paint) on areas requiring gypsum board, and no floor finishes. **STORAGE:** A
10 non-habitable room or space within a dwelling unit used for storage. A storage room or
11 space shall not have TV or internet outlets, closets, or other improvements outside of
12 what is typical for storage areas. Light and ventilation is not required in the non-
13 habitable space per code. This space is not approved for living, sleeping, eating, or
14 cooking.

15 **NEW CONSTRUCTION:** For the purpose of section 1004 “new construction” is
16 construction of a residential, commercial, industrial, agricultural or accessory building.
17 This shall include any modifications, replacement or relocation of existing solid fuel
18 burning devices. However, modifications to solid fuel burning devices shall not include
19 repair, replacement or relocation of flue pipe.

20 **CERTIFIED SOLID FUEL BURNING DEVICE:** A solid fuel burning device that is
21 certified by the Air Pollution Control Division of the Colorado Department of Health or
22 approved by the building official as meeting the emission standards set forth in Section
23 IV of Regulation No. 4 of Volume I of the Colorado Air Quality Control Commission
24 (EPA Phase II or III).

25 **SOLID FUEL BURNING DEVICE:** Any fireplace, stove, firebox, or other device
26 intended and or used for the purpose of burning wood, coal, pulp, paper, pellets or other
27 non-liquid or non-gaseous fuel.
28

29 21. **Table R301.2(1)** is amended to read as follows:

30 **TABLE R 301.2 – CLIMATIC AND GEOGRAPHICAL DESIGN CRITERIA**

ROOF SNOW LOAD	WIND SPEED MPH ^d	SEISMIC DESIGN CAT ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ⁱ	FLOOD HAZARDS	AIR FREEZING INDEX ^j	MEAN ANNUAL TEMP ^k
			weathering ^a	frost line depth ^b	termite ^c					
h	115	B	severe	40 inches	slight	-13°	yes	g	2500	35.4°

31

1 For SI: 1 pound pursuant to square foot=0.0479 kN/m.0 2, 1 mile pursuant to hour=1.609km/h.

- 3 (a) Weathering may require a higher strength concrete or grade of masonry
4 than necessary to satisfy the structural requirements of this code. The
5 grade of masonry units shall be determined from ASTM C 34, C 55, C 62,
6 C 73, C 90, C129, C 145, C 216 or C 652.
- 7 (b) The frost line depth may require deeper footings than indicated in Figure
8 R403.1(1). This part of the table is filled in depending on whether there has been
9 a history of local damage. Twenty Four (24”) inch deep footers are permitted for
10 decks only, which do not support roofs and are less than 30 inches above grade,
11 unless otherwise designed and stamped by a State of Colorado Licensed
12 Structural Engineer.
- 13 (c) This part of the table is filled in depending on whether there has been a
14 history of local damage.
- 15 (d) Wind exposure category shall be determined on a site-specific basis in
16 accordance with Section R301.2.1.4.
- 17 (e) Reflects local climates or local weather experience as determined by the
18 building official.
- 19 (f) Seismic Design Category determined from Section R301.2.2.2.
- 20 (g) Refer to IBC Section 1612.3 as amended.
- 21 (h) Snow-loads of 90 lbs. per square foot are required for construction sites below an
22 elevation of 10,000 feet. For construction sites at an elevation of 10,000 feet or
23 greater, the snow-load shall be 100 lbs per square foot. There shall be no
24 reduction snow-load for pitch or duration.
- 25 (i) In accordance with R905.1.1 as amended.
- 26 (j) From the 100 year (99%) value on the National Climatic Data Center
27 data table “Air Freezing Index- USA Method(Base 32degrees F)”
- 28 (k) From the National Climatic Data Center data table “Air Freezing
29 Index-USA Method (Base 32 degrees F)”

30 **22. Table R301.5 Minimum Uniformly Distributed Live Loads** is amended by deleting
31 exterior balconies, decks and fire escapes from the table, and by adding footnote (j) to
32 read as follows:

33 **Footnote (j).** The minimum uniformly distributed live loads for exterior balconies and
34 decks shall be the same as required for roofs.

35 **23. Section R302.1 Exterior Walls** is amended by adding the following sentence. The
36 remainder is unchanged:

1 Exterior walls shall comply with the requirements of 2024 IRC, the Town of
2 Breckenridge Development Code and the 2025 Colorado Wildfire Resiliency Code as
3 adopted by this code.

4 **24. Section R302.2.2 Common Walls Items 1 and 2** are amended to read as follows:

5 **Item 1.** Where a fire sprinkler system in accordance with the requirements of the Red
6 White and Blue Fire Protection District’s code is provided, the common wall shall not be
7 less than a 1-hour fire resistance-rated wall assembly tested in accordance with ASTM
8 E119, UL 263, or Section 703.2.2 of the *International Building Code*.

9 **Item 2.** Where a fire sprinkler system in accordance with the requirements of the Red
10 White and Blue Fire Protection District’s code is not provided, the common wall shall not
11 be less than a 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM
12 E 119, UL 263, or Section 703.2.2 of the *International Building Code*.

13 **25. Section R302.13 Fire protection of floors Exceptions 1 and 2** are amended as follows:

14 **Exception 1.** Floor assemblies located directly over a space protected by an automatic
15 sprinkler system permitted, installed, and inspected as required by Red White and Blue
16 Fire Protection District’s code.

17
18 **Exception 2.** Floor assemblies located directly over a crawlspace with a maximum 4
19 foot headroom occurring anywhere within the crawlspace and not intended for storage or
20 for the installation of fuel-fired or electric-powered heating appliances. The headroom
21 shall be measured from grade to the bottom of the floor joists.

22
23 **26. Section R308.1 Address identification** is amended to read as follows:

24 **R308.1 Address identification.** New and existing buildings shall have *approved* address
25 identification. The address identification shall be legible and placed in a position that is
26 visible from the street or road fronting the property. Address identification shall contrast
27 with their background. Address numbers shall be Arabic numbers or alphabetical letters
28 in a plain text font. Numbers shall not be spelled out. Each character shall be not less than
29 12 inches (127 mm) high with a minimum stroke width of 1.5 inches (38.1 mm), unless
30 otherwise approved. Where required by the code official, address identification shall be
31 provided in additional approved locations to facilitate emergency response. Where access
32 is by means of a private road and the building cannot be viewed from the *public way*, a
33 monument, pole or other sign or means shall be used to identify the structure. Address
34 numbers shall be maintained and visible in all weather conditions.

35
36 **Exception:** One- and two-family dwellings and townhouses, not more than three stories

1 above grade plane, that fall under the prescriptive provisions of the International
2 Residential Code shall have address numbers a minimum of 5 inches (127 mm) high or 4
3 inches (101.6 mm) reflective on a contrasting background, unless otherwise *approved*,
4 with a minimum stroke width of ½ inch (12.7 mm) and be visible from the street or road
5 fronting the property. Address numbers shall be Arabic numbers or alphabetical letters in
6 a plain text font and shall be maintained and visible in all weather conditions.

7
8 27. **Section R309 Automatic Fire Sprinkler Systems** is amended to read as follows:

9 **Section R309 Dwelling Unit Fire Sprinkler Systems and Internal Fire Protection.**

10 **R309.1 General.** Structures under the scope of this code are to be protected by fire
11 sprinkler systems as designated, reviewed, installed and inspected by the Red White and
12 Blue Fire Protection District per section R309.1 through R309.2.1.

13 **R309.1.1 Fire Sprinkler Systems required.** Structures with greater than 4,500 square
14 feet of fire area , the aggregate floor area enclosed and bounded by the interior side of the
15 drywall or finished wall, as defined by Red White and Blue Fire Protection District, are
16 to be protected by fire sprinkler systems per the Red White and Blue Fire Protection
17 District.

18 **R309.1.2 Additions.** For buildings built under the International Residential Code,
19 additions that increase the total square footage of the residence to greater than 5,000
20 square feet (473.81 m²) shall be provided with a *fire protection* system. The system shall
21 be installed in the addition only. Where the size of the addition itself is greater than
22 4,500 square feet (418.06 m²), the addition, as well as the existing residence, shall be
23 provided with sprinklers. Where the addition increases the total square footage of the
24 residence to greater than 5,000 square feet and the alteration to the existing structure
25 requires the removal of interior wall and ceiling finishes that expose the structure, a *fire*
26 *protection* system shall be installed throughout the existing residence and addition.

27 28. **Section R314.3 Area limitation exception** is amended to read as follows:

28 **R314.3 Exception.** The aggregate area of a mezzanine located within a dwelling unit
29 equipped with a fire sprinkler system in accordance with the requirements of the Red
30 White and Blue Fire Protection District’s code shall not be greater than one-half of the
31 floor area of the room, provided that the mezzanine meets all of the following
32 requirements:

- 33
34 1. Except for enclosed closets and bathrooms, the mezzanine is open to the room in
35 which such mezzanine is located.
36

1 2. The opening to the room is unobstructed except for walls not more than 42 inches
2 in height, columns and posts.

3
4 3. The exceptions to IRC Section R314.5 do not apply.

5
6 **29. Section R319** Emergency Escape and Rescue Opening Required Exception 3 is
7 amended as follows:

8 **R319.1 Exception 3.** Where the dwelling or townhouse is equipped with an automatic
9 sprinkler system installed in accordance with the requirements of the Red White and Blue
10 Fire Protection District’s code, sleeping rooms in basements shall not be required to have
11 emergency escape and rescue openings provided that the basement has one of the
12 following:

13
14 3.1. One means of egress complying with IRC Section R318 and one emergency
15 escape and rescue opening.

16
17 3.2. Two means of egress complying with IRC Section R318.

18
19 **30. Section R329.6.2.1** **Alternative setback at ridge** shall be amended to read as follows:

20 **R 324.6.2.1 Alternative setback at ridge.** Where an automatic sprinkler system is
21 installed within the dwelling in accordance with the requirements of the Red White and
22 Blue Fire Protection District’s code, setbacks at ridges shall comply with one of the
23 following:

24
25 1. For photovoltaic arrays occupying not more than 66 percent of the plan view total
26 roof area, not less than an 18 inch clear setback is required on both sides.

27
28 2. For photovoltaic arrays occupying more than 66 percent of the plan view total roof
29 area, not less than a 36 inch clear setback is required on both sides of a horizontal
30 ridge.

31
32
33 **31. Section R502.1.1** **Sawn Lumber** is amended to read as follows:

34 **R502.1.1 Sawn Lumber.** Sawn lumber, dimensional lumber, and logs for joists, beams
35 and girders shall be identified by a grade mark of a lumber grading or inspection body
36 that has been approved by an accreditation agency that complies with DOC PS 20. In
37 lieu of a grade mark, a certificate of inspection issued by a lumber grading or inspection
38 agency meeting the requirements of this section may be accepted.
39

- 1 **32. Section R602.1.1 Sawn Lumber** is amended to read as follows:
- 2 **R602.1.1 Sawn Lumber.** Sawn lumber, dimensional lumber, and logs for studs, plates
3 and headers shall be identified by a grade mark of a lumber grading or inspection agency
4 that has been approved by an accreditation body that complies with DOC PS 20. In lieu
5 of a grade mark, a certificate of inspection issued by a lumber grading or inspection
6 agency meeting the requirements of this section may be accepted.
7
- 8 **33. Section R602.3 Design and construction** is amended by adding the following sentence:
- 9 The use of load duration factors for snow load shall be prohibited.
- 10 **34. Section R802.1.1 Sawn Lumber** is amended to read as follows:
- 11 **R802.1.1 Sawn Lumber.** Sawn lumber, dimensional lumber, and logs for rafters,
12 trusses and ceiling joists shall be identified by a grade mark of a lumber grading or
13 inspection agency that has been approved by an accreditation body that complies with
14 DOC PS 20. In lieu of a grade mark, a certificate of inspection issued by a lumber
15 grading or inspection agency meeting the requirements of this section may be accepted.
16
- 17 **35. Section R802.2 Design and construction** is amended by adding the following sentence:
- 18 There shall be no reduction in snow load for pitch or duration.
- 19 **36. Section 802.10.3 Bracing** is amended by adding the following sentence:
- 20 Trusses shall be blocked at bearing points.
21
- 22 **37. Section R902 Fire Classification** is amended to read as follows:
- 23 **R902.1 Roof assemblies.** Roofs shall be covered with materials as set forth in Sections
24 R904 and R905. Class A roofing assemblies shall be installed on all new buildings,
25 additions and re-roofs. Class A roofing required to be listed by this section shall be tested
26 in accordance with UL 790 or ASTM E 108. Roof assemblies with coverings of brick,
27 masonry, slate, clay or concrete roof tile, exposed concrete roof deck, ferrous or copper
28 shingles or sheets, and metal sheets and shingles, shall be considered Class A roof
29 coverings. Where required for roof drainage, scuppers shall be placed level with the roof
30 surface in a wall or parapet. The scupper shall be located as determined by the roof slope
31 and contribution roof area.
- 32 **38. Section R903 Weather Protection** is amended by inserting a new subsection, R903.1.1
33 Snow-shed barriers, to read as follows:

1 **R903.1.1 Snow-shed Barriers.** Roofs shall be designed to prevent accumulations of
2 snow from shedding onto exterior balconies, decks, pedestrian and vehicular exits from
3 buildings, stairways, sidewalks, streets, alleys, areas directly above or in front of gas
4 utility or electric utility meters, or adjacent properties.

5 **Exception:** Roof areas with a horizontal dimension of no more than 48 inches (1219mm)
6 that will not receive snow shedding from a higher roof. The horizontal projection shall be
7 measured perpendicular to the exterior wall line from the edge of the roof or eave to any
8 intersecting vertical surface.
9

10 **39. Section 905.1.1 Underlayment** is amended to read as follows:

11 **R905.1.1 Underlayment.** An underlayment that consists of an approved self-adhering
12 polymer modified bitumen sheet, or other similar material that meets the intent and is
13 first approved by the building official, shall be used with all roof coverings. The
14 underlayment shall extend up the slope of the roof from the drip edge of the roof or eave
15 to the ridge. The underlayment shall cover the entire roof deck surface. In new
16 construction the underlayment shall extend a minimum of 30 inches up the walls adjacent
17 to the roof surface.
18

19 **40. Section R905.1.2 Ice barriers** is amended to read as follows:

20 **R905.1.2 Ice barriers.** An ice dam protection that consists of an approved self-
21 adhering modified bitumen sheet underlayment, or other similar material that meets the
22 intent and is first approved by the building official, shall be used at all sloped roofs. This
23 ice dam protection underlayment shall extend up the slope of the roof from the drip-edge
24 of the roof or eave and cover the entire roof deck surface. In new construction ice dam
25 protection shall extend a minimum 30 inches up walls and adjacent to the roof surface.

26 **41. Section R1004.4 Unvented gas log heaters** is amended to read as follows:

27 **R1004.4 Unvented gas log heaters.** Installation of unvented gas log heaters is
28 prohibited.

29 **42. Section R1004 Factory Built Fireplaces** is amended by adding a new subsection,
30 R1004.6 Factory-built fireplace enclosures, to read as follows:

31 **R1004.6 Factory-built fireplace enclosures** is to read exactly as set forth in IBC
32 Sections 718.6 as amended.

33 **43. Section R1005 Factory Built Chimneys** is amended by adding three new subsections to
34 read as follows:

1 **R1005.9 Factory-built chimney enclosure** is to read exactly as set forth in IBC Section
2 718.7 as amended.

3
4 **R1005.10 Limitations on the type and number of devices** is to read exactly as set
5 forth in IBC Section 2113.21 as amended.

6
7 **R1005.11 Factory built chimney** is to read exactly as set forth in IBC Section 2113.22
8 as amended.

9
10 44. **Chapter 11 Energy Efficiency** is deleted in its entirety and replaced with the 2024
11 International Energy Conservation Code Residential Provisions as amended in this code.

12 45. **Section M1503.6.1 Location** is amended by adding a new subsection M1503.6.2

13 **M1503.6.1.2 Ducts within the Thermal Envelope.** *Kitchen* exhaust makeup air that is
14 ducted from the outdoors through ducts passing through the thermal envelope shall be
15 insulated their entire length to an *R-value* of not less than R-8 for *ducts* 3 inches (76 mm)
16 in diameter and larger and not less than R-6 for *ducts* smaller than 3 inches (76 mm) in
17 diameter. Alternatively, sections of *ductwork* that are installed within ceiling insulation,
18 surrounded with blown-in attic insulation having an *R-value* of R-30 or greater and
19 located such that the top of the *ductwork* is not less than 3.5 inches (89 mm) below the top
20 of the insulation shall be considered as having an effective duct insulation *R-value* of R-
21 25.

22
23
24 46. **Section M1701 General** is amended by adding a new subsection M1701.3 Combustion
25 air terminations to read as follows:

26 **M1701.3 Combustion air terminations.** All combustion air terminations shall be a
27 minimum of 36 inches above finished grade.

28 47. **Section M1804.2.1 Through the roof** is amended to read as follows:

29 **M1804.2.1 Through the roof.** Vents passing through a roof shall extend through
30 flashing and terminate in accordance with the manufacturer's installation requirements.
31 All vents shall terminate within 5 feet of ridgeline.

32 48. **Section M1804.2.6 Mechanical draft systems Item 4** is amended to read as follows:

33 **Item 4.** The bottom of the vent terminal shall be located a minimum of 36 inches above
34 finished grade.

35 49. **Section M2001.4 Flood-resistant installation** is amended by adding the follow

- 1 sentence:
- 2 All boiler, furnace, mechanical and water heater rooms, are to be provided with a floor
3 drain.
- 4 **50. Section M2101.10 Tests** is amended by adding the following sentence at the end of the
5 paragraph:
- 6 Hydronic tubing may be tested with a 50 psi air test for 30 minutes.
7
- 8 **51. Section M2103.4 Testing** is amended by adding the following sentence at the end of the
9 paragraph:
- 10 Hydronic tubing may be tested with a 50 psi air test for 30 minutes.
11
- 12 **52. Section M2105.28 Testing** is amended by adding the following sentence at the end of
13 the paragraph:
- 14 Assembled loop systems may be tested with a 50 psi air test for 30 minutes.
15
- 16 **53. Section G2406.2 Prohibited locations** is amended by eliminating Exceptions 3 and 4.
- 17 **54. Section G2406.3 Outdoor locations** is amended to add the following sentences at the
18 end of the paragraph:
- 19 All exterior fire pits and fireplaces shall not be installed on or under combustible
20 structures unless the entire appliance is listed and tested as one unit for that application,
21 or as first approved by the building official per R104.11 Alternative materials, design and
22 methods of construction and equipment. All listed outdoor appliances must meet all
23 manufactures' clearance requirements.
24
- 25 **55. Section G2407.6 Outdoor combustion air** is amended by adding the following
26 sentence:
- 27 All exterior openings for combustion air shall terminate a minimum 36 inches above
28 finished grade.
- 29 **56. Section G2407.11 Combustion air ducts Item 8** is amended to read as follows:
- 30 **Item 8.** Combustion air intake openings located on the exterior of a building shall have
31 the lowest side of such openings located not less than 36 inches vertically from the
32 adjoining finished grade.
33

1 **57. Section G2417.4.1 Test pressure** is amended to read as follows:
2 **G2417.4.1 Test pressure.** The test pressure to be used shall not be less than one and
3 one-half times the proposed maximum working pressure, but not less than 10 psig (69
4 kPa gauge) for threaded pipe, 60 psig for welded pipe, irrespective of design pressure.
5 Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not
6 exceed a value that produces a hoop stress in the piping greater than 50 percent of the
7 specified minimum yield strength of the pipe.

8 **58. Section G2425.8 Appliances not required to be vented** is amended by deleting the
9 Item 7.

10 **Item 7.** Room heaters listed for unvented use is deleted.

11
12 **59. Section G2427.4.1 Plastic piping** is amended by adding the following sentence:

13 All plastic piping used as vents or combustion air is to be tested with a minimum 5 psi air
14 test for 15 minutes.

15
16 **60. Section G2427.4.1 Plastic piping** is amended by adding a new subsection, Section
17 G2427.4.1.2 Existing plastic piping.

18 **Section G2427.4.1.2 Existing plastic piping.** When replacement equipment is connected
19 to existing plastic piping utilized for venting and combustion air, the plastic piping shall
20 be tested with an air pressure not to exceed 5 psi but not less than 3 psi for 15 minutes
21 before such equipment is connected thereto.

22 **61. Section G2427.8 Table G2427.8 Through-the-wall vent terminal clearance** is amended
23 to read as follows:

24 Figure Clearance A shall be 36 inches minimum above finished grade level, veranda,
25 porch, deck or balcony.

26
27 **62. Section G2432 Decorative Appliances for Installation in Fireplaces** is amended by
28 adding a new subsection, G2432.4 Gas logs, to read as follows:

29 **G2432.4 Gas logs.** Gas logs may be installed in solid-fuel-burning fireplaces provided:

30 1. The gas log is installed in accordance with the manufacturer's installation
31 instructions.

32 2. If the fireplace is equipped with a damper it shall either be removed or welded in
33 an open position.

- 1 3. The flue passageway shall be not less than 1 square inch per 2,000 Btu/h input and
2 not more than 4 square inches per 2,000 Btu/h input.
- 3 4. Gas logs shall be equipped with a pilot and shall have a listed safety shutoff valve.
- 4 5. Gas logs shall be vented with a Class A Chimney.
- 5 6. Gas logs may be installed in factory-built fireplaces only when:
 - 6 a. The fireplace and gas logs are listed for use together as an individual unit
 - 7 b. The fireplace is approved for use with any listed gas log
 - 8 c. The fireplace manufacturer provides prior written approval for the installation.
- 9 7. Gas logs shall be provided with a motorized damper interlocked with the
10 electronic ignition of the unit.

11 **Exception:** The installation of gas logs in factory built fireplace units for which the
12 manufacturer cannot be identified or located may be approved by the building official at
13 his or her discretion. Any approval shall be based at a minimum, on written evidence
14 submitted by the gas log manufacturer that the installation of their product will not
15 compromise the integrity of the existing fireplace.

16 **63. Section G2433 Log lighters** is amended to read as follows:

17 **G2433.1 General.** Log lighters are prohibited.

18 **Exception.** Log lighters are allowed if listed as a component of EPA Phase II appliances
19 and approved by the Building Official.

20 **64. Section G2445 Unvented Room Heaters** is amended to read as follows:

21 **G2445 .1 General.** Installation of unvented room heaters is prohibited.

22 **65. Section P2501 General** is amended by adding a new subsection P2501.1.2 Intent

23 **P2501.1.2 Intent.** The intent of this code is to meet or exceed the requirements of the
24 *State of Colorado Plumbing Code*. When technical requirements, specifications or
25 standards in the *Colorado Plumbing Code* conflict with this code, the more restrictive
26 shall apply.

27 **66. Section P2503.5.1 Rough plumbing** the first paragraph is amended as follows:

1 **P2503.5.1** Underground and **Rough Plumbing**. Drain, waste, and vent systems shall be
2 tested upon completion of the rough piping installation by water or by air with a
3 maximum of 5 psi with no evidence of leakage. Either test shall be applied to the
4 drainage system in its entirety or in sections after rough piping has been installed, as
5 follows:

6 **67. Section P2503.7 Water-supply system testing** is amended to read as follows:

7 **P2503.7 Water-supply system testing**. Upon completion of the water-supply system
8 or a portion of it, the system or portion completed shall be tested and proved tight under a
9 water pressure of not less than the working pressure of the system or, for piping systems,
10 by an air test of not less than 50 psi. This pressure shall be held for not less than 15
11 minutes. The water used for tests shall be obtained from a potable water source.

12 **68. Section P2801.6.2 Pan drain termination** is amended to read as follows:

13 **P2801.5.2 Pan drain termination**. The pan drain shall extend full-size and terminate
14 over a suitably located indirect waste receptor or floor drain. For replacement water
15 heaters in existing locations without a floor drain, a water alarm wired to a solenoid valve
16 (or equivalent) that automatically shuts off the water supply upon detection of a leak,
17 shall meet the intent of this code. All water heater rooms in new construction shall be
18 equipped with a floor drain.

19 **69. Section P2804.6.1 Requirements for discharge pipe Item 5** is amended to read as
20 follows:

21 **Item 5**. Discharge to the floor where floor drain is provided, to the pan serving the water
22 heater or storage tank, or to a waste receptor.

23
24 **70. Section P3103.1.1 Roof extension** is amended to read as follows:

25 **P3103.1.1 Roof extension**. All open vent pipes which extend through a roof shall be
26 terminated at least 12 inches above the roof and shall terminate within 5 feet of a
27 ridgeline.

28 **71. *Chapters 34, 35, 36, 37, 38, 39, 40, 41, 42 and 43* General Requirements, Electrical**
29 **Definitions, Services, Branch Circuit and Feeder Requirements, Wiring Methods,**
30 **Power and Lighting Distribution, Devices and Luminaires, Appliance Installation,**
31 **Swimming Pools, Class 2 Remote-Control, Signaling and Power-Limited Circuits**
32 are deleted in their entirety.

33

1 **8-1-6: AMENDMENTS TO THE INTERNATIONAL PLUMBING CODE:** The following
2 sections of the International Plumbing Code, 2024 Edition, are amended to read as follows:
3

- 4 1. **Section 101.1** **Title** is amended by adding the name “Town of Breckenridge”.
- 5 2. **Section 101.3** **Purpose** is amended to add the following sentences:
6 The intent of this code is to meet or exceed the requirements of the *State of Colorado*
7 *Plumbing Code*. When technical requirements, specifications or standards in the
8 *Colorado Plumbing Code* conflict with this code, the more restrictive shall apply.
- 9 3. **Section 103.2** **Appointment** is amended to read exactly as set forth in IBC Section
10 103.2 as amended.
- 11 4. **Section 103.3** **Deputies** is amended to read exactly as set forth in IBC Section 103.3 as
12 amended.
- 13 5. **Section 104.8** **Liability** is amended by adding the first paragraph as written in IBC
14 Section 104.8 as amended.
- 15 6. **Section 105.5.3** **Expiration** is amended to read exactly as set forth in IBC Section 105.5
16 as amended.
- 17 7. **Section 105.5.4** **Extensions** is deleted in its entirety.
- 18 8. **Section 108.2** **Schedule of permit fees** is amended to read as follows:
19 **108.2 Schedule of permit fees.** The fees for plumbing work shall be in accordance
20 with the Town of Breckenridge Building Permit and Inspection Fee Schedule as set forth
21 in IBC Section 109.2 as amended.
- 22 9. **Section 108.6** **Refunds** is amended to read as follows:
23 **108.6 Refunds.** The building official is authorized to establish a refund policy.
- 24 10. **Section 111.4.3** **Reinspection and Testing** is amended to read as follows:
25 **111.4.3 Re-inspections** is to read exactly as set forth in IBC Section 110.7 as amended.
- 26 11. **Section 112** **Means of appeals** is deleted in its entirety and reenacted to read exactly as
27 set forth in IBC Section 113.

- 1 12. Section 114.4 **Violation penalties** is amended to read exactly as set forth in IBC
2 Section 114.4.
- 3 13. Section 115 **Stop work orders** is amended to read exactly as set forth in IBC Section
4 115 as amended.
- 5 14. Section 301 **General** is amended by adding a new subsection, 301.8 Floor drains, to
6 read as follows:
- 7 **301.8 Floor Drains.** All mechanical, furnace, boiler and water heater rooms shall be
8 provided with a floor drain.
- 9 15. Section 305.4.1 **Sewer depth** is amended to read as follows:
- 10 **305.4.1 Sewer depth.** Building sewers shall be installed in accordance with the
11 standards and approval of the governing Sanitation District.
- 12 16. Section 312.1 **Required Tests** is amended by deleting this section of the fourth
13 sentence; “, for piping systems other than plastic,”.
- 14 17. Section 312.3 **Drainage and Vent Air Test** is amended by deleting the first sentence;
15 “Plastic pipe shall not be tested using air.”
- 16 18. Section 312.7 **Gravity sewer test** is amended to read as follows:
- 17 **312.7 Gravity sewer test.** Testing of the building sewer shall be in accordance with the
18 standards and approval of the governing Sanitation District.
- 19 19. Section 312.8 **Forced sewer test** is amended to read as follows:
- 20 **312.8 Forced sewer test.** Testing of the building sewer shall be in accordance with the
21 standards and approval of the governing Sanitation District.
- 22 20. Section 403.1 **Minimum number of fixtures** is amended to read exactly as IBC Section
23 2902.1 as amended.
- 24 21. Section 403.2 **Separate facilities Exception 2** is amended by changing the total
25 occupant load from 15 to 30.
- 26 22. Section 403.2 **Separate facilities** is amended by adding a exception 4 to read as follows:
- 27 **Exception 4.** Gender neutral single-user toilet facility and bathing room fixtures.
28

- 1 **23. Section 403.2.1 Family or assisted-use toilet facilities serving as separate facilities is**
2 amended to read exactly as IBC Section 2902.1.2 as amended.
- 3 **24. Section 504.6 Requirements for discharge piping Item 5** is amended by deleting the
4 portion of the sentence “to the outdoors.”
- 5 **25. Section 504.7.2 Pan drain termination** is amended to read as follows:
- 6 **504.7.2 Pan drain termination.** The pan drain shall extend full-size and terminate over
7 a suitably located indirect waste receptor or floor drain. For replacement water heaters in
8 existing locations without a floor drain, a water alarm wired to a solenoid valve (or
9 equivalent) that automatically shuts off the water supply upon detection of a leak, shall
10 meet the intent of this code. All water heater rooms in new construction shall be equipped
11 with a floor drain.
- 12 **26. Section 608.18.1 Well locations** through **Section 608.18.8 Drainage** are deleted in
13 their entirety.
- 14 **27. Section 610.1 General** is amended to read as follows:
- 15 **610.1 General.** New or repaired potable water systems shall be purged of deleterious
16 matter and disinfected prior to utilization. The method to be followed shall be that
17 prescribed by the Town of Breckenridge Water Department.
- 18 **28. Section 701.2 Connection to sewer required** is amended to read as follows:
- 19 **701.2 Connection to sewer required.** Every building in which plumbing fixtures are
20 installed and all premises having drainage piping shall be connected to a public sewer.
- 21 **29. Section 903.1 Roof extension** is amended to read as follows:
- 22 **903.1 Roof extension.** All open vent pipes which extend through a roof shall terminate
23 at least 12 inches above the roof and within 5 feet of a ridgeline.
- 24 24
- 25 **30. Section 1106.1 General** is amended to read as follows:
- 26 **1106.1 General.** The size of the vertical conductors and leaders, building storm drains,
27 building storm sewers, and any horizontal branches of such drains or sewers shall be
28 based on the 100-year hourly rainfall rate of two inches per hour.
- 29 **31. Section 1109.1 General** is amended to read as follows:
- 30 **1109.1 General.** Combination sanitary and storm drains or sewers are prohibited.

1
2 **8-1-7: AMENDMENTS TO THE INTERNATIONAL MECHANICAL CODE:** The
3 following sections of the International Mechanical Code, 2024 Edition, are amended to read as
4 follows:
5

- 6 1. **Section 101.1** **Title** is amended by adding the name “Town of Breckenridge.”
- 7 2. **Section 103.2** **Appointment** is amended to read exactly as set forth in IBC Section
8 103.2 as amended.
- 9 3. **Section 103.3** **Deputies** is amended to read exactly as set forth in IBC Section 103.3 as
10 amended.
- 11 4. **Section 104.8** **Liability** is amended to read exactly as set forth in IBC Section 104.8 as
12 amended.
- 13 5. **Section 105.4.3** **Expiration** is amended to read exactly as set forth in IBC Section 105.5
14 as amended.
- 15 6. **Section 105.4.4** **Extensions** is deleted in its entirety.
- 16 7. **Section 108.2** **Schedule of permit fees** is amended to read as follows:
17 **108.2 Schedule of permit fees.** The fees for mechanical work shall be in accordance
18 with the Town of Breckenridge Building Permit and Inspection Fee Schedule as set forth
19 in IBC Section 109.2 as amended.
- 20 8. **Section 108.6** **Refunds** is amended to read as follows:
21 **108.6 Refunds.** The building official is authorized to establish a fee refund policy.
- 22 9. **Section 111.3.3** **Reinspection and testing** is amended to read as exactly as set forth in
23 IBC Section 110.7 as amended.
- 24 10. **Section 112** **Means of appeal** is deleted in its entirety and reenacted to read exactly as
25 set forth in IBC Section 113.
- 26 11. **Section 114.4** **Violation penalties** is amended to read exactly as set forth in IBC
27 Section 114.4.
- 28 12. **Section 115** **Stop work order** is amended to read exactly as set forth in IBC Section
29 115 as amended.

1 13. **Section 202 Definitions** is amended by adding the following definitions within the
2 alphabetical order of the existing definitions:

3 CERTIFIED SOLID FUEL BURNING DEVICE: A solid fuel burning
4 device that is certified by the Air Pollution Control Division of the
5 Colorado Department of Health or approved by the building official as
6 meeting the emission standards set forth in Section IV of Regulation No. 4
7 of Volume I of the Colorado Air Quality Control Commission (EPA Phase
8 II or III).

9
10 SOLID FUEL BURNING DEVICE: Any fireplace, stove, firebox, or
11 other device intended and or used for the purpose of burning wood, coal,
12 pulp, paper, pellets or other nonliquid or non-gaseous fuel.
13

14 14. **Section 301 General** is amended by adding a new subsection, 301.19 Floor Drains, to
15 read as follows:

16 **301.19 Floor Drains.** All mechanical rooms (furnace, boiler, water
17 heater rooms) shall be provided with a floor drain.
18

19 15. **Section 505.4 Makeup air required** is amended by adding a new subsection 505.4.1
20 Ducts within the Thermal Envelope.

21 **505.4.1 Ducts within the Thermal Envelope.** *Kitchen* exhaust makeup air that is
22 ducted from the outdoors through ducts passing through the thermal envelope shall be
23 insulated their entire length to an *R-value* of not less than R-8 for *ducts* 3 inches (76 mm)
24 in diameter and larger and not less than R-6 for *ducts* smaller than 3 inches (76 mm) in
25 diameter. Alternatively, sections of *ductwork* that are installed within ceiling insulation,
26 surrounded with blown-in attic insulation having an *R-value* of R-30 or greater and
27 located such that the top of the *ductwork* is not less than 3.5 inches (89 mm) below the top
28 of the insulation shall be considered as having an effective duct insulation *R-value* of R-
29 25.
30

31 16. **Section 509.1 Where required** is amended by adding the following paragraph.

32 All fire suppression systems required by this code shall be inspected and
33 approved by a special inspector. The special inspector shall be an
34 authorized representative of the Red White and Blue Fire Protection
35 District.
36

37 17. **Section 701.1 Scope** is amended by adding a new subsection, 701.1.1 Vent and
38 combustion air ducts, to read as follows:

1 **701.1 Vent and combustion air ducts.** Vent and combustion air ducts
2 shall terminate a minimum of 36 inches above finished grade.
3

4 **18. Section 804.3.4 Horizontal terminations** is amended by changing Item 6 to read as
5 follows:

6 Item 6. The bottom of the vent termination shall be located at least 36
7 inches above finished grade.
8

9 **19. Section 805 Factory-Built Chimneys** is amended by adding new subsections to read
10 exactly as set forth in IBC Sections 718.6, 718.7, and 2113.22 as amended.

11 **20. Section 903.3 Unvented gas log heaters** is amended to read as follows:

12 **903.3 Unvented gas log heaters.** Unvented gas log heaters are
13 prohibited.
14

15 **21. Section 905 Fireplace Stoves and Room Heaters** is amended by adding a new
16 subsection, 905.4 Limitation on the type and number of devices, to read as follows:

17 **905.4** Limitation on the type and number of devices is added to read
18 exactly as set forth in IBC Section 2113.21 as amended.
19

20 **22. Section 1208.1 General** is amended by adding the following sentences at the end of the
21 paragraph.

22 Hydronic tubing may be tested with a 50 psi air test for a minimum of 30
23 minutes. Assembled loop systems may be tested with a 50 psi air test for a
24 minimum of 30 minutes.
25
26

27 **8-1-8: AMENDMENTS TO THE INTERNATIONAL FUEL GAS CODE:** The following
28 sections of the International Fuel Gas Code, 2024 Edition, are amended to read as follows:
29

30 **1. Section 101.1 Title** is amended by adding the name “Town of Breckenridge.”

31 **2. Section 103.2 Appointment** is amended to read exactly as set forth in IBC Section
32 103.2 as amended.

33 **3. Section 103.3 Deputies** is amended to read exactly as set forth in IBC Section 103.3 as
34 amended.

- 1 4. **Section 104.8 Liability** is amended to read exactly as set forth in IBC Section 104.8 as
2 amended.
- 3 5. **Section 105.5.3 Expiration** is amended to read exactly as set forth in IBC Section 105.5
4 as amended.
- 5 6. **Section 105.5.4 Extensions** is deleted in its entirety.
- 6 7. **Section 108.2 Schedule of permit fees** is amended to read as follows:
- 7 **108.2 Schedule of permit fees.** The fees for fuel gas mechanical/ plumbing work shall
8 be in accordance with the Town of Breckenridge Building Permit and Inspection Fee
9 Schedule as set forth in IBC Section 109.2 as amended.
- 10 8. **Section 108.6 Refunds** is amended to read as follows:
- 11 **108.6 Refunds.** The building official is authorized to establish a fee refund policy.
- 12 9. **Section 111.3.3 Reinspections and testing** is amended to read as follows:
- 13 **111.3.3 Re-inspections** is to read exactly as set forth in IBC Section 110.7 as amended.
14
- 15 10. **Section 112 Means of Appeal** is deleted in its entirety and reenacted to read exactly as
16 set forth in IBC Section 113.
- 17 11. **Section 113.4 Violation penalties** is amended to read exactly as set forth in IBC
18 Section 114.
- 19 12. **Section 114 Stop work orders** is amended to read exactly as set forth in IBC Section
20 115 as amended.
- 21 13. **Section 303.2 Hazardous locations** is amended by adding the following sentences to
22 read as follows:
- 23 All exterior fire pits and fireplaces shall not be installed on or under combustible
24 structures unless the entire appliance is listed and tested as one unit for that application,
25 or as first approved by the building official per IBC Section 104.2.3 Alternative
26 materials, design and methods of construction and equipment. All listed outdoor
27 appliances must meet all manufactures' clearance requirements.
28
- 29 14. **Section 303.3 Prohibited locations** is amended by deleting Exceptions 3 and 4.
- 30 15. **Section 304.11 Combustion air ducts Item 8** is amended to read as follows:

1 **Item 8.** Combustion air intake openings located on the exterior of a building shall have
2 the lowest side of such openings located a minimum of 36 inches above finished grade.
3

4 **16. Section 304.11 Combustion air ducts** is amended by adding Item 9 to read as follows:

5 **Item 9.** Combustion air duct terminations shall terminate a minimum of 36 inches above
6 finished grade.
7

8 **17. Section 406.4.1 Test pressure** is amended to read as follows:

9 **406.4.1 Test pressure.** The test pressure to be used shall not be less than one and one-
10 half times the proposed maximum working pressure, but not less than 10 psig (69 kPa
11 gauge) for threaded pipe, 60 psig for welded pipe, irrespective of design pressure. Where
12 the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a
13 value that produces a hoop stress in the piping greater than 50 percent of the specified
14 minimum yield strength of the pipe.
15

16 **18. Section 501.8 Equipment not required to be vented** is amended by deleting Items 8
17 and 10.

18 **19. Section 503.4.1 Plastic piping** is amended by adding the following sentence:

19 All plastic piping used as vents or combustion air is to be tested with a 5 psi air test for a
20 minimum of 15 minutes.
21

22 **20. Section 503.4.1 Plastic piping** is amended by adding a new subsection, Section
23 503.4.1.2 Existing plastic piping.

24 Section 503.4.1.2 Existing plastic piping. When replacement equipment is connected to
25 existing plastic piping utilized for venting and combustion air, the plastic piping shall be
26 tested with an air pressure not to exceed 5 psi but not less than 3 psi for 15 minutes
27 before such equipment is connected thereto.

28 **21. Section 503.8 Table 503.8** Through-the-wall vent terminal clearance is amended to read
29 as follows:

30 Figure Clearance A shall be 36 inches minimum above finished grade level, veranda,
31 porch, deck or balcony.
32

33 **22. Section 506 Factory Built Chimneys** is amended by adding new subsections to read
34 exactly as IBC Sections 718.6, 718.7, 2113.21, and 2113.22 as amended.

35 **23. Section 602.1 General** is amended to read as follows:

1 **602.1 General.** Decorative appliances for installation in approved solid fuel-burning
2 fireplaces shall be tested in accordance with ANSI Z21.60 and shall be installed in
3 accordance with the manufacturer’s installation instructions.

4 **24. Section 602 Decorative Appliances for Installation in Fireplaces** is amended by
5 adding a new subsection, 602.4 Gas Logs, to read as follows:

6 **602.4 Gas Logs.** Gas logs may be installed in solid-fuel-burning fireplaces provided:

- 7 1. The gas log is installed in accordance with the manufacturer’s installation
8 instructions.
- 9 2. If the fireplace is equipped with a damper it shall either be removed or welded
10 in an open position.
- 11 3. The flue passageway shall be not less than 1 square inch per 2,000 Btu/h input
12 and not more than 4 square inches per 2,000 Btu/h input.
- 13 4. Gas logs shall be equipped with a pilot and shall have a listed safety shutoff
14 valve.
- 15 5. Gas logs shall be vented with a Class A Chimney.
- 16 6. Gas logs may be installed in factory-built fireplaces only when:
 - 17 a. The fireplace and gas logs are listed for use together as an individual unit
 - 18 b. The fireplace is approved for use with any listed gas log
 - 19 c. The fireplace manufacturer provides prior written approval for the
20 installation.
- 21 7. Gas logs shall be provided with a motorized damper interlocked with the
22 electronic ignition of the unit.

23 **Exception:** The installation of gas logs in factory built fireplace units for which the
24 manufacturer cannot be identified or located may be approved by the building official at
25 his or her discretion. Any approval shall be based at a minimum, on written evidence
26 submitted by the gas log manufacturer that the installation of their product will not
27 compromise the integrity of the existing fireplace.

28 **25. Section 603.1 General** is amended to read as follows:

1 **603.1 General.** Log lighters are prohibited.

2 **26. Section 618.3 Prohibited sources** is amended by adding a new subsection, 618.4.1
3 Outside air sources, to read as follows:

4 **618.4.1 Outside air sources.** Outside air shall not be obtained from an exterior opening
5 less than 36 inches from finished grade.

6 **27. Section 621 Unvented Room Heaters** is deleted in its entirety.

7
8 **8-1-9: AMENDMENTS TO THE INTERNATIONAL ENERGY CONSERVATION**
9 **CODE:** The following sections of the International Energy Conservation Code, 2024Edition, are
10 amended to read as follows:

11
12 1. **C101.1, Title** is amended as follows:

13 This code shall be known as the Energy Conservation Code of the Town of Breckenridge
14 and shall be cited as such. It is referred to herein as “this code”.

15
16 2. **Section C103.1 Creation of Enforcement Agency**, is amended by adding the name of
17 the “Town of Breckenridge Building Division.” The rest of the section will remain
18 unchanged.

19 **Section C103.1 Creation of enforcement agency.** The Town of Breckenridge Building
20 Division is hereby created.

21 3. **Section C105.6.2 Compliance Documentation**, is deleted in its entirety.

22 4. **Section C401.2 Application** is amended to read as follows:

23 **C401.2 Application.** Commercial buildings shall comply with all the following:

- 24 1. The Colorado Model Electric-Ready and Solar Ready Code commercial
25 provisions as found in the new Section C410 of the Colorado Model Low Energy
26 and Carbon Code (LECC), (with the exception of the EV requirements found in
27 Section C410 of this code).
- 28 2. Section C409 Renewable Energy Mitigation Program (REMP), of this code,
- 29 3. Section C410 Electric Vehicle (EV) Ready, of this code, and
- 30 4. Either Section C401.2.1 or C401.2.2, of this code.
- 31
- 32

1 **5. Section C401.2.1** is amended to read as follows:

2 **C401.2.1 International Energy Conservation Code.** Commercial buildings shall comply
3 with one of the following:

4
5 1. *Prescriptive Compliance.* The Prescriptive Compliance option requires compliance
6 with Sections C401.2, C402 through C406 and Section C408. Dwelling units and
7 sleeping units in Group R-2 buildings shall be deemed to be in compliance with this
8 chapter, provided that they comply with Sections C401.2 and R406.

9
10 2. *Simulated Building Performance.* The *Simulated Building Performance* option
11 requires compliance with Section C401.2 and ANSI/ASHRAE/IES 90.1 Appendix G,
12 as modified to be based on Site Energy Use Intensity in accordance with Section I6 of
13 Informative Appendix I. Section C407 of this code is deleted entirely. Utilizing the
14 Simulated Building Performance Option removes all requirements of the IECC and
15 replaces them with all requirements of ASHRAE 90.1-2022 as applicable, with the
16 exception of the requirement for compliance with the Colorado Electric Ready and
17 Solar Ready Code as amended by Section C410 of this code, and Section C409
18 REMP.

19
20 **Exception:** *Additions, alterations, repairs* and changes of occupancy to existing
21 buildings complying with Chapter 5, unless called out within Section C410 of the Model
22 Low Energy and Carbon Code or REMP.

23
24 **6. Section C401.2.2** is amended to read as follows:

25 **C401.2.2 ASHRAE 90.1.** Commercial buildings shall comply with Section C410 of the
26 Model Low Energy and Carbon Code as amended to include Section C410 of this code,
27 Section C409 REMP, and ASHRAE 90.1-2022. The Energy Cost Budget pathway is
28 deleted. ANSI/ASHRAE/IES 90.1 Appendix G is modified to be based on Site Energy Use
29 Intensity in accordance with Section I6 of Informative Appendix I.

30
31 **7. Section C402.1** is amended to read as follows:

32 **C402.1 General.** Building thermal envelope assemblies for buildings that are intended to
33 comply with the code in accordance with the Prescriptive Compliance path described in
34 Item 1 of Section C401.2.1 shall comply with the following:

35
36 1. The opaque portions of the building thermal envelope shall comply with the specific
37 insulation requirements of Section C402.2 and the thermal requirements of Section
38 C402.1.2, C402.1.3 or C402.1.4. Where the total area of through penetrations of

1 mechanical equipment is greater than 1 percent of the opaque above-grade wall area,
2 the building thermal envelope shall comply with Section C402.1.2.1.8.

3
4 2. Wall solar reflectance and thermal emittance shall comply with Section C402.3.

5
6 3. Roof solar reflectance and thermal emittance shall comply with Section C402.4

7
8 4. Fenestration in the building thermal envelope shall comply with Section C402.5.
9 Where buildings have a vertical fenestration area or skylight area greater than that
10 allowed in Section C402.5, the building and building thermal envelope shall comply
11 with Item 2 of Section C401.2.1, C401.2.2 or C402.1.4.

12
13 5. Air leakage of building thermal envelope shall comply with Section C402.6. Air
14 barrier and air sealing details, including the location of the *air barrier*, shall comply
15 with Section C105.2. Proof that an *approved* third party for *air leakage* testing has
16 been engaged shall be provided.

17
18 6. Thermal bridges in above-grade walls shall comply with Section C402.7.

19
20 7. Walk-in coolers, walk-in freezers, refrigerated warehouse coolers and refrigerated
21 warehouse freezers shall comply with Section C403.12.

22
23 **8. Section C402.1.4 Component Performance Method is amended to read as follows:**

24 **C402.1.4 Component performance method.** Building thermal envelope values and
25 fenestration areas determined in accordance with Equation 4-1 shall be an alternative to
26 compliance with the maximum allowable fenestration areas in Section C402.5.1.
27 Fenestration shall meet the applicable SHGC requirements of Section C402.5.3.

28 Equation 4-1 $AP + BP + CP + \square AT + BT + CT + - VF - VS$

29 where:

30 AP = Sum of the (area × U-factor) for each proposed building thermal envelope assembly,
31 other than slab-on-grade or below-grade wall assemblies.

32 BP = Sum of the (length × F-factor) for each proposed slab-on-grade edge condition.

33 CP = Sum of the (area × C-factor) for each proposed below-grade wall assembly.

34 AT = Sum of the (area × U-factor permitted by Tables C402.1.2 and C402.5) for each
35 proposed building thermal envelope assembly, other than slab-on-grade or below-grade wall
36 assemblies.

37 BT = Sum of the (length × F-factor permitted by Table C402.1.2) for each proposed slab-on-
38 grade edge condition.

39 CT = Sum of the (area × C-factor permitted by Table C402.1.2) for each proposed below-
40 grade wall assembly.

1 PF = Maximum vertical fenestration area allowable by Section C402.5.1, C402.5.1.1 or
2 C402.5.1.2.
3 QF = Proposed vertical fenestration area.
4 RF = QF – PF, but not less than zero (excess vertical fenestration area).
5 SF = Area-weighted average U-factor permitted by Table C402.5 of all vertical fenestration
6 assemblies.
7 TF = Area-weighted average U-factor permitted by Table C402.1.2 of all exterior opaque
8 wall assemblies.
9 UF = SF – TF (excess U-factor for excess vertical fenestration area).
10 VF = RF × UF (excess U × A due to excess vertical fenestration area).
11 PS = Maximum skylight area allowable by Section C402.1.2.
12 QS = Actual skylight area.
13 RS = QS – PS, but not less than zero (excess skylight area).
14 SS = Area-weighted average U-factor permitted by Table C402.5 of all skylights.
15 TS = Area-weighted average U-factor permitted by Table C402.1.2 of all opaque roof
16 assemblies.
17 US = SS – TS (excess U-factor for excess skylight area).
18 VS = RS × US (excess U × A due to excess skylight area).
19

20 **9. Section C403.1** is amended to read as follows:

21 **C403.1 General.** Mechanical systems and equipment serving the building heating, cooling,
22 ventilating or refrigerating needs shall comply with one of the following:

- 23
- 24 1. Section C403.1.1 and Sections C403.2 through C403.17.
 - 25
 - 26 2. Data Centers shall comply with Section C403.1.1, Section C403.1.2 and Sections
27 C403.6 through C403.17.
 - 28

29 **10. Section C403.12.2 Snow- and ice-melt system controls** is amended to read as follows:

30 **C403.14.2 Snow- and ice-melt system controls.**

31 Snow- and ice-melt system controls shall include automatic controls in accordance with
32 REMP Section C409.3.2, #2.
33

34 **11. Section C404 Service Water Heating** is amended by adding the following new Section
35 C404.11:

36 **C404.11 Building Water Use Reduction.** All commercial buildings shall comply
37 with the requirements as set forth in Section C404.11 and as shown in Table
38 C404.11.1.

1 **Exception:** All structures complying with the Department of Energy's Zero Energy
 2 Ready Home National Program do not have to comply with Section C404.11.

3 **Table C404.11.1. PLUMBING FIXTURES AND FITTINGS REQUIREMENTS**

PLUMBING FIXTURE	MAXIMUM
Water Closets (toilets) - flushometer single-flush valve type	Single-flush volume of 1.28 gal (4.8 L)
Water Closets (toilets) - flushometer dual-flush valve type	Full-flush volume of 1.28 gal (4.8 L)
Water Closets (toilets) - single-flush tank-type	Single-flush volume of 1.28 gal (4.8 L)
Water Closets (toilets) - dual-flush tank-type	Full-flush volume of 1.28 gal (4.8 L)
Urinals	Flush volume 0.5 gal (1.9 L)
Public lavatory faucets	Flow rate - 0.5 gpm (1.9 L/min)
Public metering self-closing faucet	0.25 gal(1.0 L) per metering cycle
Residential bathroom lavatory sink faucets	Flow rate - 1.5 gpm (5.7 L/min)
Residential kitchen faucets	Flow rate - 1.8 gpm (6.8 L/min) ^a
Residential showerheads	Flow rate - 2.0 gpm (7.6 L/min)

PLUMBING FIXTURE	MAXIMUM
Residential shower compartment (stall) in dwelling units and guest rooms	Flow rate from all shower outlets total of 2.0 gpm (7.6 L/min)211 elk

1 a. With provision for a temporary override to 2.2 gpm (8.3 L/min) as specified in
2 Section 404.11.1(g)

3 **C404.11.1 Plumbing Fixtures and Fittings.**

4 Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads)
5 shall comply with the following requirements as shown in Table C404.11.1.

6 A. Water Closets (toilets) - flushometer valve type. For single-flush, maximum
7 flush volume shall be determined in accordance with ASME A112.19.2/CSA
8 B45.1 and shall not exceed 1.28 gal (4.8 L) per flush. For dual-flush, the full
9 flush volume shall not exceed 1.28 gal (4.8L) per flush. Dual -flush fixtures
10 shall also comply with the provisions of ASME A112.19.14.

11 B. Water Closets (toilets) - tank-type. Tank-type water closets shall be certified
12 to the performance criteria of the USEPA WaterSense Tank-Type High-
13 Efficiency Toilet Specification and shall have a maximum full-flush volume of
14 1.28 gal (4.8L) per flush. Dual-flush fixtures shall also comply with the
15 provisions of ASME A112.19.14.

16 C. Urinals. Maximum flush volume, when determined in accordance with
17 ASME A112.19.2/CBA B45.1, shall not exceed 0.5 gal (1.9L) per flush.
18 Flushing urinals shall comply with the performance criteria of the USEPA
19 WaterSense Specification for Flushing Urinals. Non-water urinals shall comply
20 with ASME A112.19.19 (vitreous china) or IAPMO Z124.9 (plastic) as
21 appropriate.

22 D. Public Lavatory Faucets. Maximum flow rate shall not exceed 0.5 gpm
23 (1.9L/min) when tested in accordance with ASME A112.18.1/CSA B 125.1.

24 E. Public Metering Self-Closing Faucet. Maximum water use shall not exceed
25 0.25 gal (1.0 L) per metering cycle when tested in accordance with ASME
26 A112.18.1/CSA B125.1.

27 F. Residential Bathroom Lavatory Sink Faucets. Maximum flow rate shall not
28 exceed 1.5 gpm (5.7 L) when tested in accordance with ASME A112.18.1/CSA

1 B125.1. Residential WaterSense High-Efficiency Lavatory Faucet
2 Specifications.

3 G. Residential Kitchen Faucets. Maximum flow rate shall not exceed 1.8 gpm
4 (6.8 L/min) when tested in accordance with ASME A112.18.1/CSA B125.1.
5 Kitchen faucets shall be permitted to temporarily increase the flow greater than
6 1.8 gpm (6.8 L/min) but shall not exceed 2.2 gpm (8.3 L/min) and must
7 automatically revert to the established maximum flow rate of 1.8 gpm (6.8
8 L/min) upon physical release of the activation mechanism or closure of the
9 faucet valve.

10 H. Residential Showerheads. Maximum flow rate shall not exceed 2.0 gpm (7.6
11 L/min) when tested in accordance with ASME A112.18.1/CSA B125.1.
12 Residential showerheads shall comply with the performance requirements of
13 the USEPA WaterSense Specifications for Showerheads.
14

15 I. Residential Shower Compartment (stall) in Dwelling Units and Guest
16 Rooms. The allowable flow rate from all shower outlets (including rain
17 systems, waterfalls, body sprays, and jets) that can operate simultaneously shall
18 be limited to a total of 2.0 gpm (7.6 L/min).

19 **Exception:** Where the area of a shower compartment exceeds 2600 inch² (1.7
20 m²), an additional flow of 2.0 gpm (7.6 L/min) shall be permitted for each
21 multiple of 2600 inch² (1.7 m²) of floor area or fraction thereof.

22 J. Water Bottle Filling Stations. Water bottle filling stations shall be an integral
23 part of, or shall be installed adjacent to, not less than 50% of all drinking
24 fountains installed indoors on the premises.
25

26 C404.11.2 Appliances.

27 Commercial appliances shall comply with the following requirements:

28 A. Clothes Washers and Dishwashers installed within dwelling units shall
29 comply with the ENERGY STAR program requirements for Clothes Washers
30 and ENERGY STAR Program requirements for Dishwashers. Maximum water
31 use shall be as follows:

32 1. Clothes Washers - Maximum water factor (WF) of 5.4 gal/ft³ of drum
33 capacity (0.7 L/L of drum capacity)

34 2. Dishwashers - Standard size dishwashers shall have a maximum WF 3.8
35 gal/full operating cycle (14.3 L/full operating cycle). Compact sizes shall
36 have a maximum WF of 3.5 gal/full operating cycle (13.2 L/full operating

1 cycle). Standard and compact size shall be defined by ENERGY STAR
2 criteria.

3 B. Clothes washers installed in publicly accessible spaces (multifamily and
4 hotel common areas), and coin/card operated clothes washers of any size used
5 in laundromats, shall have a maximum WF of 4.0 gal/ft³ of drum capacity
6 during normal cycle (.053 L/L of drum capacity during normal cycle).

7 C. Commercial dishwashers in commercial food service facilities shall meet all
8 ENERGY STAR requirements as listed in the ENERGY STAR Program
9 requirements for Commercial Dishwashers, Version 2.0.

10 **C404.11.3 Commercial Food Service Operations.**

11 Commercial food service operations (restaurants, cafeterias, food preparation
12 kitchens, caterers, etc.) shall comply with the following requirements:

13 A. Shall use high-efficiency pre rinse spray valves (I.e. valves that function at
14 1.3 gpm (4.9 L/min) or less and comply with a 26 second performance
15 requirement when tested in accordance with ASTM F2324.

16 B. Shall use dishwashers that comply with the requirements of the ENERGY
17 STAR Program for Commercial Dishwashers.

18 C. Shall use boiler-less/connectionless food steamers that consume no more
19 than 2.0 gal/h (7.5 L/h) in the full operational mode.

20 D. Shall use combination ovens that consume not more than 10 gal/h (38 L/h)
21 in full operational mode.

22 E. Shall use air-cooled ice machines that comply with the requirements of the
23 ENERGY STAR Program for Commercial Ice Machines.

24 F. Shall be equipped with hands-free faucet controllers (foot controllers, sensor
25 activated, or other) for all faucet fittings within the food preparation area of the
26 kitchen and the dish room, including pot sinks and washing sinks.

27 **C404.11.4 Medical and Laboratory Facilities.**

28 Medical and laboratory facilities, including clinics, hospitals, medical centers,
29 physician and dental offices, and medical and nonmedical laboratories of all types
30 shall comply with the following:

31 A. Use only water-efficient steam sterilizers equipped with:

1 1. Water-tempering devices that allow water to flow only when the
2 discharge of condensate or hot water from the sterilizer exceeds 140°F
3 (60°C).

4 2. Mechanical vacuum equipment in place of venture-type vacuum systems
5 for vacuum sterilizers.

6 B. Use film processor water-recycling units where large-frame X-ray films of
7 more than 6 inches (150 mm) in either length or width are processed.

8 **Exception:** Small dental X-ray equipment is exempt from this requirement.

9 C. Use digital imaging and radiography systems where the digital networks are
10 installed.

11 D. Use a dry-hood scrubber system or, if the applicant determines that a wet-
12 hood scrubber is required, the scrubber shall be equipped with a water
13 recirculation system. For perchlorate hoods and other applications where a
14 hood wash-down system is required, the hood shall be equipped with self-
15 closing valves on those wash down systems.

16 E. Use only dry vacuum pumps unless fire and safety codes (International Fire
17 Code) for explosive, corrosive, or oxidative gases require a liquid ring pump.

18 F. Use only efficient water treatment systems that comply with the following
19 criteria:

20 1. For all filtration processes, pressure gauges shall determine and display
21 when to backwash or change cartridges.

22 2. For all ion exchange and softening processes, recharge cycles shall be
23 set by volume of water treated or based on conductivity or hardness.

24 3. For reverse osmosis and nanofiltration equipment with a capacity greater
25 than 27 gal/h (100 L/h), reject water shall not exceed 60% of the feed water
26 and shall be used as scrubber feed water or for the other beneficial uses on
27 the project site.

28 4. Simple distillation is not an acceptable means of water purification.

29 G. With regard to food service operations within medical facilities, comply
30 with Section 404.11.3.

1 **12. Section C405.2.8.1 Demand Responsive Lighting Control Function** is amended to
2 read as follows:

3 **C405.2.8.1 Demand responsive lighting control function.** Where installed, demand
4 responsive controls for lighting shall be capable of the following: (remainder of section
5 unchanged)

6 **13. Section C405.2.10.2 Sleeping Units in Congregate Living Facilities** subnumeral 2 is
7 amended to read as follows:

8 **C405.2.10.2 Sleeping units in congregate living facilities.**

9 2. Each unit shall have a manual control by the entrance that turns off all lighting and
10 where installed, switched receptacles in the unit, except for lighting in bathrooms and
11 kitchens. The manual control shall be marked to indicate its function.

12
13 **14. Section C405.15 Renewable energy systems** is deleted in its entirety.

14
15
16 **15. Section C406** is deleted in its entirety and replaced with Section C406 of the Colorado
17 Model Low Energy and Carbon Code.

18
19 **16. Section C409** is deleted in its entirety and replaced as follows:

20 **C409 Title.**

21 Renewable Energy Mitigation Program (REMP) – Commercial Provisions

22 **C409.1 Scope.**

23 This section establishes criteria for compliance with the Breckenridge Renewable
24 Energy Mitigation Program (REMP). The scope of this program includes exterior
25 energy uses and energy production to offset exterior energy use.

26 **C409.2 Mandatory Requirements.**

27 Mandatory Requirements. Compliance with this section requires that the provisions of
28 this section be followed for all exterior energy use. Compliance with this section will be
29 documented via the free Public Domain tool "Breckenridge REMF Calculation Sheet"
30 in the most current version at the time of permit application. Projected energy use,
31 associated energy offset required, fees and credits are defined within this tool.

1 Credits for on-site renewable energy. The payment-in-lieu option is voluntary.
2 Applicants interested in exterior energy use systems can alternatively choose to produce
3 on-site renewable energy with renewable energy systems such as solar photovoltaics
4 and/or solar hot water, wind, or micro-hydro. The energy efficient technology of ground
5 source heat pumps is also permitted for supplemental on-site energy.

6 **C409.3 Exterior energy uses.**

7 Commercial exterior energy uses (per list below) may be installed only if the
8 supplemental energy meets the requirements of the Renewable Energy Mitigation
9 Program. This applies to all installation for which an application for a permit is filed or
10 is by law required to be filed with or without an associated Building Permit. This does
11 not apply to work on existing systems that were permitted prior to this code.

- 12 1. Snowmelt (i.e. driveways, patios, walkways, etc.)
- 13 2. Exterior pools
- 14 3. Exterior hot tubs and spas
- 15 4. Permanent natural gas or electric systems for heating outdoor commercial spaces.

16 **C409.3.1 On-site renewable credits.**

17 Credits for renewable energy production will be calculated and applied per
18 "Breckenridge REMP Calculation Sheet" for energy generated on-site. Renewable
19 energy methods listed in the calculator include: solar photovoltaic, solar thermal,
20 ground source heat pumps, hydroelectric and wind power. Provision for alternative
21 method calculations is also provided, but it will require specific review and approval by
22 the Building Official.

23 **C409.3.2 Snowmelt systems.**

- 24 1. R-15 insulation shall be installed under all areas to be snowmelted.
- 25 2. Required snowmelt controls. All systems are required to have automated controls to
26 limit operation to when moisture is present, outdoor air temperature is below 40F and
27 above 20F, and the slab temperature shall be controlled via slab temperature sensing to
28 a maximum of 38F. Idling of commercial slabs is only allowed where public safety is a
29 factor.
- 30 3. Snowmelt heating appliances will have a minimum efficiency of 95% AFUE. Electric
31 resistance and heat pump heaters will be allowed. Where condensing boilers are used,

1 the boiler supply water temperature shall be a maximum of 130F to allow for efficient
2 boiler operation.

3 4. Up to 100 square feet of snowmelt per emergency egress pathway is exempt.

4 **C409.3.3 Exterior pools.**

5 1. Pool covers are required for all pools, with a minimum R-value of 2.

6 2. Pool heating appliances will have a minimum efficiency of 92% AFUE. Electric
7 resistance and heat pump heaters will be allowed. Where condensing boilers are used,
8 the boiler supply water temperature shall be a maximum of 130F to allow for efficient
9 boiler operation.

10 **C409.3.4 Exterior hot tubs and spas.**

11 1. Hot tub and spa covers are required for all hot tubs and spas, with a minimum R-
12 value of 12.

13 2. Hot tub and spa heating appliances will have a minimum efficiency of 92% AFUE.
14 Electric resistance and heat pump heaters will be allowed. Where condensing boilers are
15 used, the boiler supply water temperature shall be a maximum of 130F to allow for
16 efficient boiler operation.

17 **C409.3.5 Other permanent natural gas or electric heating and cooking elements.**

18 1. A combined 350,000 BTU budget is allowed for permanent natural gas or electric
19 heating and cooking elements at a reduced renewable offset requirement.

20 **C409.3.6 Gas fireplace, firepit, fire table controls.**

21 Commercial outdoor natural gas fireplaces, firepits, and fire tables shall include timers
22 required to limit the run time of the system. Controls and switching shall be configured
23 so as not to allow continuous operation.

24 **C409.3.7 Electric heat tape controls.**

25 Electric roof and gutter deicing systems shall include either automatic controls capable
26 of shutting off the system when outdoor temperature is above 40F and below 25F, and
27 which limit the use of the system to daylight hours by means of a programmable timer
28 or automated clock, or moisture detection sensors.

29 **C409.4 Permit Validity.**

1 A permit shall not be valid until all fees as in effect at the time of permit submittal are
2 paid in full, or the renewable energy system is proposed for on-site credit. Nor shall a
3 change order to the permit be released until the additional fees, if any, have been paid.
4 REMP compliance will be verified at Certificate of Occupancy or Certificate of
5 Completion according to the proposed plans. C.O. can be withheld if the project is non-
6 compliant.

7 **C409.5 Pre-existing systems.**

8 Pre-existing systems, for which a prior permit was applied for and granted prior to the
9 effective date of this code, are exempt from this program. Additions or expansions of
10 existing systems that require a permit will require compliance with this above code
11 program.

12 Pre-existing systems for which a prior REMP payment was paid and which seek to be
13 replaced shall receive a pro-rated credit calculated by the number of years since prior
14 REMP payment divided by 20 years. For example, a REMP payment made for a system
15 permitted 10 years prior to the current replacement being sought will receive credit for
16 ½ of the prior REMP payment and that amount shall be deducted from the REMP
17 payment owed on the replacement. For renewable systems installed on site, full credit
18 will be given for up to 20 years after the date of installation. Credits will only be applied
19 to properly permitted and functioning systems within the scope of the adopted Energy
20 Code and applicable Mechanical and Electrical Codes. Systems installed prior to 20
21 years before the date of permit application are not eligible for pro-ration of system
22 credits.

23 Upgrades to existing mechanical equipment (boilers, heat pumps, HVAC equipment,
24 etc.) or renewable energy systems will not require submittal to the REMP program.

25 **C409.6 Solar photovoltaic systems.**

26 System designer and installer must be certified by Colorado Solar Energy Industries
27 Association (COSEIA) or North American Board of Certified Energy Practitioners
28 (NABCEP), or a licensed Professional Engineer in the State of Colorado.

29 **C409.6.1 Solar thermal.**

30 The size of solar hot water systems is limited to 500 square feet of collector area absent
31 approval by the Building Official. Systems larger than this limit will be considered but
32 will require documentation showing year-round utilization of the system.

33 **C409.6.2 Ground source heat pumps.**

In order to use ground source heat pumps for on-site renewable credit, the GSHP system must supply at least 20% of the peak load for heating all the exterior energy uses. Each GSHP shall be tested and balanced and the design engineer shall certify in writing that it meets or exceeds a design coefficient of performance of 3.0 inclusion of source pump power. Design conditions for determining COP will be 30F ground loop temperature measured at the GSHP inlet, and 110F GSHP load side outlet.

17. Section C410 New Section C410 is added as follows:

C410 Electric Vehicle (EV) Ready.

C410.1 General. The provisions of this section shall be applicable for new *commercial buildings*, and major renovations and *additions*.

C410.2 Electric Vehicle Power Transfer Infrastructure. Where new parking is provided for *commercial buildings*, it shall be provided with electric vehicle power transfer infrastructure in accordance with Sections C410.2.1 through C410.2.8.

C410.2.1 Quantity. The number of required *EVSE installed spaces, EV ready spaces, EV capable spaces, and EV capable light spaces* shall be determined in accordance with this section and Table C410.2.1 based on the total number of vehicle parking spaces provided and shall be rounded up to the nearest whole number. This includes all covered parking under carports or detached garages.

Table C410.2.1 EV Power Transfer Infrastructure Requirements

Building Type/Space Type	Level 2 EVSE Installed Spaces	Level 2 EV ready Spaces	Level 2 EV Capable Spaces	Level 2 EV Capable Light Spaces
Commercial buildings, except for Group R-2 occupancies, with 15 or fewer parking spaces	1	20% of spaces (not fewer than 2)	0	0
Commercial buildings, except for Group R-2 occupancies, with greater than 15 parking spaces	2% of spaces	8% of spaces	10% of spaces	10% of spaces
Group R-2 occupancies with 10 or fewer parking spaces	1	15% of spaces	10% of spaces	10% of spaces

Group R-2 occupancies with greater than 10 parking spaces	5% of spaces	15% of spaces	10% of spaces	30% of spaces
--	--------------	---------------	---------------	---------------

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38

C410.2.1.1 Multiple Parking Lots. Where more than one parking lot is provided on a *building* site, the number of vehicle parking spaces provided is required to have *EV* power transfer infrastructure shall be calculated separately for each parking lot.

C410.2.1.2 Group R-2 Occupancies. *Group R-2* occupancies shall use the total parking requirement for the entire development to determine the *EV* power transfer infrastructure requirements of Table C410.2.1.

C410.2.1.3 Space Type Substitutions. *Commercial buildings* shall be permitted to substitute *EV* parking spaces required in Table C410.2.1 in accordance with Sections C410.2.1.3.1 through C410.2.1.3.5.

C410.2.1.3.1 DC Fast Charging. For *commercial buildings* that install a *DCFC EVSE*, each *DCFC EVSE* installed shall be permitted to be substituted for other space types as follows:

1. *Commercial buildings* other than *Group R-2* occupancies shall be permitted to substitute up to 10 spaces when the *building* provides a minimum of 20 percent of parking spaces as a combination of *EV capable*, *EV ready*, or *EVSE installed spaces*.
2. *Group R-2* occupancies shall be permitted to substitute up to 5 spaces when the *building* provides a minimum of 60 percent of parking spaces as a combination of *EV capable light*, *EV capable*, *EV ready*, or *EVSE installed spaces*.

C410.2.1.3.2 Excess EVSE Installed Spaces. *EVSE installed spaces* that exceed the minimum requirements of this section are permitted to be used to meet minimum requirements for *EV ready spaces*, *EV capable spaces*, and *EV capable light spaces*.

C410.2.1.3.3 Excess EV Ready Spaces. *EV ready spaces* that exceed the minimum requirements of this section are permitted to be used to meet minimum requirements for *EV capable spaces* and *EV capable light spaces*.

C410.2.1.3.4 Excess EV Capable Spaces. *EV capable spaces* that exceed the minimum requirements of this section are permitted to be used to meet minimum requirements for *EV capable light spaces*.

C410.2.1.3.5 Attached garages. All attached garages with direct connection to a *dwelling unit* will be required to have one Level 2 *EV ready space*.

1
2 **Exception:** One- and two-family dwellings built under the International Residential Code

3
4 **C410.2.2 Level 2 EV Capable Light Spaces.** Each *EV capable light space* shall comply with
5 all the following:

- 6
7 1. A continuous raceway and/or conduit shall be installed between a suitable electrical
8 panel or other electrical distribution equipment and terminate within 3 feet of the *EV*
9 *capable light space* and shall be capped. *EV capable light* includes two adjacent
10 parking spaces if the raceway and/or conduit terminates adjacent to and between
11 both parking spaces.

12
13 **Exception:** Conduit installed with a pull string from the termination locations at
14 parking spaces to a location of a future transformer or future electrical panel with
15 electrical service size determined at the time of future permit.

- 16
17 2. Installed raceway and/or conduit shall be sized and rated to supply a minimum of
18 208/240 volts and a minimum of 40-ampere rated circuits.
19
20 3. Dedicated physical space to accommodate all equipment necessary for electrical
21 service to future *EVSE*.
22 4. The routing of the raceway and/or conduit must be noted on the construction
23 documents and the raceway shall be permanently and visibly marked “EV
24 CAPABLE” at the load center and termination point locations.
25

26 **C410.2.3 Level 2 EV Capable Spaces.** Each *EV capable space* shall comply with all the
27 following:

- 28 1. A continuous raceway and/or conduit with a pull string from the termination
29 locations at parking spaces shall be installed between a suitable electrical panel or
30 other electrical distribution equipment and terminate within 3 feet of the *EV capable*
31 *space* and shall be capped. *EV capable* includes two adjacent parking spaces if the
32 raceway and/or conduit terminates adjacent to and between both parking spaces.
33
34 2. The installed raceway and/or conduit shall be sized and rated to supply a minimum
35 of 208/240 volts and a minimum of 40-ampere rated circuits.
36
37 3. The electrical panel or other electrical distribution equipment to which the raceway
38 and/or conduit connects shall have sufficient dedicated space and spare electrical
39 capacity to supply a minimum of 208/240 volts and a minimum of 40-ampere rated
40 circuits.
41

1 4. The termination point of the conduit and/or raceway and the electrical distribution
2 equipment directory shall be marked: “For future electric vehicle supply equipment
3 (EVSE).”
4

5 5. Reserved capacity shall be no less than 8.3 kVA (40A 208/240V) for each *EV*
6 *capable space*.
7

8 **C410.2.4 Level 2 EV Ready Spaces.** Each *EV ready space* shall have a branch circuit that
9 complies with all the following:
10

11 1. Terminates at a receptacle or junction box located within 3 feet of each *EV ready*
12 *space* it serves. *EV ready* includes two adjacent parking spaces if the receptacle is
13 installed adjacent to and between both parking spaces.
14

15 2. It has a minimum circuit capacity of 8.3 kVA (40A 208/240V).
16

17 3. The electrical panel, electrical distribution equipment directory, and all outlets or
18 enclosures shall be marked “For future electric vehicle supply equipment (EVSE).”
19

20 **C410.2.5 Level 2 EVSE Installed Spaces.** An installed *EVSE* with multiple output
21 connections shall be permitted to serve multiple *EVSE installed spaces*. Each *Level 2 EVSE*
22 installed serving either a single *EVSE installed space* or multiple *EVSE installed spaces* shall
23 comply with all the following:
24

25 1. Have a minimum charging rate in accordance with Section C410.2.7.
26

27 2. Be located within 3 feet of each *EVSE installed space* it serves.
28

29 3. Be installed in accordance with Section C410.2.8.
30

31 4. Have a minimum circuit capacity of 8.3 kVA (40A 208/240V).
32

33 **C410.2.6 Level 2 EVSE Minimum Charging Rate.** Each installed *Level 2 EVSE* shall
34 comply with one of the following:
35

36 1. Be capable of charging at a minimum rate of 6.2 kVA (or 30A at 208/240V).
37

38 2. When serving multiple *EVSE installed spaces* and controlled by an energy
management system providing load management, be capable of simultaneously
sharing each *EVSE installed space* at a minimum charging rate of not less than 3.3
kVA.

1 **C410.2.7 EVSE Installation.** *EVSE* shall be installed in accordance with NFPA 70 and shall
2 be listed and labeled in accordance with UL 2202 or UL 2594.

3
4 **C410.2.8 Accessible EV Parking Spaces.** For Level 2 *EVSE installed spaces* required by
5 Table C410.2.1, a minimum of 5 percent (not less than one space) shall be van accessible
6 spaces in accordance with Section 1107.2.2 of the International Building Code. In addition, 5
7 percent (not less than one space) of the total vehicle parking spaces required by Table
8 C410.2.1 to be Level 2 *EV ready, EV capable, or EV capable light spaces* shall meet one of
9 the following:

- 10 1. Be van accessible parking spaces in accordance with Section 1107.2.2 of the
11 International Building Code.
- 12 2. Have the electrical infrastructure that is required by Section C410.2.2 for *EV capable*
13 *light spaces*, Section C410.2.3 for *EV capable spaces*, or Section C410.2.4 for *EV*
14 *ready spaces* be configured so that future *EVSE* shall be capable of serving van
15 accessible parking spaces.

16
17 **18. Section R101.1 Title** is amended as follows:

18
19 **R101.1 Title** This code shall be known as the Energy Conservation Code of the Town of
20 Breckenridge and shall be cited as such. It is referred to herein as “**this code**”.

21
22 **19. Section R103.1 Creation of enforcement agency** is amended as follows:

23 **R103.1 Creation of enforcement agency.** The Town of Breckenridge Building Division is
24 hereby created (remainder of sentence to be unchanged)

25
26 **20. Section R104.1.1.1** A new **Section R104.1.1.1 Deemed to comply** is added to the
27 requirements for Above Code Programs:

28
29 **R104.1.1.1 Deemed to comply.** The following programs shall be considered deemed to
30 comply with the above code program requirements as found in Section R104.1.1

- 31 1. The Department of Energy’s Zero Energy Ready Homes (ZERH) program, Version
32 most recently published at time of permit submittal, shall be deemed to comply as
33 an above code program when including new Section R409 of the Colorado Model
34 Low Energy and Carbon Code, and the REMP provisions found in R409 of this
35 Code.
- 36 2. The State of Colorado Model Low Energy and Carbon Code – Residential
37 Provisions, plus the REMP provisions as found in R409 of this code shall be met.

38
39 **21. Section R401.2 Application** is amended to read as follows:

- 1 **R401.2 Application.** Residential buildings shall comply with all of the following:
2 1. the Colorado Model Electric Ready and Solar Ready Code, as updated in New Section
3 R409 of the Model Low Energy and Carbon Code.
4 2. Section R409 (of this code)Breckenridge Renewable Energy Mitigation Program
5 (REMP), and
6 3. either Section R401.2.1, R401.2.2, or R401.2.3.

7 **Exceptions**

- 8 1. Additions, alterations, repairs and changes of occupancy to existing buildings
9 complying with Chapter 5, unless otherwise noted in the Colorado Model Electric
10 Ready and Solar Ready Code and R409 (REMP) of this code.
11 2. Residential buildings complying with the Department of Energy’s Zero Energy Ready
12 Homes (ZERH) Program in accordance with Section R104.1.1.
13 3. Residential buildings complying with the Residential Provisions of the Colorado State
14 Model Low Energy and Carbon Code in its entirety.
15

16 **22. Table R402.1.2 U-Factor Assemblies** is amended to change the Vertical Fenestration U-
17 factor from .27 to .30 and remove footnote d. in its entirety.
18

19 **23. Table R402.1.3 R-Value Alternative** is amended to change the Vertical Fenestration U-
20 factor from .27 to .30 and remove footnote g. in its entirety.
21

22 **24. Section R402.2.13 Sunroom and Heated Garage Insulation** is amended by removing
23 the exception in its entirety. The remainder of R402.2.13 is unchanged.
24

25 **25. Section R402.2.14** New **Section R402.2.14 Thermal Bridging** is added as follows:

26 **R402.2.14 Thermal bridges in above-grade walls.** Thermal bridges in above-grade walls
27 shall comply with Sections R402.2.14.1 through R402.14.3 or an approved design.
28

29 **Exceptions:**

- 30 1. Any thermal bridge with a material thermal conductivity not greater than 3.0 Btu/h-ft-
31 °F.
32 2. Blocking, coping, flashing, and other similar materials for attachment of roof
33 coverings.
34 3. Thermal bridges accounted for in the U-factor or C-factor for a building thermal
35 envelope.
36

37 **R402.2.14.1 Balconies and floor decks.** Balconies and concrete floor decks shall not
38 penetrate the building thermal envelope. Such assemblies shall be separately supported or
39 shall be supported by approved structural attachments or elements that minimize thermal
40 bridging through the building thermal envelope.

1
2 **Exceptions:** Balconies and concrete floor decks shall be permitted to penetrate the
3 building thermal envelope where:

- 4 1. an area-weighted U-factor is used for above-grade wall compliance which
5 includes a U-factor of 0.8 Btu/h-°F-ft² for the area of the above-grade wall
6 penetrated by the concrete floor deck, or
- 7 2. an approved thermal break device of not less than R-10 is installed in
8 accordance with the manufacturer's instructions.

9
10 **R402.2.14.2 Cladding supports.** Linear elements supporting opaque cladding shall be off
11 set from the structure with attachments that allow the continuous insulation, where present,
12 to pass behind the cladding support element.

13
14 **Exceptions:**

- 15 1. An approved design where the above-grade wall U-factor used for compliance
16 accounts for the cladding support element thermal bridge.
- 17 2. Anchoring for curtain wall and window wall systems.

18
19 **R402.2.14.3 Structural beams and columns.** Structural steel and concrete beams and
20 columns that project through the building thermal envelope shall be covered with not less
21 than R-5 insulation for not less than 2 feet (610 mm) beyond the interior or exterior surface
22 of an insulation component within the building thermal envelope.

23
24 **Exceptions:**

- 25 1. Where an approved thermal break device is installed in accordance with the
26 manufacturer's instructions.
- 27 2. An approved design where the above-grade wall U-factor used to demonstrate
28 compliance accounts for the beam or column thermal bridge.

29
30 **26. Section R402.4 Fenestration** has been amended to read as follows:

31 **R402.4 Fenestration.** In addition to the requirements of Section R402, fenestration shall
32 comply with Sections R402.4.1 through R402.4.6.

33
34 **27. Section R402.4.5 Sunroom and heated garage fenestration** is amended to remove the
35 exception in its entirety. The remainder of R402.4.5 is unchanged.

36
37 **28. Section R402.4.6** A new **Section R402.4.6 Maximum Area** is added as follows:

38 **R402.4.6 Maximum area.** The vertical fenestration area, not including opaque doors and
39 opaque spandrel panels, shall be not greater than 30 percent of the gross above grade

1 framed wall area enclosing conditioned space. The skylight area shall be not greater than
2 3 percent of the gross roof area over conditioned space.

3
4 **Exception:** Vertical fenestration in residential buildings complying with an above
5 code program in accordance with Sections R104.1.1 or R104.1.1.1
6

7 **29. Section R403.1.1 Programmable Thermostats** is amended by adding the following
8 Exception. The remainder of Section R403.1.1 is unchanged:
9

10 **Exception:** Thermostats serving hydronic radiant systems
11

12 **30. Section R403.5.1.2 Heat Trace systems** is deleted and replaced with the following:

13 **R403.5.1.2 Electric heat tape controls.** Electric roof and gutter deicing systems
14 shall include automatic controls in accordance with REMP Section R411.1.

15 **31. Section R403.7.1 Electric-resistance space heating** is amended to read as follows:
16

17 **R403.7.1 Electric-resistance space heating.** Detached one- and two-family dwellings
18 and multiple single-family dwellings (townhouses) and Group R-2, R-3 and R-4
19 buildings three stories or less in height *above grade plane* in Climate Zone 7 shall not use
20 electric-resistance for space heating.
21

22 **Exceptions:**

- 23 1. Where electric-resistance heating is used for heat pump supplementary heat in
24 accordance with Section R403.1.2.
- 25 2. Electric-resistance heating used for freeze protection.
- 26 3. Electric-resistance heating where the criteria in Section R408.2.2.2 for evaporative
27 cooling are met.
- 28 4. Electric-resistance heating not exceeding a cumulative total of 1kW per dwelling
29 unit, with a thermostat and fan.
- 30 5. Electric-resistance heating that is 100% offset by renewable energy
- 31 6. Electric-resistance heating where the criteria in Section R408.2.1.1(6) $\geq 20\%$
32 reduction in total TC are met.
33

34 **32. Section R403.9.2 Snow- and ice-melt system controls** is amended to read as follows:

35 **R403.9.2 Snow- and ice-melt system controls.**

36 Snow- and ice-melt system controls shall comply with REMP Section R409.3.2, item #2.
37

38 **33. Section R403.13** A new **Section R403.13 WaterSense** is added as follows:

39 **R403.13 WaterSense.** All water-using appliances and plumbing fixtures within the

1 residential building shall be EPA WaterSense labeled products.
2

3 **34. Section R404.4 Renewable energy certificate (REC) documentation** is deleted in its
4 entirety.

5
6 **35. Section R405.2 Simulated building performance compliance**, item #3, is amended as
7 follows. The remainder of Section R405.2 is unchanged:

8 **R405.2 Simulated building performance compliance.**

9 3. For each dwelling unit with greater than 4500 square feet of conditioned space, the
10 annual energy cost of the dwelling unit shall be reduced by an additional 5 percent of
11 annual energy cost of the standard reference design. Energy prices shall be taken
12 from an approved source, such as the US Energy Information Administration's State
13 Energy Data system prices and expenditures reports. Code official shall be permitted
14 to require time-of-use pricing in energy cost calculations. Heated garages shall be
15 evaluated separately from the remainder of the home by showing compliance with the
16 Prescriptive R-Value or U-Factor thermal envelope provisions and will not require air
17 leakage testing.

18
19 **Exception:** Buildings complying with Section R405.2 Simulated Building
20 Performance, utilizing a site energy use target as found in the Colorado Model Low
21 Energy and Carbon Code (LECC).
22

23 **36. Section R406.3 Building thermal envelope** is amended by adding the following
24 sentence to the end of the Section (remainder of section unchanged):

25 **R406.3** Heated garages shall be evaluated separately from the remainder of the home by
26 showing compliance with the Prescriptive R-Value or U-Factor thermal envelope
27 provisions, with the exception of air leakage testing.
28

29 **37. Section R407 Tropical Climate Region Compliance Path** is deleted in its entirety.
30

31 **38. Section R408.2 Additional energy efficiency credit requirements** is amended as
32 follows:

33 **R408.2 Additional energy efficiency credit requirements.** Residential buildings shall
34 earn not less than 10 credits from not less than two measures specified in Table R408.2.
35 Five additional credits shall be earned for dwelling units with more than 4500 square feet
36 of conditioned space (remainder of text unchanged).
37

38 **Exception:** Residential buildings complying with Section R408.3 Additional energy
39 efficiency prescriptive Pathway on a Platter requirements.
40

1 **39. Table R408.2 Credits for Additional Energy Efficiency is amended by the following:**
2

- 3 a. Change Table R408.2.1.2 Improved Fenestration to a U-Factor of .28 for residential
4 buildings up to 4500 sq ft of conditioned space and .25 for homes 4500 sq ft or larger
5 for Climate Zone 7.
6 b. Delete credits allowed for R408.2.2(2) and R408.2.2(3), also deleting the subsections
7 R408.2.2(2) and (3) in their entirety.
8 c. Delete credits allowed for R408.2.5(1) and R408.2.5(3), also deleting the subsections
9 R408.2.5 (1) and (3) in their entirety.
10

11 **40. Section R408.3 Add new **Section R408.3 Additional energy efficiency Prescriptive**
12 **Pathway on a Platter Requirements**, as follows:**

13 **R408.3 Additional energy efficiency Prescriptive Pathway on a Platter Requirements.**

14 Residential buildings utilizing this optional prescriptive platter approach to additional
15 energy efficiency shall comply with R408.3.1 or R408.3.2 as applicable.
16

17 **R408.3.1 Regular Platter Requirements.** Residential buildings that enclose 4500 square
18 feet or less of conditioned space shall include all of the following additional efficiency
19 requirements:

- 20 1. If forced air-furnace system installed, minimum 97% AFUE, 100% of ducts inside
21 conditioned space and space conditioning equipment utilized for heating is located
22 completely inside condition space.
23 2. If Radiant heating system installed, minimum 95% AFUE in combination with hydronic
24 thermal distribution system and space conditioning equipment is located completely
25 inside condition space.
26 3. If heat pump installed, must be cold climate heat pump with minimum ability to meet
27 90% capacity at 5 degrees Fahrenheit or as first approved by the code official.
28 4. If stand-alone gas water heater installed, must be minimum .86 Uniform Energy Factor
29 (UEF)
30 5. If electric water heater is installed, must meet minimum 2.2 Uniform Energy Factor
31 (UEF) for integrated HPWH or UEF 3.75 for split-system HPWH.
32 6. Window U-Factor of .28 in accordance with R408.2.1.2.
33 7. Maximum Vertical Fenestration Area of 30% in accordance with R402.4.6.
34

35 In Addition to the above items, one additional selection from the list below shall be required
36 in order to Comply with this Section:
37

- 38 • R-60 roof/ceiling insulation installed, or R49 roof/ceiling installed uncompressed over
39 the top plate and verified by approved 3rd party meeting the requirements of Section
40 R107.4.

- An air leakage rate equal to or less than 2.3 ACH50 or an air leakage rate equal to 2.5 ACH50 plus air sealing inspection performed by Approved 3rd party meeting the requirements of Section R107.4.
- On-site renewable energy measure, minimum 1.0 watt PV system per square foot of conditioned space.

R408.3.2 Large Platter Requirements. Residential buildings that enclose greater than 4500 square feet of conditioned space shall include all of the Regular Platter Requirements as found in R408.3.1, plus two additional selections from the list below:

- A 10% reduction in total Thermal Conductance in accordance with R408.2.1.1(4)
- An air leakage rate equal to or less than 2.3 ACH50 with ERV or HRV installed in accordance with R408.2.5(2) or air leakage rate equal to 2.5 ACH50 plus air sealing inspection performed by Approved 3rd party meeting the requirements of Section R107.4.
- R-60 roof/ceiling insulation installed, or R49 roof/ceiling installed uncompressed over the top plate and verified by approved 3rd party meeting the requirements of Section R107.4.
- A Window U-Factor of .25 in accordance with R408.2.1.2
- On-site renewable energy measure, minimum 1.0 watt PV system per square foot of conditioned space.
- No exterior energy use is required to be mitigated as defined by Sections R409-R414.2.

41. Sections R409- R409.7.2 Renewable Energy Mitigation Program (REMP) are added as follows:

R409 Title. Renewable Energy Mitigation Program (REMP) – Residential Provisions

R409.1 Scope.

This section establishes criteria for compliance with the Breckenridge Renewable Energy Mitigation Program (REMP). The scope of this program includes exterior energy uses and energy production to offset exterior energy use.

R409.2 Mandatory Requirements.

Compliance with this section requires that the provisions of this section be followed for all exterior energy use. Compliance with this section will be documented via the free Public Domain tool "Breckenridge REMF Calculation Sheet" in the most current version at the time of permit application. Projected energy use, associated energy offset required, fees and credits are defined within this tool.

Credits for on-site renewable energy. The payment-in-lieu option is voluntary. Applicants interested in exterior energy use systems can alternatively choose to produce

1 on-site renewable energy (Section R412) with renewable energy sources such as solar
2 photovoltaics and/or solar hot water, wind, or micro-hydro. The energy efficient
3 technology of ground source heat pumps is also permitted for supplemental on-site
4 energy.

5 **R409.3 Exterior energy uses.**

6 Residential exterior energy uses (per list below) may be installed only if the
7 supplemental energy meets the requirements of the Renewable Energy Mitigation
8 Program. This applies to all installation for which an application for a permit is filed or
9 is by law required to be filed with or without an associated Building Permit. This does
10 not apply to work on existing systems that were permitted prior to this code.

- 11 1. Snowmelt (i.e. driveways, patios, walkways, etc.)
- 12 2. Exterior pools
- 13 3. Exterior hot tubs and spas
- 14 4. Permanent natural gas or electric systems for heating outdoor residential spaces.

15 **R409.3.1 On-site renewable credits.**

16 Credits for renewable energy production will be calculated and applied per
17 "Breckenridge REMP Calculation Sheet" for energy generated on-site. Renewable
18 energy methods listed in the calculator include: solar photovoltaic, solar thermal,
19 ground source heat pumps, hydroelectric and wind power. Provision for alternative
20 method calculations is also provided, but it will require specific review and approval by
21 the Building Official.

22 **R409.3.2 Snowmelt systems.**

- 23 1. R-15 insulation shall be installed under all areas to be snow melted.
- 24 2. Required snowmelt controls. All systems are required to have automated controls to
25 limit operation to when moisture is present, outdoor air temperature is below 40F and
26 above 20F, and the slab temperature sensing. Idling of residential slabs is not permitted.
- 27 3. Snowmelt heating appliances will have a minimum efficiency of 95% AFUE. Electric
28 resistance and heat pump heaters will be allowed. Where condensing boilers are used,
29 the boiler supply water temperature shall be a maximum of 130F to allow for efficient
30 boiler operation.
- 31 4. Up to 100 square feet of snowmelt continuous to a residential building is exempt for
32 safety.

1 **R409.3.3 Exterior pools.**

- 2 1. Pool covers are required for all pools, with a minimum R-value of 2.
- 3 2. Pool heating appliances will have a minimum efficiency of 92% AFUE. Electric
4 resistance and heat pump heaters will be allowed. Where condensing boilers are used,
5 the boiler supply water temperature shall be a maximum of 130F to allow for efficient
6 boiler operation.

7 **R409.3.4 Exterior hot tubs and spas.**

- 8 1. Hot tub and spa covers are required for all spas, with a minimum R-value of 12.
- 9 2. Packaged spas less than 64 square feet are exempt.
- 10 3. A maximum of (1) hot tub or spa per residential property is exempt. For residential
11 HOAs with individual ownership, 64 square feet of hot tub or spa space is exempt for
12 every 10 residential units.
- 13 4. Hot tubs and spa heating appliances will have a minimum efficiency of 92% AFUE.
14 Electric resistance and heat pump heaters will be allowed. Where condensing boilers are
15 used, the boiler supply water temperature shall be a maximum of 130F to allow for
16 efficient boiler operation.

17 **R409.3.5 Other permanent natural gas or electric heating and cooking elements.**

- 18 1. A combined 200,000 BTU budget is allowed for permanent natural gas or electric
19 heating or cooking elements at a reduced renewable offset requirement.

20 **R409.4 Gas fireplace, firepit, fire-table controls.**

21 Residential outdoor natural gas fireplaces, firepits, and fire tables shall include timers
22 required to limit the run time of the system. Controls and switching shall be configured
23 so as not to allow continuous operation.

24 **R409.4.1 Electric heat tape controls.**

25 Electric roof and gutter deicing systems shall include either automatic controls capable
26 of shutting off the system when outdoor temperature is above 40F and below 25F, and
27 which limit the use of the system to daylight hours by means of a programmable timer
28 or automated clock, or moisture detection sensors.

29 **R409.5 Renewable energy mitigation payment.**

1 A permit shall not be valid until all fees as in effect at the time of permit submittal are
2 paid in full, or the renewable energy system is proposed for on-site credit. Nor shall a
3 change order to the permit be released until the additional fees, if any, have been paid.
4 REMP compliance will be verified at Certificate of Occupancy or Certificate of
5 Completion according to the proposed plans. C.O. can be withheld if the project is non-
6 compliant.

7 **R409.6 Pre-existing systems.**

8 Pre-existing systems, for which a prior permit was applied for and granted prior to the
9 effective date of this code are exempt from this program. Additions or expansions of
10 existing systems that require a permit will require compliance with this above code
11 program.

12 Pre-existing systems for which a prior REMP payment was paid, and which seek to be
13 replaced, shall receive a pro-rated credit calculated by the number of years since prior
14 REMP payment divided by 20 years. For example, a REMP payment made for a system
15 permitted 10 years prior to the current replacement being sought will receive credit for
16 ½ of the prior REMP payment and that amount shall be deducted from the REMP
17 payment owed on the replacement. For renewable systems installed on site, full credit
18 will be given for up to 20 years after the date of installation. Credits will only be applied
19 to properly permitted and functioning systems within the scope of the adopted Energy
20 Code and applicable Mechanical and Electrical Codes. Systems installed prior to 20
21 years before the date of permit application are not eligible for pro-ration of system
22 credits.

23 Upgrades to existing mechanical equipment (boilers, heat pumps, HVAC equipment,
24 etc.) or renewable energy systems will not require submittal to the REMP program.

25 **R409.7 Solar photovoltaic systems.**

26 System designer and installer must be certified by Colorado Solar Energy Industries
27 Association (COSEIA) or North American Board of Certified Energy Practitioners
28 (NABCEP), or a licensed Professional Engineer in the State of Colorado.

29 **R409.7.1 Solar thermal.**

30 The size of solar hot water systems is limited to 500 square feet of collector area absent
31 approval by the Building Official. Systems larger than this limit will be considered but
32 will require documentation showing year-round utilization of the system.

33 **R409.7.2 Ground source heat pumps.**

1 In order to use ground source heat pumps for on-site renewable credit, the GSHP system
2 must supply at least 20% of the peak load for heating all the exterior energy uses. Each
3 GSHP shall be tested and balanced, and the design engineer shall certify in writing that
4 it meets or exceeds a design coefficient of performance of 3.0 inclusion of source pump
5 power. Design conditions for determining COP will be 30F ground loop temperature
6 measured at the GSHP inlet, and 110F GSHP load side outlet.
7

8 **42. Section R502.2.5 Additional energy efficiency credit requirements for additions**
9 is amended to read as follows:

10 **R502.2.5 Additional energy efficiency credit requirements for additions.**

11 Additions shall comply with sufficient measures from amended Table R408.2, to
12 achieve not less than five credits from at least two different measures. Five additional
13 credits shall be earned for additions that add to or create a dwelling unit of more than
14 4500 square feet of conditioned space. Alterations to the existing building that are
15 not part of the addition but are permitted with an addition shall be permitted to be
16 used to achieve this requirement.
17

18 **Exceptions:**

- 19
- 20 1. Additions that increase the building's total conditioned floor area by less than 25
21 percent.
 - 22 2. Additions that do not include the addition or replacement of equipment covered in
23 Section R403.5 or R403.7.
 - 24 3. Additions that do not increase conditioned space.
 - 25 4. Where the addition alone or the existing building and addition together comply
26 with Section R405 or R406
 - 27 5. Where the addition alone or the existing building and addition together comply
28 with R408.3.
29

30 **43. Section R503.1.1.3 Above-grade wall alterations** is amended to read as follows:

31 **R503.1.1.3 Above-grade wall alterations.** Above-grade wall alterations shall
32 comply with the following as applicable:

- 33
- 34 1. Where wall cavities are exposed, the exposed cavities shall be filled with
35 insulation complying with Section R303.1.4. New cavities created shall be insulated
36 in accordance with Section R402.1, at an R-Value of R-23 minimum or an approved
37 design that minimizes deviation from Section R402.1. An interior vapor retarder
38 shall be provided where required in accordance with Section R702.7 of the
39 International Residential Code or Section 1404.3 of the International Building Code,
40 as applicable.
41

1 2. Where exterior wall coverings and fenestration are added or replaced for the full
2 extent of any exterior facade of one or more elevations of the building, continuous
3 insulation shall be provided where required in accordance with Section R402.1 or the
4 wall insulation shall be in accordance with an approved design that minimizes
5 deviation from Section R402.1. Where specified, the continuous insulation
6 requirement also shall comply with Section R702.7 of the International Residential
7 Code. Replacement exterior wall coverings shall comply with the water-resistance
8 requirements of Section R703.1.1 of the International Residential Code or Section
9 1402.2 of the International Building Code, as applicable, and manufacturers'
10 instructions.

11
12 3. Where new interior finishes or exterior wall coverings are applied to the full extent
13 of any exterior wall assembly of mass construction, insulation shall be provided in
14 accordance with Section R402.1 or an approved design in compliance with Section
15 R104.1 that minimizes deviation from Section R402.1.

16
17 **44. Section R503.1.5 Additional efficiency credit requirements for substantial**
18 **improvements** is amended to read as follows:

19 **R503.1.5 Additional efficiency credit requirements for substantial improvements.**
20 Substantial improvements shall comply with sufficient measures from Table R408.2
21 to achieve not less than three credits. Substantial improvements to homes greater than 4500
22 of conditioned space shall require 5 credits from amended Table R408.2.

23
24 **Exceptions:**

- 25 1. Alterations that are permitted with an addition complying with Section R502.2.5.
26 2. Alterations that comply with Section R405 or R406.
27 3. Substantial improvements that do not include the addition or replacement of equipment
28 covered in either Section R403.5 or R403.7.
29 4. Substantial improvements complying with R408.3

30
31 **8-1-10: AMENDMENTS TO THE INTERNATIONAL EXISTING BUILDING CODE:**

32 The following sections of the International Existing Building Code, 2024 Edition, are amended
33 to read as follows:

- 34
35 1. **Section 101.1** Title is amended by adding the name "Town of Breckenridge."
36 2. **Section 101.4.2** **Buildings previously occupied** is amended by deleting the reference to
37 the *International Property Maintenance Code*.
38 3. **Section 103.2** **Appointment** is amended to read exactly as set forth in IBC Section
39 103.2 as amended.

- 1 4. **Section 103.3** **Deputies** is amended to read exactly as set forth in IBC Section 103.3 as
2 amended.
- 3 5. **Section 104.8** **Liability** is amended to read exactly as set forth in IBC Section 104.8 as
4 amended.
- 5 6. **Section 105.5** **Expiration** is amended to read exactly as set forth in IBC Section 105.5
6 as amended.
- 7 7. **Section 108.2** **Schedule of permit fees** is amended to read as follows:
8 **Section 108.2 Schedule of permit fees.** The fees for all associated permits shall be in
9 accordance with the Town of Breckenridge Building Permit and Inspection Fee Schedule
10 as set forth in IBC Section 109.2 as amended.
- 11 8. **Section 108.6** **Refunds** is amended to read as follows:
12 **Section 108.6 Refunds.** The building official is authorized to establish a refund policy.
- 13 9. **Section 109** **Inspections** is amended by adding a new subsection, 109.7 Re-inspections,
14 to read as follows:
15 **Section 109.7 Re-inspections** is to read exactly as set forth in IBC Section 110.7 as
16 amended.
- 17 10. **Section 113.4** **Violation penalties** is amended to read exactly as set forth in IBC
18 Section 114.4.
- 19 11. **Section 1303.1.2** **Compliance with other codes** is amended by deleting the reference to
20 the *International Property Maintenance Code*.
- 21 12. **Section 1304.1** **Investigation and evaluation** is amended to read as follows:
22 **Section 1304.1 Investigation and evaluation.** For proposed work covered by this
23 section, the building owner shall cause the existing building to be investigated and
24 evaluated in accordance with the provisions of this section by a design professional
25 licensed to practice in the State of Colorado.
- 26 13. **Section 1305.2** **Evaluation process** is amended by adding the following first sentence:
27 The building owner shall cause the existing building to be evaluated in accordance with
28 the provisions of this section by a design professional(s) licensed to practice in the State
29 of Colorado.

1 **8-1-11: AMENDMENTS TO THE INTERNATIONAL POOL AND SPA CODE:** The
2 following sections of the International Pool and Spa Code, 2024 Edition, are amended to read as
3 follows:
4

5 1. **Section 101.1** **Title** is amended by adding the name “Town of Breckenridge.”

6 2. **Section 101.3** **Purpose** is amended to add the following sentences:

7 The intent of this code is to meet or exceed the requirements of the Summit County
8 Aquatic Health Code, 2025 Edition, based on the 4th Edition Model Aquatic Health Code,
9 published by the Centers for Disease Control. When technical requirements,
10 specifications or standards in the *Summit County Aquatic Health Code* conflict with this
11 code, the more restrictive shall apply.

12 3. **Section 103.2** **Appointment** is amended to read exactly as set forth in IBC Section
13 103.2 as amended.

14 4. **Section 103.3** **Deputies** is amended to read exactly as set forth in IBC Section 103.3 as
15 amended.

16 5. **Section 104.8** **Liability** is amended to read exactly as set forth in IBC Section 104.8 as
17 amended.

18 6. **Section 105.4.3** **Expiration** is amended to read exactly as set forth in IBC Section 105.5
19 as amended.

20 7. **Section 109.2** **Schedule of Permit Fees** is amended to read as follows:

21 **109.2 Schedule of Permit Fees** The fees for all associated permits shall be in
22 accordance with the Town of Breckenridge Building Permit and Inspection Fee Schedule
23 as set forth in IBC Section 109.2 as amended.

24 8. **Section 109.6** **Refunds** is amended to read as follows:

25 **109.6 Refunds.** The building official is authorized to establish a refund policy.

26 9. **Section 111.16** **Reinspection and testing** is amended to read exactly as set forth in IBC
27 Section 110.7 as amended.

28 10. **Section 112** **Means of Appeal** is amended to read exactly as set forth in IBC Section
29 113.

1 **11. Section 113.4 Violation Penalties** is amended to read exactly as set forth in IBC
2 Section 114.4.

3
4 **8-1-12: AMENDMENTS TO THE NATIONAL ELECTRICAL CODE:** There are no
5 amendments to the National Electrical Code, 2023 Edition.

6
7 **8-1-13: AMENDMENTS TO THE ICC ELECTRICAL CODE – ADMINISTRATIVE**
8 **PROVISIONS:** The following sections of the ICC Electrical Code – Administrative Provisions,
9 2006 Edition, are amended to read as follows:

10
11 1. **Section 101.1 Title** is amended to read as follows

12 **101.1 Title.** These regulations shall be known as the ICC Electrical Code™.
13 Administrative Provisions of Town of Breckenridge and shall be cited as such. The ICC
14 Electrical Code™ - Administrative Provisions in combination with the separately adopted
15 National Electrical Code will be referred to herein as “this code.” The ICC Electrical
16 Code™ - Administrative Provisions in combination with the separately adopted National
17 Electrical Code will be referred to throughout all other building construction and housing
18 standards adopted by the Town of Breckenridge as the ICC Electrical Code.

19 2. **Section 201.3 Terms defined in other codes** is amended to read as follows:

20 **201.3 Terms defined in other codes.** Where terms are not defined in this code and are
21 defined in the International Building Code, International Fire Code, International Fuel
22 Gas Code, International Mechanical Code, International Plumbing Code, International
23 Residential Code, International Energy Conservation Code or NAPA 70, such terms shall
24 have meanings ascribed to them as in those codes.

25 3. **Section 301.2 Appointment** is amended to read exactly as set forth in IBC Section
26 103.2 as amended.

27 4. **Section 301.3 Deputies** is amended to read exactly as set forth in IBC Section 103.3 as
28 amended.

29 5. **Section 302.9 Liability** is amended to read exactly as set forth in IBC Section 104.8 as
30 amended.

31 6. **Section 401.2 Types of permits** is amended by deleting the reference to “an owner.”

32 7. **Section 401.3 Work exempt from permit** is amended by adding Exceptions 6 through

- 1 10.
- 2 6. Portable motors or other portable appliances energized by means of a cord or cable
3 having an attachment plug end to be connected to an approved receptacle when that cord
4 or cable is permitted by this code.
- 5 7. Repair or replacement of fixed motors, transformers or fixed approved appliances of
6 the same type and rating in the same location.
- 7 8. Repair or replacement of current-carrying parts of any switch, contractor or control
8 device.
- 9 9. The wiring for temporary theater, motion picture or television stage sets.
- 10 10. Low-energy power, control, and signal circuits of Class II and Class III as defined in
11 this code.
- 12 8. **Section 403.2** **Expiration** is amended to read exactly as set forth in IBC Section 105.5
13 as amended.
- 14 9. **Section 403.3** **Extensions** is deleted in its entirety.
- 15 10. **Section 403.6** **Information on the permit** is amended to read as follows:
- 16 **403.6 Information on the permit.** The code official shall issue all permits required by
17 this code on an approved form furnished for that purpose. The permit shall contain a
18 general description of the operation or occupancy and its location and any other
19 information required by the code official.
- 20 11. **Section 404.2** **Schedule of permit fees** is amended to read as follows:
- 21 **404.2 Schedule of permit fees.** The fees for all associated permits shall be in
22 accordance with the Town of Breckenridge Building Permit and Inspection Fee Schedule
23 as set forth in IBC Section 109.2 as amended.
- 24 12. **Section 404.3** **Work commencing before permit issuance** is amended to read as
25 follows:
- 26 **404.3 Work commencing before permit issuance.** Any person who commences
27 any work before obtaining the necessary permits shall be subject to an investigation fee
28 established by the code official, which shall be in addition to the required permit fee. The
29 investigation fee shall be as set forth in the Town of Breckenridge Building Permit and
30 Inspection Fee Schedule.

BUILDING CODES ORDINANCE

1 13. **Section 404 Fees** is amended by adding two new subsections, 404.6 Re-inspections and
2 404.7 Plan review fees, to read as follows:

3 **404.6 Re-inspections.** Shall read exactly as set forth in IBC Section 110.7 as amended.

4 **404.7 Plan review fees.** The plan review fees for electrical work shall be in accordance
5 with the Town of Breckenridge Building Permit and Inspection Fee Schedule as set forth
6 in IBC Section 109.2 as amended.

7 14. **Chapter 11 Means of Appeal** is amended to read exactly as set forth in IBC Section
8 113.

9 15. **Section 1202 Provisions** and all subsections therein are deleted in their entirety.

10 16. **Section 1203 Existing Electrical Facilities** and all subsections therein are deleted in
11 their entirety.

12 **8-1-14: AMENDMENTS TO THE UNIFORM CODE FOR THE ABATEMENT OF**
13 **DANGEROUS BUILDINGS:** The following sections of the Uniform Code For the Abatement
14 of Dangerous Buildings, 1997 Edition, are amended to read as follows:
15

16 1. **Section 301 General.** The definition of Building Code is amended to read as follows:

17 BUILDING CODE is defined by referring to the International Building Code or the
18 International Residential Code, whichever is applicable, published by the International
19 Code Council, Inc., as adopted by this jurisdiction.

20 2. **Section 501.2 Processing of Appeal** is amended to add the following sentence at the
21 end of the section:

22 The board of appeals with the jurisdiction to hear and decide appeals
23 under this code is the board of appeals created pursuant to Chapter 3 of
24 Title 2 of the Breckenridge Town Code.

25 **8-1-15: AMENDMENTS TO THE COLORADO WILDFIRE RESILIENCY CODE:**

26
27 1. **Section 101.1 Title** is amended to read as follows:
28

29 **Section 101.1 Title.** These regulations shall be known as the Colorado Wildfire
30 Resiliency Code as adopted by the Town of Breckenridge, hereinafter referred to as
31 “this code”.
32

33 2. **Section 103.1 Creation of an agency** is amended to read as follows:

BUILDING CODES ORDINANCE

1
2 **Section 103.1 Creation of an agency.** The Building Division is hereby created and
3 the official in charge thereof shall be known as the code official. The function of the
4 agency shall be the implementation, administration and enforcement of the
5 provisions of this code.
6

- 7 3. **Section 104.10 Other agencies** is amended to read as follows:
8

9 **Section 104.10 Other agencies.** When requested to do so by the code official,
10 Director of Community Development, other officials of this jurisdiction or the Red,
11 White and Blue Fire Protection District, shall assist and cooperate with the code
12 official in the discharge of the duties required by this code.
13

- 14 4. **Section 302.1 Declaration** is deleted in its entirety and amended to read as follows:
15

16 **Section 302.1 Declaration.** The Town of Breckenridge shall declare that all
17 undefined areas, where not defined as High Fire Intensity Classification areas
18 within the legal boundaries and limits of the Town of Breckenridge, shall be
19 designated for the purposes of this code, with a minimum Moderate Fire Intensity
20 Classification as defined in this code, with the exception of Contributing Historic
21 Structures as determined by the Town of Breckenridge.
22

- 23 5. **Section 303.3 Applicability of Code Provisions.** The Applicability of Code Provisions
24 is amended by adding the following language. The remainder of the section is
25 unchanged:
26

27 The level of structure hardening, defensible space, and other mitigation measures
28 applicable to historic structures and contributing structures, as defined and set forth in
29 Section 102.9, shall be determined by the Town of Breckenridge Planning Department in
30 accordance with the spirit and intent of this code.
31

- 32 6. **Section 304.2 Determination of Fire Intensity Classification and Code Requirements**
33 is amended to read as follows:
34

35 **304.2 Determination of Fire Intensity Classification and Code Requirements.** As
36 determined by the *code official*, the *fire intensity classification* and associated
37 requirements shall be based on a review by **the Red, White and Blue Fire Protection**
38 **District** of the vegetative fuels on the parcel and within 300' of the parcel boundary,
39 topography, local weather patterns, and fire behavior modeling data and in accordance
40 with the following *fire intensity classifications*:
41

1 **304.2.1** *Low Fire Intensity Classification* in accordance with Section 303.2.1
2 **304.2.2** *Moderate Fire Intensity Classification* in accordance with Section 303.2.2
3 **304.2.3** *High Fire Intensity Classification* in accordance with Section 303.2.3
4 This determination shall be made based on existing conditions or conditions that have
5 been established by a development plan approved by the local jurisdiction **and the Red,**
6 **White and Blue Fire Protection District.** Technical documentation shall be submitted
7 in support of such request by a qualified wildfire professional and in accordance with
8 Section 104.2.
9

10 **8-1-16: AMENDMENTS TO THE COLORADO MODEL ELECTRIC READY AND**
11 **SOLAR READY CODE, 2023 EDITION**
12

- 13 1. **Section 101.1** Title is amended to read as follows:
14

15 **Section 101.1 Title.** This code shall be known as the Electric Ready and Solar Ready
16 Code of the Town of Breckenridge, and shall be cited as such. It is hereinafter
17 referred to as “this code”.
18

- 19 2. **Section 102.1.2 Buildings Impacted by a Natural Disasters** is amended by adding
20 “The Town of Breckenridge”.
21

- 22 3. **Section 102.2 Substantial Cost Differential Waiver** is amended by adding
23 “The Town of Breckenridge”.
24

- 25 4. **Section 103.1 General** is amended by adding “The Town of Breckenridge”.
26

- 27 5. **Section 104.1 General** is amended by adding “The Town of Breckenridge”.
28

- 29 6. **Section 108.4 Failure to Comply** is amended by adding “The Town of Breckenridge”.
30

- 31 7. **Section 109.3 Qualifications** is amended by adding “The Town of Breckenridge”.
32
33

34 **8-1-17: PENALTIES:**
35

- 36 A. General: It is unlawful and an infraction for any person to violate any of the provisions of
37 the Chapter, or any provision of a code adopted by reference by this Chapter. Any person
38 who violates any provision of this Chapter or any provision of a code adopted by reference
39 by this Chapter shall, upon a determination of liability, be punished as provided in Title 1,
40 Chapter 4 of this code. Each such person shall be liable for a separate offense for each and
41 every day during any portion of which any violation of any of the provisions of this

1 Chapter or a code adopted by reference by the chapter is committed, continued or
2 permitted by such person and such person shall be punished accordingly.

3 B. Injunctive Relief: In addition to other remedies available to the Town, the Town may
4 commence an action in a court of competent jurisdiction to enjoin the alleged violation of
5 any provision of this Chapter, or to authorize and compel the removal, termination or
6 abatement of such violation.

7 C. Additional Remedies: Any remedies provided for in this Chapter shall be cumulative and
8 not exclusive, and shall be in addition to any other remedies provided by law.

9
10 **8-1-18: LIABILITY:** The adoption of this Chapter and the codes provided for herein shall not
11 create any duty to any person with regard to the enforcement or non-enforcement of this Chapter
12 or said codes. No person shall have any civil liability remedy against the Town or its officers,
13 employees or agents, for any damage arising out of or in any way connected with the adoption,
14 enforcement or non-enforcement of this Chapter of said codes. Nothing in this Chapter or in said
15 codes shall be construed to create any liability or to waive any of the immunities, limitations on
16 liability or other provisions of the Colorado Governmental Immunity Act, section 24-10-101 et
17 seq., C.R.S, as amended from time to time, or to waive any immunities or limitations on liability
18 otherwise available to the Town, or its officers, employees or agents.

19
20 **8-1-19: REPEAL OF PREVIOUS ORDINANCES:** Existing ordinances or parts of
21 ordinances covering the same matters as embraced in this Chapter are repealed, and all
22 ordinances inconsistent with the provision of the Chapter are repealed; provided, however, that
23 this repeal shall not affect or prevent the prosecution or punishment of any person for any act
24 done or committed in violation of any ordinance repealed prior to this Chapter taking effect.

25
26 **8-1-20: CODE COPIES:** At least one copy of the codes adopted by reference in this Chapter,
27 each certified to be a true copy, has been and is now on file, as a published hard copy or digital
28 version, in the office of the Town Clerk and may be inspected by any interested person between
29 the hours of nine o'clock (9:00) A.M. and five o'clock (5:00) P.M., Monday through Friday,
30 holidays excepted.

31
32 Section 2. Except as specifically amended, the Breckenridge Town Code, and the various
33 secondary codes adopted by reference therein, shall continue in full force and effect.

34 Section 3. The Town Council finds, determines, and declares that this ordinance is
35 necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
36 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants
37 thereof.

BUILDING CODES ORDINANCE

1 **AMENDMENTS ARE AVAILABLE FOR INSPECTION AT THE OFFICE OF THE**
2 **TOWN CLERK BETWEEN THE HOURS OF NINE O’CLOCK (9:00) A.M. AND FIVE**
3 **O’CLOCK (5:00) P.M., MONDAY THROUGH FRIDAY, HOLIDAYS EXCEPTED.**

4
5 **NONE OF THE PENALTY PROVISIONS OF THE ADOPTED CODES WERE**
6 **ADOPTED BY REFERENCE IN THIS ORDINANCE.**

7
8



Memo

To: Breckenridge Town Council
From: Mark Truckey, Director of Community Development
Date: November 5, 2025
Subject: Planning Commission Decisions of the November 4, 2025 Meeting

DECISIONS FROM THE PLANNING COMMISSION MEETING, November 4, 2025:

CLASS A APPLICATIONS: None.

CLASS B APPLICATIONS: None.

CLASS C APPLICATIONS:

1. Climax Jerky Small Vendor Cart Permit Renewal, 100 S. Main Street, PL-2025-0294
A proposal to renew the existing small vendor cart permit for Climax Jerky Inc., a retail business in operation since 2008. The existing vendor cart is 35.69 sq. ft. and is made of fiberglass but wrapped with natural wood and features a canvas awning. *Approved.*

TOWN PROJECT HEARINGS: None.

OTHER: None.

PLANNING COMMISSION MEETING

The regular meeting was called to order at 5:30 pm by Chair Guerra.

ROLL CALL

Mike Giller	Mark Leas	Allen Frechter	Matt Smith
Ethan Guerra	Elaine Gort	Susan Propper remote	

APPROVAL OF MINUTES

With no changes, the October 21, 2025 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the November 4, 2025 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- None

CONSENT CALENDAR:

1. Climax Jerky Small Vendor Cart Permit Renewal (CC), 100 S Main Street, PL-2025-0294

With no call-ups, the Consent Calendar was approved as presented.

WORK SESSIONS:

1. McCain Open Space Plan

Mr. Barlow, Open Space and Trails Manager, with Sam Spicer and Craig Karn from THK Associates and Laura Hickey from CDR Associates, presented an overview of the recent work by THK Associates on the concept plan for the open space parcels of the greater McCain property.

Commissioner Questions / Comments:

Ms. Gort: Will any of this be wheelchair accessible beyond the paved trail?

Mr. Spicer: There will be grading work to make all of the trails accessible. While the material can have some impacts on accessibility, when done correctly soft surface trails can also be accessible. The nature of the site lends itself to being accessible. With the nature of the site being flat and open, there are beautiful views throughout. We do have an accessible parking area planned that gives people a direct connection to the open space, as opposed to those parking in the skier parking where they will have to walk a bit further. This is based on feedback from the Breckenridge Outdoor Education Center (BOEC). There will be two spots in that area for ADA needs, but the area could also be used as a drop-off area. We tried to keep the area to a minimum to serve ADA needs but also not crowd the road edge.

Ms. Gort: Will there be a path connecting the skier parking to trail number 11? (Mr. Karn: We've talked about if the skier parking becomes more permanent looking at a better location for ADA parking and potential trail connections. Right now this is how we hope to accommodate it.) (Mr. Spicer: One of the things we've seen is creating access between the snow storage lot and the skier parking lot at the notch between the two berms. Access is definitely something we want to look at.)

Ms. Gort: There is an informal trail currently running very close to the river, why is the proposed trail further away from the river rather than sticking to the existing trail? (Mr. Spicer: We want to try to protect the river restoration and investment. Additionally, the river is constantly changing with sediment being deposited in some areas and eroding away in other areas so moving the trail further away protects those environmentally sensitive

areas. The trails also scale down in width getting closer to the river.) And will those still be wheelchair accessible? (Mr. Karn: Yes. We're trying to give people a destination rather than have them wander the banks indiscriminately. Our concepts are to create a natural fence and utilize the abundant cobblestone on the site. Without building actual fences, we'll do landscape and planting treatments to make it difficult for people to walk where we don't want them to. Especially with fish tending to congregate under those cut banks. The fish resource is already doing well out there and people are anxious to get out there and fish.)

Mr. Smith: If the rec path were to move then trail number 10 would be become the rec path? (Mr. Karn: Correct. Or it may stay in place and provide a safer alternative for non-cyclist users.)

Mr. Frechter: The number 14 is indicating a path that will continue behind Vista Verde? (Mr. Barlow: That path already exists and runs behind Vista Verde.) Would the meadow, indicated by number 8, be cut short so that you could walk on it? (Mr. Spicer: Not necessarily, there are seed types that we can plant that don't grow as tall.) And we wouldn't want people walking on the wildflower meadow. (Mr. Spicer: Correct, the Botanic Gardens does a great job of this as an example with several trails winding through the meadow.) (Mr. Karn: That combined with some signage will encourage people to stay on the trails.) In the current Rec Path alignment there's a lot of mature trees in the area providing screening from the surrounding uses. With the Rec Path going along the road you'll see the skier lot and other uses in the area that have a lot less screening, is there any thought to adding landscaping and screening in that area? (Mr. Karn: That's definitely something we'll work on but it's working with Public Works to determine what we can do and it's something we've talked about with future opportunities. We don't want to build a large berm that corrupts the views but we are trying to find a careful balance.) (Mr. Spicer: We are trying to improve some of that with the berms we currently have proposed with some supplementary planting, that will allow screening but will not be blocking the views.)

Mr. Leas: This was previously industrial space, and before that mining, but before that there was forest. Is there any thought to reforesting the site and what do you see in terms of vegetation there in 20 to 30 years from now? (Mr. Karn: That could be something that would be beneficial for the fish population along the river with the additional space. I think it could be good while still keeping some areas such as number 8 open to preserve some of those panoramic views. With the river reconstruction they created a barrier under it to keep the water from just running underground, so we've focused our plantings in that area where there is already additional moisture.) Other communities have reforestation in their planning and building process. There's an opportunity here to potentially have someone who's coming in to build a home in town to spend money to provide offsite trees to reforest this site as a condition of approval. (Mr. Karn: I've come from Arvada, and Denver and the Front Range have extensive tree mitigation requirements with their urban heat island effect issues. Arvada allows offsite mitigation which allows greater flexibility rather than squeezing all the trees in on one site.) From a financial standpoint it allows the town to mitigate money taxpayers would be putting in to do the work and instead put the burden on people coming in and building new homes. (Mr. Spicer: Having that continuous addition of new trees would also help fill in any dieback and help with the success rate of the reforestation.) There could be donation campaigns that the Town runs to promote tree planting. (Mr. Truckey: An additional thing to keep in mind is the tree placement is based on existing moisture levels and utilizing areas that at times receive overflow from the river, because we are not planning on having irrigation on the site.) (Mr. Karn: There's also systems for collecting rainwater and directing it to plantings.)

- Mr. Guerra: Would bikes be restricted to only the 8' soft surface trail? (Mr. Barlow: Bikes would be allowed on the internal soft surface trails, they would be restricted on the spurs.)
- Ms. Gort: Kids really like doing loops but the only loop shown on the site is a pretty large loop, have you thought about doing smaller loops on the skier parking site or the snow storage site? Additionally, the Vista Verde entrance is a pretty tight corner. (Mr. Spicer: The turn by Vista Verde is not as sharp as the turn on McCain Road which is a tighter turn with a bigger and faster vehicle. This is also a conceptual plan so the trails can adjust some.) (Mr. Karn: A general industry standard for a paved trail is not to have less than a 200-foot radius. Some of the trails behind Vista Verde are a little bit straight so this turn will help slow people down and integrate the more curved trails on the open space site.) And there are not concerns with the corner of the Vista Verde building blocking sight lines? (Mr. Spicer: Not 150' off the building. The use of the snow storage site also prevents any other programming on the site. The best opportunity for creating smaller loops may be something in the future between the snow storage and skier parking. There are some smaller loops further into the site that can be done, but with the limit of space we did try to provide many opportunities to double back on yourself.) I'm just not seeing a loop for really young kids. (Mr. Kulick: The primary goal of this site has been to keep the natural feel on the site and provide additional opportunities not found elsewhere. We've taken the snow storage space down to the minimum. It's a unique site but it's also a site of 15 acres in a valley with 100,000 acres of open space and 4,000 acres of urban development. This site is a nice, new complementary role in the existing open space and the final design will be feathered in, not so much as the distinct edges shown on the plan.)
- Mr. Leas: Are the two areas to the east of McCain Road privately owned? (Mr. Truckey: The Town owns that area, some of it is leased space and some is for additional snow storage.)
- Mr. Kulick: With the restoration that has already been done the site looks really good already and with THK's work they're adding to that.
- Mr. Smith: Is there a drainage plan for the snow storage site? (Mr. Karn: They've constructed a detention pond and a swale, and they plan on most of it infiltrating but some can run out to the river which is part of the reason behind the site alignment.)
- Mr. Giller: I'm working on Sol Center to the north of this site. We were surprised in the spring how little site percolation there was and the site is very silted out. We had standing water onsite for several weeks. (Mr. Karn: That's a good thing to know.)
- Ms. Gort: The area indicated by number 8 currently has a lot of cobblestone, will that be removed? To make it easier for kids to run? (Mr. Karn: That's something that we will work on as we get into Phase 1 of the implementation plans but that might be nice to have a less bumpy area.) (Mr. Spicer: The rock on the site could also be reused elsewhere.)

OTHER MATTERS:

1. Town Council Summary
2. Chair & Vice Chair Appointments

Mr. Frechter made a motion to appoint Ms. Propper as the next Chair, seconded by Ms. Gort. Mr. Guerra made a motion to appoint Ms. Gort as the next Vice Chair, seconded by Ms. Propper. The motions both passed unanimously.

ADJOURNMENT:

The meeting was adjourned at 6:53 pm.

Ethan Guerra, Chair



TOWN OF BRECKENRIDGE
TOWN COUNCIL

Only 2 Council Members at each meeting, a third just means it needs to be posted.

The Council has been invited to the following meetings and events. A quorum may be in attendance at any or all of them.

Date	Meeting	Location	Time
------	---------	----------	------

November 2025

November 6th, 2025	Wake Up Breck	Coffee Shops	7:00am - 8:30am
November 7th, 2025	Opening Day of Breckenridge Ski Resort	Peak 8	8:00am
Tuesday, Nov. 11th, 2025	First Meeting of the Month	Council Chambers	2:00 pm / 7:00 pm
Tuesday, Nov. 25th, 2025	Second Meeting of the Month	Council Chambers	2:00 pm / 7:00 pm

December 2025

December 6th, 2025	Lighting of Breckenridge + Race of the Santas	Main Street	2:00pm - 7:00pm
Tuesday, Dec. 9th, 2025	First Meeting of the Month	Council Chambers	2:00 pm / 7:00 pm
Dec. 18th - 20th, 2025	ULLR Fest	Main Street	All Day
Dec. 19th - 21st, 2025	Rockstar Energy Open	Ski Resort & Town	All Day
Tuesday, Dec. 23rd, 2025	Second Meeting of the Month	Council Chambers	2:00 pm / 7:00 pm

Other Meetings

November 11th, 2025	Board of County Commissioners Meeting	County Courthouse	9:00am / 1:30pm
	Workforce Housing Committee	Town Hall	10:30am
November 12th, 2025	Breckenridge History	Town Hall	Noon
November 13th, 2025	Upper Blue Sanitation District	Administrative Office	5:30pm
November 17th, 2025	Summit Combined Housing Authority	Virtual	1:00pm
	Open Space & Trails Meeting	Town Hall	5:30pm
November 18th, 2025	Board of County Commissioners Meeting	County Courthouse	9:00am
	Liquor & Marijuana Licensing Authority	Town Hall	9:00am
	Planning Commission Meeting	Town Hall	5:30pm
November 19th, 2025	Social Equity Advisory Commission	Town Hall	5:30pm
November 25th, 2025	Board of County Commissioners Meeting	County Courthouse	9:00am / 1:30pm
November 27th, 2025	Summit Stage Transit Board Meeting	Senior Center	8:15am
	Breckenridge Tourism Office Board Meeting	BTO Office	8:30am
	RW&B Board Meeting	Main Street Station	3:00pm
December 2nd, 2025	Board of County Commissioners Meeting	County Courthouse	9:00am
	Planning Commission Meeting	Town Hall	5:30pm
December 3rd, 2025	Breckenridge Events Committee	Town Hall	9:00am
December 4th, 2025	NWCCOG Board Meeting	Silverthorne Office	10:00am
December 9th, 2025	Board of County Commissioners Meeting	County Courthouse	9:00am / 1:30pm
	Workforce Housing Committee	Town Hall	10:30am
December 11th, 2025	Upper Blue Sanitation District	Administrative Office	5:30pm
December 15th, 2025	Summit Combined Housing Authority	Virtual	1:00pm
	Open Space & Trails Meeting	Town Hall	5:30pm



TOWN OF BRECKENRIDGE
TOWN COUNCIL

Only 2 Council Members at each meeting, a third just means it needs to be posted.

The Council has been invited to the following meetings and events. A quorum may be in attendance at any or all of them.

Date	Meeting	Location	Time
December 16th, 2025	Board of County Commissioners Meeting	County Courthouse	9:00am
	Liquor & Marijuana Licensing Authority	Town Hall	9:00am
	Planning Commission Meeting	Town Hall	5:30pm
December 17th, 2025	Social Equity Advisory Commission	Town Hall	5:30pm
December 18th, 2025	Breck Create	Virtual	2:00pm
December 23rd, 2025	Board of County Commissioners Meeting	County Courthouse	9:00am / 1:30pm
December 25th, 2025	Summit Stage Transit Board Meeting	Senior Center	8:15am
<i>(not sure of the rescheduled dates of these mtgs)</i>	Breckenridge Tourism Office Board Meeting	BTO Office	8:30am
	RW&B Board Meeting	Main Street Station	3:00pm
January 6th, 2026	Board of County Commissioners Meeting	County Courthouse	9:00am
	Breckenridge Events Committee	Town Hall	9:00am
	Planning Commission Meeting	Town Hall	5:30pm
January 7th, 2026	Police Advisory Committee	PD Training Room	7:30am
January 8th, 2026	I-70 Coalition	Keystone Policy Center	1:00pm
TBD	Transit Advisory Council Meeting		8:00am
	Water Task Force Meeting		9:30am
	QQ - Quality and Quantity - Water District	CMC	10:00am