

**TOWN OF FREDERICK, COLORADO  
ORDINANCE NO. 1158**

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, AMENDING CHAPTER 18, ARTICLE I OF THE *FREDERICK MUNICIPAL CODE* REGARDING BUILDING REGULATIONS BY THE ADOPTION BY REFERENCE OF THE *2012 INTERNATIONAL BUILDING CODE*<sup>®</sup>; THE *2012 INTERNATIONAL RESIDENTIAL CODE*<sup>®</sup>; THE *2011 NATIONAL ELECTRIC CODE*<sup>®</sup>; THE *2012 INTERNATIONAL MECHANICAL CODE*<sup>®</sup>; THE *2012 INTERNATIONAL FUEL GAS CODE*<sup>®</sup>; THE *2012 INTERNATIONAL PLUMBING CODE*<sup>®</sup>; THE *2012 INTERNATIONAL EXISTING BUILDING CODE*<sup>®</sup>; THE *2012 INTERNATIONAL ENERGY CONSERVATION CODE*<sup>®</sup>; THE *2012 INTERNATIONAL PROPERTY MAINTENANCE CODE*<sup>®</sup>; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO AMENDMENTS (3), (4), (5), (6), (7), (8), (9), (22), (28), (46), (47), (48), (49), (50), (51), (56), (57), (58), (59), (60), (61), (70), (73), (74), (75), (76), (77), (78), (79), and (80); AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *2012 INTERNATIONAL RESIDENTIAL CODE*<sup>®</sup>, ONE- AND TWO-FAMILY DWELLINGS AUTOMATIC FIRE SYSTEMS; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *2012 INTERNATIONAL RESIDENTIAL CODE*<sup>®</sup>, FIRE PROTECTION OF FLOORS IN ONE- AND TWO-FAMILY DWELLINGS; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *2012 INTERNATIONAL RESIDENTIAL CODE*<sup>®</sup>, INTERIOR DESIGN CONDITIONS; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *2012 INTERNATIONAL RESIDENTIAL CODE*<sup>®</sup>, REPLACEMENT FENESTRATION; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *2012 INTERNATIONAL RESIDENTIAL CODE*<sup>®</sup>, SERVICE HOT WATER SYSTEMS; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *INTERNATIONAL ENERGY CONSERVATION CODE*<sup>®</sup>, TITLE; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *INTERNATIONAL ENERGY CONSERVATION CODE*<sup>®</sup>, REROOFING; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *INTERNATIONAL ENERGY CONSERVATION CODE*<sup>®</sup>, INTERIOR DESIGN CONDITIONS; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *INTERNATIONAL ENERGY CONSERVATION CODE*<sup>®</sup>, APPLICATION TO COMMERCIAL BUILDINGS; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *INTERNATIONAL ENERGY CONSERVATION CODE*<sup>®</sup>, INSTALLATION OF RADIANT HEATING SYSTEMS; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *INTERNATIONAL ENERGY CONSERVATION CODE*<sup>®</sup>, BUILDING ENVELOPE REQUIREMENTS; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *INTERNATIONAL ENERGY CONSERVATION CODE*<sup>®</sup>, DELETION OF SUBSECTION C402.3.3.1 AND TABLE C402.3.3.1; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *INTERNATIONAL ENERGY***

**CONSERVATION CODE<sup>®</sup>, DELETION OF SECTION C 406; AMENDING SECTION 18-1-70 OF THE *FREDERICK MUNICIPAL CODE* WITH REGARD TO THE *INTERNATIONAL ENERGY CONSERVATION CODE<sup>®</sup>* DELETION OF TABLES C406.2 (1) THROUGH (7); AMENDING ARTICLE III OF THE *FREDERICK MUNICIPAL CODE* BY ADOPTION OF THE *2012 INTERNATIONAL FIRE CODE*; AND PROVIDING A PENALTY.**

**WHEREAS**, the adoption of the codes enumerated in this chapter is necessary to protect life, health, and property within the Town, to prevent nuisances within the Town, to preserve and enforce the general welfare, and to protect safety, order and security of the Town and the inhabitants thereof.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:**

**Section 1.** Section 18-1-60 of the *Frederick Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“18-1-60 Adopted.**

The following codes are hereby adopted and enacted by reference.

(1) The *2012 International Building Code<sup>®</sup>* as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, June 2011, Chapters 1 through 35 inclusive and Appendix A and I, is hereby incorporated by this reference as part of this Building Code to have the same force and effect as if set forth in this chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this chapter. The adopted code includes comprehensive provisions and standards regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of buildings and structures for the purpose of safeguarding the public health, safety and general welfare. All references in this code to the *International Building Code<sup>®</sup>* are to the edition referenced above.

(2) The *2012 International Residential Code<sup>®</sup>* as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, February 2012, Chapters I through 44 inclusive and Appendices F, H and K, is hereby incorporated by this reference as part of this Building Code to have the same force and effect as if set forth in this chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this chapter. The adopted code includes comprehensive provisions and standards regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of the attached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories in height with a separate means of egress and their accessory structures. The purpose of this code is to provide minimum requirements to safeguard the public health, safety and general welfare, through affordability, structural strength, means of the egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment. All references in this code to the *International Residential Code<sup>®</sup>* are to the edition referenced above.

(3) The **2011 National Electric Code**<sup>®</sup> as published by the NFPA, 1 Batterymarch Park, Quincy, MA 02169-7471, August 2010, Chapters 1 through 9 and Appendices A through I, as adopted by the Colorado State Electrical Board, including appendices, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this chapter. The purpose of this code is regulating the installation of electric conductors and equipment within or on public and private buildings or other structures, including mobile homes, recreational vehicles, floating buildings and other premises such as yards, carnivals, parking lots and industrial substations; the installation of conductors and equipment that connect to the supply of electricity; the installation of other outside conductors and equipment on premises; and the installation of optical fiber cable in the Town. All references in this code to the **National Electric Code**<sup>®</sup> are to the edition referenced above.

(4) The **2012 International Mechanical Code**<sup>®</sup> as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, June 2011, Chapters 1 through 15 inclusive and Appendix A, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this chapter. This code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. All references in this code to the **International Mechanical Code**<sup>®</sup> are to the edition referenced above.

(5) The **2012 International Fuel Gas Code**<sup>®</sup> as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, June 2011, Chapters 1 through 8 and Appendices A and B, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this chapter. The adopted code includes comprehensive provisions and standards regulating the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of fuel gas piping systems, fuel gas utilization equipment and related accessories within this jurisdiction. All references in this code to the **International Fuel Gas Code**<sup>®</sup> are to the edition referenced above.

(6) The **2012 International Plumbing Code**<sup>®</sup> as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, April 2011, Chapters 1 through 14 and Appendices B, E, F, G, are hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this chapter. The adopted code includes comprehensive provisions and standards regulating the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. This code shall also regulate nonflammable medical gas, inhalation anesthetic, vacuum typing, nonmedical oxygen systems and sanitary and condensate vacuum collection systems. All references in this code to the **International Plumbing Code**<sup>®</sup> are to the edition referenced above.

(7) The **2012 International Existing Building Code**<sup>®</sup> as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, May 2012, Chapter 1

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

(8) The *2012 International Energy Conservation Code*<sup>®</sup> as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, May 2011, Chapters 1 through 5 inclusive including appendices, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this chapter. The adopted code regulates minimum energy conservation requirements for new buildings. The IECC addresses energy conservation requirements for all aspects of energy uses in both commercial and residential construction, including heating and ventilating, lighting, water heating, and power usage for appliances and building systems. All references in this code to the *International Energy Conservation Code*<sup>®</sup> are to the edition referenced above.

(9) The *2012 International Property Maintenance Code*<sup>®</sup> as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, February 2012, Chapters 1 through 8 inclusive and Appendix A, is hereby incorporated by this reference as a part of this Building Code to have the same force and effect as if set forth in this chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this chapter. This code is intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety. Responsibility is fixed among owners, operators and occupants for code compliance. The IPMC provides for the regulation and safe use of existing structures in the interest of the social and economic welfare of the community. All references in this code to the *International Property Maintenance Code*<sup>®</sup> are to the edition referenced above.”

**Section 2.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (3) in its entirety and reenacted to read as follows:

“(3) Section 109.2 of the *2012 International Building Code*<sup>®</sup> is deleted in its entirety and reenacted to read as follows:

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

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

**Section 3.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (4) in its entirety and reenacted to read as follows:

“(4) Section 109. 4 of the *2012 International Building Code*<sup>®</sup> is deleted in its entirety and reenacted to read as follows:

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

**Section 4.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (5) in its entirety and reenacted to read as follows:

“(5) Section 113.1 of the *2012 International Building Code*<sup>®</sup> is deleted in its entirety and reenacted to read as follows:

“**113.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Adjustments, to be referred to as the "Building Appeals Board." The Building Appeals Board shall be comprised of at least one (1) member of the Board of Trustees and two (2) members of the community appointed by the Board of Trustees. The Board shall adopt rules and procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the building official.”

**Section 5.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (6) in its entirety and reenacted to read as follows:

“(6) Section 113.2 of the *2012 International Building Code*<sup>®</sup> is deleted in its entirety and reenacted to read as follows:

“**113.2 Application for appeal.** A person shall have the right to appeal the decision of the building official to the Building Appeals Board. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code did not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served.”

**Section 6.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (7) in its entirety and reenacted to read as follows:

“(7) Section 113.3 of the *2012 International Building Code*<sup>®</sup> is deleted in its entirety and reenacted to read as follows:

“**113.3 qualifications, limitations of authority.** The Building Appeals Board shall consist of members who are qualified by expertise and training to pass on matters pertaining to building construction and are not Town employees. The Building Appeals Board shall have no authority relative to the interpretation of the administrative provisions of this code, nor shall the Board be empowered to waive requirements of this code.”

**Section 7.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (8) in its entirety and reenacted to read as follows:

“(8) Section 113 of the *2012 International Building Code*<sup>®</sup> is amended by the addition of the following Section 113.4 to read as follows:

“**113.4 Records.** The building official shall maintain a permanent record of all variance actions, including justification for their issuance. The building official, or his designee, shall attend all meetings of the Building Appeals Board and shall maintain a record of such proceedings, including all conclusions and findings underlying the Board’s decisions.”

**Section 8.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (9) in its entirety and reenacted to read as follows:

“(9) Section 114 of the *2012 International Building Code*<sup>®</sup> is hereby deleted in its entirety.”

**Section 9.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (22) in its entirety and reenacted to read as follows:

“(22) Section R112.2 of the *2012 International Residential Code*<sup>®</sup> is deleted in its entirety and reenacted to read as follows:

“**R112.2 Application for appeal.** A person shall have the right to appeal the decision of the building official to the Building Appeals Board. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code did not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served.”

**Section 10.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (28) in its entirety and reenacted to read as follows:

“(28) Section G2415.12 of the *2012 International Residential Code*<sup>®</sup> is deleted in its entirety and reenacted to read as follows:

“**G2415.12 (404.12) Minimum burial depth.** Underground piping systems shall be installed a minimum depth of 18" (457 mm) below grade, except as provided for in Section 2415.10 .1.”

**Section 11.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (46) in its entirety and reenacted to read as follows:

“(46) Section A108 of the *2012 International Mechanical Code*<sup>®</sup> is deleted in its entirety.”

**Section 12.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (47) in its entirety and reenacted to read as follows:

“(47) Section A109.1 of the *2012 International Mechanical Code*<sup>®</sup> is deleted in its entirety and reenacted to read as follows:

“**A109.1 General, qualifications.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Adjustments, to be referred to as the “Building Appeals Board.” The Building Appeals Board shall be comprised of at least one (1) member of the Board of Trustees and two (2) members of the community appointed by the Board of Trustees. The Board shall adopt rules and procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the building official. The Building Appeals Board shall consist of members who are qualified by expertise and training to pass on matters pertaining to building construction and are not Town employees.”

**Section 13.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (48) in its entirety and reenacted to read as follows:

“(48) Section A109.2 of the *2012 International Mechanical Code*<sup>®</sup> is deleted in its entirety and reenacted to read as follows:

“**A109.2 Application for appeal.** A person shall have the right to appeal the decision of the building official to the Building Appeals Board. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code did not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served.”

**Section 14.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (49) in its entirety and reenacted to read as follows:

“(49) Section A109.3 of the *2012 International Mechanical Code*<sup>®</sup> is deleted in its entirety and reenacted to read as follows:

“**A109.3 Limitations of authority.** The Building Appeals Board shall have no authority relative to the interpretation of the administrative provisions of this Code, nor shall the board be empowered to waive requirements of this Code.”

**Section 15.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (50) in its entirety and reenacted to read as follows:

“(50) Section A109.4 of the *2012 International Mechanical Code*<sup>®</sup> is deleted in its entirety and reenacted to read as follows:

**A109.4 Records.** The building official shall maintain a permanent record of all variance actions, including justification for their issuance. The building official, or his designee, shall attend all meetings of the Building Appeals Board and shall maintain a record of such proceedings, including all conclusions and findings underlying the Board's decisions."

**Section 16.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (51) in its entirety and reenacted to read as follows:

"(51) Section A109 of the *2012 International Mechanical Code*<sup>®</sup> is hereby amended by the deletion of the following sections: A109.5 Postponed hearings; A109.64 Decision; A109.7 Court review."

**Section 17.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (56) in its entirety and reenacted to read as follows:

"(56) Section [A]106.6.2 of the *2012 International Fuel Gas Code*<sup>®</sup> is hereby deleted in its entirety and reenacted to read as follows:

"[A] **106.6.2 Fee schedule.** The fees for work shall be in accordance with the schedule as established by the Board of Trustees. The Board of Trustees may amend the tables and schedules providing for fees by the adoption of a resolution."

**Section 18.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (57) in its entirety and reenacted to read as follows:

"(57) Section [A]108 of the *2012 International Fuel Gas Code*<sup>®</sup> is hereby deleted in its entirety."

**Section 19.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (58) in its entirety and reenacted to read as follows:

"(58) Section [A]109.1 of the *2012 International Fuel Gas Code*<sup>®</sup> is hereby deleted in its entirety and reenacted to read as follows:

"**A109.1 General, qualifications.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Adjustments, to be referred to as the "Building Appeals Board." The Building Appeals Board shall be comprised of at least one (1) member of the Board of Trustees and two (2) members of the community appointed by the Board of Trustees. The Board shall adopt rules and procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the building official. The Building Appeals Board shall consist of members who are qualified by expertise and training to pass on matters pertaining to building construction and are not Town employees."

**Section 20.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (59) in its entirety and reenacted to read as follows:

"(59) Section [A]109.2 of the *2012 International Fuel Gas Code*<sup>®</sup> is hereby deleted in its entirety and reenacted to read as follows:



**[A] 109.2 Application for appeal.** A person shall have the right to appeal the decision of the building official to the Building Appeals Board. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code did not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served.”

**Section 21.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (60) in its entirety and reenacted to read as follows:

“(60) Section A109.3 of the *2012 International Fuel Gas Code*<sup>®</sup> is hereby deleted in its entirety and reenacted to read as follows:

**“A109.3 Limitations of authority.** The Building Appeals Board shall have no authority relative to the interpretation of the administrative provisions of this Code, nor shall the Board be empowered to waive requirements of this Code.”

**Section 22.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (61) in its entirety and reenacted to read as follows:

“(61) Section A109.4 of the *2012 International Fuel Gas Code*<sup>®</sup> is hereby deleted in its entirety and reenacted to read as follows:

**“A109.4 Records.** The building official shall maintain a permanent record of all variance actions, including justification for their issuance. The building official, or his designee, shall attend all meetings of the Building Appeals Board and shall maintain a record of such proceedings, including all conclusions and findings underlying the Board’s decisions.”

**Section 23.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (62) in its entirety and reenacted to read as follows:

“(62) Section A109 of the *2012 International Fuel Gas Code*<sup>®</sup> is hereby amended by the deletion the following sections: A109.5 Postponed hearing; A109.6 Board decision; A109.7 Court review.”

**Section 24.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (70) in its entirety and reenacted to read as follows:

“(70) Section [A]106.6.2 of the *2012 International Plumbing Code*<sup>®</sup> is hereby deleted in its entirety and reenacted to read as follows:

**“[A] 106.6.2 Fee schedule.** The fees for all plumbing work shall be in accordance with the schedule as established by the Board of Trustees. The Board of Trustees may amend the tables and schedules providing for fees by the adoption of a resolution.”

**Section 25.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (73) in its entirety and reenacted to read as follows:

“(73) Section [A]109.2 of the *2012 International Plumbing Code*<sup>®</sup> is hereby deleted in its entirety and reenacted to read as follows:

“**[A] 109.2 Application for appeal.** A person shall have the right to appeal the decision of the building official to the Building Appeals Board. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code did not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served.”

**Section 26.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (74) in its entirety and reenacted to read as follows:

“(74) Section [A]109.3 of the *2012 International Plumbing Code*<sup>®</sup> is hereby deleted in its entirety and reenacted to read as follows:

“**[A] 109.3 Limitations of authority.** The Board of Adjustments shall have no authority relative to the interpretation of the administrative provisions of this Code, nor shall the Board be empowered to waive requirements of this Code.”

**Section 27.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (75) in its entirety and reenacted to read as follows:

“(75) Section [A]109.4 of the *2012 International Plumbing Code*<sup>®</sup> is hereby deleted in its entirety and reenacted to read as follows:

“**[A] 109.4 Records.** The building official shall maintain a permanent record of all variance actions, including justification for their issuance. The building official, or his designee, shall attend all meetings of the Building Appeals Board and shall maintain a record of such proceedings, including all conclusions and findings underlying the Board’s decisions.”

**Section 28.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraph (76) in its entirety and reenacted to read as follows:

“(76) Section [A]109 of the *2012 International Plumbing Code*<sup>®</sup> is hereby amended by the deletion of the following sections: [A]109.5 Postponed hearing; [A]109.6 Board decision; [A]109.7 Court review.”

**Section 29.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the deletion of Paragraphs (77), (78), (79) and (80) in their entirety.

**Section 30.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (77) to read as follows:

“(77) Section R313.2 of the *International Residential Code*<sup>®</sup> is hereby amended to read as follows:

“**R313.2 One and two-family dwellings automatic fire systems.**

The installation of an automatic residential fire sprinkler system in one- and two-family dwellings is optional, provided all requirements of section R501.3 are met.

**Exception:** An automatic residential fire sprinkler systems shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.”

**Section 31.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (78) to read as follows:

“(78) Section R501.3 of the *International Residential Code*<sup>®</sup> is hereby repealed in its entirety and reenacted to read as follows:

**“R501.3 Fire protection of floors.**

Floor assemblies, not required elsewhere in this code to be fire-resistance rated, shall be provided with a 1/2-inch (12.7 mm) gypsum wallboard membrane, 5/8-inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member.

**Exceptions:**

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with Section P2904, NFPA13D, or other approved equivalent sprinkler system.
2. Floor assemblies located directly over a crawlspace or basement where fuel fired equipment is not intended to be located.
3. Portions of floor assemblies can be unprotected when complying with the following:
  - 3.1. The aggregate area of the unprotected portions shall not exceed 80 square feet per story.
  - 3.2. Fire blocking in accordance with Section R302.11.1 shall be installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.
4. Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance.”

**Section 32.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (79) to read as follows:

“(79) Subsection N1101.11 (R302.1) of the *International Residential Code*<sup>®</sup> is hereby amended to read as follows:

“ **N1101.11 (R302.1) Interior design conditions.** The interior design temperatures used for heating and cooling load calculations shall be a maximum of 70°F (21°C) for heating and minimum of 75°F (24°C) for cooling.”

**Section 33.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (80) to read as follows:

“(80) Subsection N1102.3.6 (R402.3.6) of the *International Residential Code*<sup>®</sup> is hereby amended to read as follows:

“**N1102.3.6 (R402.3.6) Replacement fenestration.** When a permit is required and where some or all of an existing fenestration unit is replaced with a new fenestration product, including sash and glazing, the replacement fenestration unit shall meet the applicable requirements for U-factor and SHGC in Table N1102.1.1. (R402.1.1.)”

**Section 34.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (81) to read as follows:

“(81) Subsection N1103.4 (R403.4) of the *International Residential Code*<sup>®</sup> is hereby amended to read as follows:

“ **N1103.4 (R403.4) Service hot water systems.** Energy conservation measures for service hot water system shall be in accordance with Section N1103.4.1 (R403.4.1).”

**Section 35.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (87) to read as follows:

“(82) Section C101.1 of the *International Energy Conservation Code*<sup>®</sup> is hereby amended to read as follows:

“**C101.1 Title.**

This code shall be known as the *International Energy Conservation Code*<sup>®</sup> of the Town of Frederick, and shall be cited as such. It is referred to herein as “this code.”

**Section 36.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (83) to read as follows:

“(83) Subsection C101.4.3, Exception 5, the *International Energy Conservation Code*<sup>®</sup> is hereby amended as follows:

“5. Reroofing of roofs where the insulation is not exposed. Roofs without insulation in the cavity and where the insulation is exposed during reroofing shall be insulated either above or below the sheathing.”

**Section 37.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (84) to read as follows:

“(84) Subsection C302.1 of the *International Energy Conservation Code*<sup>®</sup> is hereby amended as follows:

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

**Section 38.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (85) to read as follows:

“(85) Subsection C401.2 of the *International Energy Conservation Code*<sup>®</sup> is hereby amended as follows:

**“C401.2 Application.**

Commercial buildings shall comply with one of the following:

1. The requirements of ANSI/ASHRAE/IESNA 90.1.
2. The requirements of Sections C402, C403, C404 and C405.
3. The requirements of Section C407, C402.4, C403.2, C404, C405.2, C405.3, C405.4, C405.6 and C405.7.”

**Section 39.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (86) to read as follows:

“(86) Subsection C402.2.8 of the *International Energy Conservation Code*<sup>®</sup> is hereby amended as follows:

**“C402.2.8 Insulation of radiant heating systems.**

Radiant panels, and associated U-bends and headers, designed for sensible heating of an indoor space through heat transfer from the thermally effective panel surfaces to the occupants or indoor space by thermal radiation and natural convection and the bottom surfaces of floor structures incorporating radiant heating shall be insulated with a minimum of R-5.”

**Section 40.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (87) to read as follows:

“(87) Table C402.3 of the *International Energy Conservation Code*<sup>®</sup> is hereby deleted in its entirety and replaced with the following:

**“TABLE C402.3 BUILDING ENVELOPE REQUIREMENTS**

Climate Zone	1	2	3	4 Except Marine	5 And Marine 4	6	7	8
Vertical fenestration (40% maximum of above-grade wall)								
U-factor	1.20	0.75	0.65	0.55	0.55	0.55	0.45	0.45
Framing materials other than metal with or without metal reinforcement or cladding								
U-factor	1.20	0.75	0.65	0.40	0.35	0.35	0.35	0.35
Metal framing with or without thermal break								
Curtain wall/ storefront U-factor	1.20	0.70	0.60	0.50	0.45	0.45	0.40	0.40

Entrance Door U-factor	1.20	1.10	0.90	0.85	0.80	0.80	0.80	0.80
All other U-factor <sup>a</sup>	1.20	0.75	0.65	0.55	0.55	0.55	0.45	0.45
SHGC - all frame types								
SHGC:PF < 0.25	0.25	0.25	0.25	0.40	0.40	0.40	0.45	0.45
SHGC: 0.25≤PF< 0.5	0.33	0.33	0.33	NR	NR	NR	NR	NR
SHGC: PF < 0.5	0.40	0.40	0.40	NR	NR	NR	NR	NR
Skylights (3% maximum)								
U-factor	0.75	0.75	0.65	0.60	0.60	0.60	0.60	0.60
SHGC	0.35	0.35	0.35	0.40	0.40	0.40	NR	NR

NR= No requirement.

PF = Projection factor (402.3.3).

<sup>a</sup> All others includes operable windows, fixed windows and nonentrance doors.”

**Section 41.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (88) to read as follows:

“(88) Subsection C402.3.3.1 and Table C402.3.3.1 of the *International Energy Conservation Code*<sup>®</sup> are hereby deleted in their entirety.”

**Section 42.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (89) to read as follows:

“(89) Section C406, of the *International Energy Conservation Code*<sup>®</sup> is hereby deleted in its entirety.”

**Section 43.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (90) to read as follows:

“(90) Tables C406.2 (1) through (7), of the *International Energy Conservation Code*<sup>®</sup> are hereby deleted in their entirety.”

**Section 44.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (91) to read as follows:

“(91) Appendix A, Section A101.1 of the *International Building Code*<sup>®</sup> is hereby deleted in its entirety reenacted to read as follows:

**“A101.1 Building official.**

The building official shall meet all minimum requirements set by the Town of Frederick Human Resources Department.

**Section 45.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (91) to read as follows:

“(92) Appendix A, Section A101.2 of the *International Building Code*® is hereby deleted in its entirety.”

**Section 46.** Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of a new Paragraph (93) to read as follows:

“(93) Appendix A, Section A101.3 of the *International Building Code*® is hereby deleted in its entirety and reenacted to read as follows.”

**“A101.3 Inspector and plans examiner.**

The building official shall appoint or hire such number of officers, inspectors, assistants and other employees as shall be authorized by the jurisdiction. A person shall not be appointed or hired as inspector of construction or plans examiner who has not met all minimum requirements of the Town of Frederick Human Resources Department.

**Section 47. Penalties.** Section 18-1-80 of the *Frederick Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“18-1-80 Violations.**

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

(1) **Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, move, remove, demolish or utilize any building, structure or equipment regulated by this Building Code, or cause the same to be done, in conflict with or in violation of any of the provisions of this Building Code.

(2) **Commencement of proceedings.** Whenever the Building Official has inspected or caused to be inspected any building or premises and has found and determined that violations of this Building Code exist, he or she shall commence proceedings to cause the correction of said violations.

a. **Notice and order.** The Building Official shall issue a notice and order directed to the record owner of the building or premises. The notice and order shall contain:

1. The street address and a legal description sufficient for identification of the premises upon which the building or premises is located.

2. A concise description of the conditions found to be in violation of this Building Code and including the specific section of the code violated.

3. A statement of the action required to be taken as determined by the Building Official.

a) If the Building Official has determined that a building or structure must be repaired, the order shall require that all required permits be secured therefor and the work physically commenced within such time (not to exceed sixty [60] days from the date of the order) and

completed within such time as the Building Official shall determine is reasonable under all of the circumstances.

b) If the Building Official has determined that a building or structure must be vacated, the order shall require that the building or structure shall be vacated within a time certain from the date of the order as determined by the Building Official to be reasonable.

c) If the Building Official has determined that a building or structure must be demolished, the order shall require that the building be vacated within such time as the Building Official shall determine is reasonable (not to exceed sixty [60] days from the date of the order); that all required permits be secured therefor within sixty (60) days from the date of the order; and that the demolition be completed within such time as the Building Official shall determine is reasonable.

4. Statements advising that if any required repair or demolition work (without vacation also being required) is not commenced within the time specified, the Building Official:

a) Will order the building or premises vacated and posted to prevent further occupancy until the work is completed; and

b) May proceed to cause the work to be done and charge the costs thereof against the property or its owner.

5. Statements advising:

a) That any person having any record title or legal interest in the building or premises may appeal from the notice and order or any action of the Building Official to the Board of Adjustments, provided that the appeal is made in writing as provided in this Building Code and filed with the Building Official within thirty (30) days from the date of service of such notice and order; and

b) That failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

b. **Service of notice and order.** The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner and posted on the property; and one (1) copy thereof shall be served on each of the following if known to the Building Official or disclosed from official public records: the holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease of record; and the holder of any other estate or legal interest of record in or to the building, premises or the land on which it is located. The failure of the Building Official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed on him or her by the provisions of this Section .



c. **Method of service.** Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at his or her address as it appears on the last property assessment roll of the County or as known to the Building Official. If no address of any such person so appears or is known to the Building Official, then a copy of the notice and order shall be so mailed, addressed to such person, at the address of the building involved in the proceedings. The failure of any such person to receive such notice or to accept delivery of such notice shall not affect the validity of any proceedings taken under this Section. Service by certified mail in the manner herein provided shall be effective on the date of mailing.

d. **Proof of service.** Proof of service of the notice and order shall be certified to at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the time, date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice and order retained by the Building Official.

(3) **Stop work orders.** Upon notice from the Building Official that work is being done contrary to the provisions of this Building Code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Building Official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00).

(4) **Prosecution of violation.** If the notice of violation is not complied with promptly, the Building Official may request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Building Code or of the order or direction made pursuant thereto. In addition, the Building Official may issue and serve the violator(s) a summons and complaint requiring appearance in the Municipal Court to answer the charge(s) brought against him or her. These remedies are not exclusive; one does not preclude pursuit of any other remedy noted herein or otherwise available to the Town.

(5) **Violation penalties.** Persons who shall violate a provision of this Building Code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this Building Code, shall be guilty of a noncriminal violation, punishable by a fine of not more than five hundred dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate and distinct offense.

(6) **Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction, restrain, correct or abate a violation, prevent illegal occupancy of a

building, structure or premises or stop an illegal act, conduct, business or utilization of the installations on or about any premises.

(7) **Repair, vacation and demolition.** The following standards shall be followed by the Building Official (and by the Board of Adjustments if an appeal is taken) in ordering the repair, vacation or demolition of any dangerous building or structure:

a. Any building declared a dangerous building under this Building Code shall be made to comply with one of the following:

1. The building shall be repaired in accordance with the current building code or other current code applicable to the type of substandard conditions requiring repair; or
2. The building shall be demolished at the option of the building owner; or
3. If the building does not constitute an immediate danger to the life, limb, property or safety of the public, it may be vacated, secured and maintained against entry.

b. If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or its occupants, it shall be ordered to be vacated.

(8) **Unsafe installations.** An installation that is unsafe, constitutes a fire or health hazard or is otherwise dangerous to human life, as regulated by this Building Code, is hereby declared an unsafe installation. Use of an installation regulated by this Building Code constituting a hazard to health, safety or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Such unsafe installations are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

a. **Authority to condemn installations.** Whenever the Building Official determines that any installation, or portion thereof, regulated by this Building Code has become hazardous to life, health or property, he or she shall order in writing that such installations either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective installation after receiving such notice. When such installation is to be disconnected, written notice as prescribed in Paragraph 18-1-80(2) above shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

b. **Authority to disconnect service utilities.** The Building Official shall have the authority to require disconnection of utility service to the building, structure or system regulated by the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall notify the serving utility and, wherever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practicable thereafter.

c. **Connection after order to disconnect.** A person shall not make energy source connections to installations regulated by this Building Code which have been disconnected or

ordered to be disconnected by the Building Official, or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such installations. When an installation is maintained in violation of this Building Code, and in violation of a notice issued pursuant to the provisions of this Section, the Building Official shall institute appropriate action to prevent, restrain, correct or abate the violation.

(9) **Notice to vacate.**

a. **Posting.** Every notice to vacate shall, in addition to being served as provided in Subparagraph 18-1-80(2)b., be posted at or upon each exit of the building and shall be in substantially the following form:

**DO NOT ENTER**

**UNSAFE TO OCCUPY**

**It is a misdemeanor to occupy this building,  
or to remove or deface this notice.**

**Building Official, Town of Frederick**

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

**Section 48.** Section 18-71 of the *Frederick Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“18-71 2012 International Fire Code, adopted.**

(a) Subject to the amendments set forth in Section 18-71.5 below, the *2012 International Fire Code*<sup>®</sup> as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, May 2011, Chapters 1 through 80 inclusive and Appendices B through J, is hereby incorporated by this reference as part of this Building Code. The same force and effect as if set forth in this chapter in every particular, save and except such portions as are added, amended, deleted or replaced in this chapter. All references in this code to the *International Fire Code*<sup>®</sup> are to the edition referenced above. The purpose and subject matter of the *International Fire Code*<sup>®</sup> is to:

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

(b) Except as amended in Section 18-71.5 below, the 2012 International Fire Code is adopted in full, including the outline of contents, index and Appendix Chapters B-J. Any reference to the International Fire Code within this Chapter shall be to the 2012 edition of said code.

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

(d) The code adopted herein shall be enforced by the one (1) or more fire districts having jurisdiction within the Town that shall serve as the Bureau of Fire Prevention of the Town.”

**Section 49. Effective Date.** This ordinance shall be published and become effective as provided by law.

**Section 50. Certification.** The Town Clerk shall certify to the passage of the ordinance codified herein, and not less than one (1) copy of the codes adopted by this Article, shall be kept in the office of the Town Clerk at all times and may be inspected by any interested person at any time during regular offices hours but may not be removed from the Town Clerk’s office except upon proper order of a court of law. Copies of the codes adopted by this Article may be purchased from the Town Clerk upon the payment of a fee to be set by resolution of the Board of Trustees.

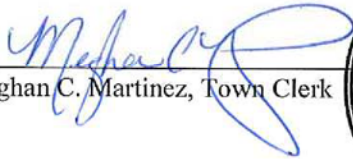
**Section 51. Severability.** If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

**Section 52. Repealer.** All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof, in conflict with this ordinance are to the extent of such conflict hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution or motion thereby.

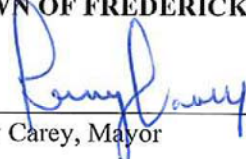
INTRODUCED, READ, PASSED AND ADOPTED FOLLOWING A PUBLIC HEARING  
THIS 10<sup>th</sup> DAY OF December, 2013.

ATTEST:

TOWN OF FREDERICK

By   
Meghan C. Martinez, Town Clerk



  
Tony Carey, Mayor