

ORDINANCE NO. 25

SERIES 2022

AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AMENDING CHAPTER 18 OF THE MUNICIPAL CODE TO CORRECT REFERENCES TO THE DEPARTMENT OF ENERGY ZERO ENERGY READY HOME PROGRAM AS IT MAY BE AMENDED FROM TIME TO TIME.

WHEREAS, the Town of Crested Butte, Colorado (the “Town”) is a home rule municipality duly and regularly organized and validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado; and

WHEREAS, the adoption of uniform codes of construction is necessary to ensure safe and sound construction of buildings; and

WHEREAS, on August 2, 2022, the Town Council adopted Ordinance No. 13, effective on January 1, 2023, adopting uniform codes of construction by reference and adopting local amendments thereto to ensure safe and sound construction of buildings within the Town; and

WHEREAS, such local amendments included references to the Department of Energy Zero Energy Ready Home Program, Revision No. 7, and since then, the Department of Energy promulgated Revision No. 8 to the Zero Energy Ready Home Program; and

WEREAS, the Town of Crested Butte adopted its Climate Action Plan in 2019 with specific goals to reduce greenhouse gas emissions of Town operations by 50% and the community at-large by 25%, by 2023 and work towards becoming a net-zero community by 2030; and

WHEREAS, the Town Council finds and determines that it is necessary to correct references in Chapter 18 of the Municipal Code to the Department of Energy Zero Energy Ready Home Program, as it may be amended from time to time.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO THAT,

Section 1. Amendment. Chapter 18 of the Crested Butte Municipal Code is hereby amended as set forth in **Exhibit A**, incorporated herein by reference.

Section 2. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions

of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 3. Savings Clause. Except as amended hereby, the Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as the effective date hereof

INTRODUCED, READ, AND SET FOR PUBLIC HEARING THIS 5th DAY OF December 2022.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS 19th DAY OF December 2022.

TOWN OF CRESTED BUTTE

By: 
Ian Billick, Town Mayor


ATTEST:
By: 
Lynelle Stanford, Town Clerk



EXHIBIT A

The following sections of Chapter 18, Building Regulations, of the Municipal Code are amended as follows with double underlined text added and ~~strike through~~ text deleted.

(1) Section 18-2-30, Amendments, is amended to read as follows:

N1101.13.6.3. – Zero Energy Ready Home. All new heated buildings shall become qualified as a Department of Energy Zero Energy Ready Home (Rev. 07) (as amended by the Department of Energy) by meeting the national program requirements specified in the program, becoming verified and field-tested in accordance with HERS standards by an approved verifier, and meeting all applicable codes. Residential construction may meet the requirements of either the performance path or the prescriptive path to qualify.

(2) Section 18-9-30, Utilization of Home Energy Rating System (HERS), is amended to read as follows:

Sec. 18-9-30. Utilization of Home Energy Rating System (HERS).

All new, heated residential structures shall become qualified as a Department of Energy Zero Energy Ready Home (Rev. 07) (as amended by the Department of Energy) by meeting the national program requirements, becoming verified and field-tested in accordance with HERS standards by an approved verifier, and meeting all applicable codes. Residential construction may meet the requirements of either the performance path or the prescriptive path as defined in the Zero Energy Ready Home Requirements to qualify.

(3) Section 18-9-40, International Energy Conservation Code, is amended to read as follows:

R401.2.6.2. – Zero Energy Ready Home. All new heated buildings shall become qualified as a Department of Energy Zero Energy Ready Home (Rev. 07) (as amended by the Department of Energy) by meeting the national program requirements specified in the program, becoming verified and field-tested in accordance with HERS standards by an approved verifier, and meeting all applicable codes. Residential construction may meet the requirements of either the performance path or the prescriptive path to qualify.

(4) Section 18-9-80, Building science requirements, subsection (a) is amended to read as follows:

Sec. 18-9-80. Building science requirements.

(a) All new, heated residential structures shall become qualified as a Department of Energy Zero Energy Ready Home (Rev. 07) (as amended by the Department of Energy) and Section 18-9-

30 by meeting the national program requirements specified in the program, becoming verified and field-tested in accordance with HERS standards by an approved verifier, and meeting all applicable codes. Residential construction may meet the requirements of either the performance path or the prescriptive path to qualify.
