

# COLORADO CHAPTER NEWS



JANUARY VOL. 5 NO. 1



## LETTER FROM THE PRESIDENT

1986 is shaping up to be a very busy year for the Colorado Chapter.

Items of note include the Code Development Committee hearings to be held in Denver, January 27 through February 1, 1986. These hearings offer an incredible opportunity to learn the reasons behind proposed code changes. I encourage the members of the Colorado Chapter to help show the Conference and Industry, that we are concerned with the code change process.

In March we can all look forward to the Educational Institute offering a wide range of interesting topics which has drawn International attention. Contact Greg Keith (668-3170) or Metro (635-2535) if you need further information.

LET'S MAKE 1986 A YEAR TO REMEMBER!!!

Gerald George  
President

# group homes report

Group homes create a unique challenge for building departments. Like many occupancies group homes pose a question as to how they should be classified.

The committee took on the challenge with the idea that a Group I occupancy classification was overly restrictive for small group home facilities.

Within the committee's proposal a Group R, Division 4 occupancy was created and an appendix chapter written to set minimum standards of safety and to govern the general requirements based on occupancy.

For this proposal Group R, Division 4 occupancies are defined as: residential board and care facilities for non-restrained ambulatory persons who may have a physical or mental impairment (each accommodating less than 10 persons, excluding staff). The proposal is intended to also cover facilities for social rehabilitation and housing for the elderly.

The Group Home Committee will soon be meeting with Code Development and then will be finalizing the proposal.

For further information, contact Becky Baker.

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## 35 years in '88

Thanks to Mr. John Petersell, our Chapters Historical Committee has some ambitious plans for 1986. John made available his collection of old Colorado Chapter minutes and correspondence dating back to our birth at a November 12, 1952 organizational meeting at the Park Lane Hotel in Denver. The purpose of that meeting was to discuss the merits of organizing a local Chapter of the Pacific Coast Building Officials Conference. The minutes read:

"After considerable discussion of the merits and value of such association of inspectors, it was the vote of the group that such a local Chapter should be formed."

The group went on to meet on January 23, 1953, to establish the "Colorado Chapter of the Pacific Coast of Building Officials".

35 YEARS (cont'd)

Our first President was Mr. E. J. Jones, Chief Building Inspector and City Engineer, Canon City. The following members were enrolled in the Chapter and paid \$3.00 each in membership dues: George R. McCormack, Denver; William F. O'Neill, Lamar; L. Owings, Colorado Springs; M. J. Kochevar, Colorado Springs; E. E. Thurman, Colorado Springs; John J. Wilder, Aurora; John Petersell, Pueblo; Joseph Dell Galloway, Pueblo; Harold Dickson, Pueblo; E. J. Jones, Canon City; I. H. Younger, Denver, Louis J. Jay, Denver; Pete Roukema, Greeley; and James Murray, Colorado Springs.

The Historical Committee plans to use the Newsletter as a forum for presenting tidbits of Chapter history to our members. Anyone wishing to contribute information or old records for our archives can do so by sending them to Tom Thompson, #6 Garden Office Center, Broomfield, Colorado 80020.

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### NOTICE

At the January 10th Chapter Meeting, a mock Code Development Committee hearing will be conducted. The hearing agenda will be the November-December 1985 Building Standards Part IV.

The November-December Part IV contains all of the suggested revisions to the 1985 Uniform Codes to be considered in 1986.

Those items not covered at the Chapter Meeting will be addressed at the January 17th Code Change Committee Meeting to be held at the Lakewood Municipal Center, 445 South Allison Parkway in Lakewood. Meeting time is 9:00 A.M.

Please review all suggested revisions and come prepared to participate in the mock hearings.

Your opinions and comments will be of great value to those members representing the Chapter at the Code Development hearing in Denver January 27-February 1, 1986.

## Chapter A.B.M.

The annual business meeting of the Colorado Chapter of ICBO was held in Lakewood at the Ramada Inn. Our hosts did an outstanding job of making everyone feel welcome. The program committee also did an excellent job of educating and informing the membership.

Denise Burrell of the Coppers Company talked on pressure treated wood. The Code Changes Process - How to get Involved, was presented by Dan Nickle. Commerce City Building Official, Bob Fotte, gave us clues on "How to Better Relations with other Departments". A program on the Questions of Foam Plastics, which by the way gave no answers, was presented by John Hatfield and Rusty Price.

Liability and handling those risks seemed to be a big theme throughout the meeting (see the accompanying article on LaPlatta County)so, Ray Lehr with the Colorado Intergovernmental Risk Sharing Agency (CIRSA), a self insurance group, discussed safety on jobsites. Denver Regional Council of Governments (DRCOG) was kind enough to let Dick Younkin, the shared elevator inspector, discuss his program with the membership.

We also had the privilege of touring the Lakewood Brick Company to see first hand brick in the making. Did you know they have discovered fired brick more than 10,000 years old? Gerry George, our newly elected President, personally bent a newly formed brick, of course, it hadn't been fired yet.



This business meeting was the election of new officers and here is the list of our new officers:

President---Gerry George---Lakewood  
1st V.P.----Tom Thompson---Broomfield  
2nd V.P.----Larry Pirk1---Arvada  
Secretary---Noel Vargo-----Winter Park  
Treasurer---Steve Thomas---Glendale

Board of Directors:

Becky Baker, Bob Fotte, Larry Cooper,  
Greg Keith, and Rusty Price  
Past President-Gerry Booth

The President of the International Conference of Building Officials, David Bassett, accepted the Chapters invitation to install the new officers at a banquet held Thursday evening December 5, 1985. In speaking to the membership, Dave gave us the challenge to keep the leadership this Chapter has earned in the last few years and to strive to better the entire Conference with our participation.



We have many new horizons in 1986. The first will be the Code Development Committee hearings to be held here in Denver on January 27-31, 1986. Plan to attend this unique opportunity. Also, this is the inaugural year of the Education Committee Code seminar classes. These are to be held March 3-7, 1986. Contact Greg Keith or any of the officers for applications to this exciting education opportunity.

Most important for this issue of the Newsletter are the dates and places of the meetings of 1986.

January 10---Littleton July 24-25--Estes Park  
March 21--Longmont or Colorado Springs  
May 8-9---Grand Junction October 17--Glendale  
December 11 & 12 -- Lakewood

## YOU AND THE LAW

A decision was reached November 21, 1985 in La Plata County regarding a suit brought against the Building Department by an individual that had been injured in a fall from a deck without a guardrail at a private residence.

The residence, as well as the deck were constructed without a permit, however according to the following article, there was knowledge of the situation by the Building Inspector.

### PART I

#### The Brief Times Reporter

Here, La Plata County Resolution No. 1973-130 adopted the U.B.C., which clearly required decks more than 30 inches above ground level to be equipped with a guard rail. McEwan purchased a building permit after the effective date of that resolution. This permit stated that he was to comply with all "laws and regulations in the location, construction and erection" of the structure for which the permit was granted.

In La Plata County Resolution No. 1973-125, §XIV, entitled "penalty," the Board revealed its intent to apply the U.B.C. to those structures under construction on the date of its adoption, stating: "No person shall commence or continue any work in respect to any building . . . in violation of the provisions of this Resolution." (emphasis added) Nevertheless, similar to the situations in Martinez, Justus, and Gilbert, the Board here failed to follow its own regulations by adopting a policy that structures begun before January 1, 1974, would not be inspected.

Since the Board took affirmative action to alleviate the hazards of poor construction standards, a common law duty to use reasonable care to protect foreseeable plaintiffs arose. See Martinez v. City of Lakewood, supra. Consequently, the Board's decision not to enforce the inspection requirement as to structures begun before January 1, 1974, fails to negate the duty which arose by its affirmative action of adopting building standard regulations. See Justus v. Jefferson County School District R-1, supra; Gilbert v. City of Arvada, supra.

Accordingly, under common law principles, the issue of the Board's liability to Moreland was a factual question properly submitted to the jury for resolution.

### II.

The Board, however, contends that the doctrine of official immunity and public policy considerations necessitate a finding of immunity under these facts. We disagree.

Under the doctrine of official immunity attaches if the official acts will give rise to the complaint are discretionary in nature, and, for purposes of the immunity doctrine, discretionary acts, are those acts of a judgmental, planning, or policy nature. Cooper v. Hollis, 42 Colo. App. 505, 600 P.2d 109 (1979). Here, however, we are concerned with sovereign immunity and its abrogation under the Governmental Immunity Act. Therefore, the doctrine of official immunity and the distinction between discretionary and non-discretionary acts is not applicable. Mason v. State, 689 P.2d 199 (Colo. App. 1984)(cert. granted Oct. 22, 1984).

Moreover, we note that this case arises in the context of the Colorado Governmental Immunity Act. Section 24-10-101, et. seq., C.R.S. (1982 Repl. Vol. 10). Section 24-10-104, C.R.S. (1982 Repl. Vol. 10) provides that if:

"a public entity provides insurance coverage . . . to insure itself against liability for any injury or to insure any of its employees against his liability for an injury resulting from an act or omission of such employee acting within the scope of his employment, then such public entity shall be deemed to have waived the defense of sovereign immunity . . . ." Here, the Board had obtained insurance to cover the instant liability. Therefore, the Board is not immune from suit.

### III.

Finally, the Board contends that the trial court erred in failing to instruct the jury in accordance with its tendered instruction concerning the affirmative defense of honest and reasonable mistake. There was no error here.

The honest and reasonable mistake defense is a subpart of the common law doctrine of sovereign immunity. See Flournoy v. McComas, 175 Colo. 526, 488 P.2d 1104 (1971); see also Winters v. City of Commerce City, 648 P.2d 175 (Colo. App. 1982). Where, as here, the Governmental Immunity Act applies, the public entity is deemed to have waived the defense of sovereign immunity. Mason v. State of Colorado, supra. Consequently, the public entity is to be treated as any other private litigant. See Martinez v. City of Lakewood, supra. Because no private litigant may assert the "honest and reasonable mistake" defense in a negligence action, W. Prosser & O. Keeton, Tor §§65-68 (5th ed. 1984), neither may Board. Accordingly, the trial court correctly refused the tendered instruction.

The judgment is affirmed.

JUDGE BERMAN and JUDGE TURSI concur.

La Plata case continued.....

No. 83CA1255

Frederick Moreland,  
Plaintiff-Appellee,

v.

The Board of County Commissioners of the  
County of La Plata, a political and  
governmental subdivision of the State of  
Colorado,

Defendant-Appellant.

Decided November 21, 1985.

Board of county commissioners appealed  
judgment entered on jury verdict finding  
defendant negligent in failing to enforce  
the county's uniform building code and  
thereby causing injuries to plaintiff when  
he fell off cabin deck that lacked guard  
rail.

Affirmed

Appeal from the District Court  
of La Plata County

Honorable James D. Childress, Judge

Alan E. Johnson, for Plaintiff-Appellee.

Hall & Evans, Richard A. Waltz, Alan  
Epstein, for Defendant-Appellant.

Division III.

Opinion by JUDGE METZGER.

Defendant, the Board of County  
Commissioners of La Plata County (the  
Board), appeals the trial court's entry of  
judgment on a verdict finding the Board  
negligent in failing to enforce the county's  
uniform building code and thereby causing  
injuries to plaintiff, Frederick Moreland.  
We affirm.

Ron McEwan began construction of a cabin  
in the spring of 1973. He dug a foundation  
and put reinforcing rods in place, but did  
not obtain a building permit pursuant to the  
then existing La Plata County Resolution No.  
1972-25. This resolution was adopted  
pursuant to a zoning plan which required  
building permits in order to build or  
improve a structure. In effect, that  
resolution assessed a tax of \$1 per \$1,000  
of value for the issuance of a building  
permit.

On December 31, 1973, the Board enacted  
La Plata County Resolution No. 1973-130,  
which adopted the Uniform Building Code of  
the International Conference of Building  
Officials (U.B.C.). The effective date of  
resolution was January 1, 1974, and it  
provided that all construction work  
performed after that date must conform to  
the requirements of the U.B.C., with no  
exceptions.

Richard Yeager, La Plata County's first  
building inspector hired April 1, 1974, was  
charged with developing a building  
department and with enforcing the provisions  
of the U.B.C. and La Plata County Resolution  
No. 1973-130. Because of the lack of  
sufficient experienced personnel, the Board  
adopted a policy that existing residential  
dwellings and those dwellings whose  
construction had commenced prior to January  
1, 1974, would not require building  
inspections, and were not to be inspected.

In the spring of 1974, McEwan was told  
by the Rural Electrical Association that he

must obtain a building permit in order to  
receive temporary electrical power. McEwan  
obtained a building permit from the county  
on April 8, 1974. The permit was issued by  
the county assessor's office, which had  
previously issued permits pursuant to La  
Plata County Resolution No. 1972-25. No  
plans or blueprints were submitted as  
required by the U.B.C., nor were any  
required subsequent inspections of the  
dwelling performed.

However, Yeager did visit the McEwan  
cabin for other reasons in the summers of  
1974 and 1975. During both visits a deck  
constructed by McEwan along the west and  
north sides of the cabin had been completed.  
During Yeager's 1974 visit there was no  
guard rail; during his 1975 visit the only  
guard rail was along the west edge of the  
deck. Much of the deck, including both the  
north and west sides, was as much as ten  
feet above the ground. This was a clear  
violation of the U.B.C., which required  
guard rails along decks built more than 30  
inches from ground level.

Moreland's accident took place on March  
10, 1982. He had gone to visit a friend who  
was renting McEwan's cabin. Early that  
evening, Moreland left the cabin, walked off  
the deck on the north side, and fell to the  
ground sustaining a spinal injury rendering  
him a paraplegic.

At trial the jury found the Board 58  
percent negligent and Moreland 42 percent  
negligent. This appeal followed.

I.

The Board first contends that, as a  
matter of law, it owed no duty to Moreland  
under the circumstances of this case. We  
disagree.

In order to prove negligence, a  
plaintiff must show that the defendant,  
including a public entity defendant, has a  
legally imposed duty or a standard of  
conduct to which the defendant must adhere.  
Dare v. Sobule, 674 P.2d 960 (Colo. 1984);  
Justus v. Jefferson County School District  
R-1, 683 P.2d 805 (Colo. App. 1984) (cert.  
granted June 25, 1984). The duty may derive  
from either a statutory standard of conduct  
or from a judicial or common law standard.  
Dare v. Sobule, supra.

Whether a defendant owes a legal duty to  
a particular plaintiff and the scope of that  
duty are questions of law. Metropolitan Gas  
Repair Service, Inc. v. Kulick, 621 P.2d  
313 (Colo. 1980).

"Whether the law should impose a duty  
requires consideration of the risk involved,  
the foreseeability and likelihood of injury  
as weighed against the social utility of an  
actor's conduct, the magnitude of the burden  
of guarding against the injury or harm, and  
the consequences of placing the burden upon  
the actor."

La Plata case continued.....

Justus v. Jefferson County School District R-1, supra.

A.  
Statutory Duty

The Board argues first, and we agree, that Quintano v. Industrial Commission, 178

Colo. 131, 495 P.2d 1137 (1972) is dispositive as to the statutory duty issue. There, plaintiff alleged that a state statute requiring inspection of all factories imposed a duty upon the Colorado Industrial Commission and the individual commissioners to inspect. The supreme court held that the Industrial Commission as a whole was shielded by the doctrine of sovereign immunity and the individual commissioners owed no duty unless there was a clear indication that the General Assembly intended the statute to be used as a basis for civil liability. Quintano v. Industrial Commission, supra. See also Martinez v. City of Lakewood, 655 P.2d 1388 (Colo. App. 1982). Therefore, no statutory duty may be found in the absence of a legislative intent to impose civil liability.

Accordingly, since the Board did not include a civil liability provision in the La Plata County Resolution No. 1973-130, no statutory duty may be implied.

Common Law Duty

The Board also argues that no common law duty arises because this action involve nonfeasance. Moreland, on the other hand argues that this is a case of misfeasance. We agree with Moreland that, since the Board took affirmative steps to pass and enforce building code, its negligence and that of its employees could be found to be a cause of Moreland's injuries.

The issues involved here are similar to those in Justus v. Jefferson County School District R-1, supra, and Gilbert v. City of Arvada, 694 P.2d 847 (Colo. App. 1984) (cert. granted Jan. 14, 1985). In Justus, the Jefferson County School District established a regulation which provided that only students in the upper elementary grades were permitted to ride their bicycles to school. The plaintiff, a first grader, was injured while riding his bike home from school. In reversing summary judgment for the district, this court ruled that, although the school district ordinarily would not have a duty to protect pupils off school premises, nevertheless, since the school had undertaken such a duty by its actions and regulations, liability could be found.

Similarly, in Gilbert, this court found a duty owed by the defendant city to an injured kindergartener. There, crossing guards were provided at the intersection where plaintiff was injured following the dismissal of afternoon classes, but no crossing guards were provided for the kindergartners who were dismissed earlier in the day. Again, the finding of a duty was based upon an undertaking, providing crossing guards for some students, and subsequent omission, failing to provide crossing guards for other students.

Likewise, in Martinez v. City of Lakewood, supra, the city was found to have assumed a duty to plaintiff by virtue of its having undertaken to correct an area of poor visibility.

We hope you have enjoyed this issue of the Newsletter. If you have interpretations, ideas, questions, or articles you would like to see, please send them to:  
Rusty Price  
2255 West Berry Avenue  
Littleton, CO 80165

*Call Rusty Price  
2255 West Berry Avenue  
Littleton, CO 80165*

*\* Call Rusty Price*

Thompson, Thomas  
Broomfield, City of  
#6 Garden Center  
Broomfield, Colo. 80020

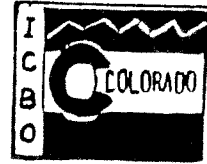
*\* Newsletter  
Deadline*

# COLORADO CHAPTER NEWS



MAR/APR 1986

VOL. 5, NO. 2



## The First Meeting of 1986 by Rusty Price

The January 10th meeting of the Colorado Chapter of ICBO was well attended. We had 44 people registered. This being the first meeting of the year, the business session was mostly organizing for this year's work. President George handed out a booklet giving meeting dates of the various committees as well as the assignments of members and chairman of these committees. Two new approaches were evident in the appointment of alternate voting member status to some of the committees, as well as the formation of a historic committee. Basically, this committee was formed to keep track of Chapter history and preservation of memorabilia. You may have seen last issue's article from Chairman Thompson on historic issues. Remember 35 years in '88? Under new business, we discussed our annual budget, which was approved, and the upcoming Building Safety Week. It was decided to try for a news covered signing and presentation by Governor Lamm of the proclamation. We also decided to have television public announcement spots for Building Safety Week on local commercial stations. It was felt that Building Officials need all the Public Relations we can generate in this form and opportunity.

Committee reports showed the response to our education opportunity is going great guns, with response from as far away as Japan and Canada.

This one day meeting only allowed for two programs on the agenda. Mr. Jerry Dahl, attorney for the Colorado Municipal League discussed the legislative process in Colorado and then proceeded to explain the "legalese" of the La Platta County liability decision by the Colorado Court of Appeals. He also told us of a number of bills to be introduced in Congress to again limit the liability of regulatory agencies. That way these agencies would not face as many lawsuits because they would not have "deep pockets."

The highlight of the day was a session of Mock Committee hearings. The hearings were arranged by Dan Nickle, Chairman of the Code Changes Committee. The panel members were voting members of that committee. We chose 25 items from

November-December, Part IV for discussion and certain members of the audience were cued to play proponents of items or opponents of items. Discussion of the items then followed. The chair then, by Roberts rules of order, began the process to approve, approve as revised, further study action or disapprove each of the items as they were being discussed.

The vote of the committee will then become the position of the Colorado Chapter at the national committee hearing here.

There was good audience participation and for the most part even though we were working on code changes, there was a good amount of humor and good times.

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## News Release - City of Longmont, CO

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The City of Longmont has developed a computer program for permit issuance and inspection tracking. Since other jurisdictions may be interested in this type of system, the following information is provided.

The City of Longmont uses an IBM System 38 Main Frame Computer. The system will provide a printed permit with all fees automatically calculated and posted to the appropriate accounts. It will generate daily, monthly, and annual activity reports.

The Inspection Tracking System enables all inspectors and code enforcement officers to enter their daily activities and the computer will automatically post information to the appropriate job file. Upon completion of each job, the computer will print out a record of all inspection activities, giving the inspector's name, type of inspection, and date inspected. The inspectors' daily reports can be printed and used to monitor the workload by inspector. The program will eventually allow us to flag addresses that have been designated as historically significant, within the flood plain, or other conditions which would restrict the issuance of permits.

The software for the system was developed in-house using RPG-3 code. It can be modified by those jurisdictions wishing to adapt it to a P.C. system. The City of Longmont and the Building Inspection Division are interested in sharing the software with other jurisdictions at a nominal cost to recover the cost of the system's development. We would like to invite persons interested in seeing the system in operation to visit our office during the March Colorado Chapter of ICBO meeting in Longmont.

For more information, please call David VanAllen at 572-0219, Extension 332.

## Everything You Wanted to Know About \*Coupling But Were Afraid to Ask

\*(of plastic pipe) by Bob Bruning, IA

Should your pipe be clean before you couple? Should you prime your pipe before you couple? How about cleaning and priming? Is it better to couple when it's cold or when it's hot?

The answer to these and many other questions will be revealed during the Regional Inspector's Association Colorado Chapter of IAPMO, on March 18, 1986. Our guest speaker at the March meeting will be Tony Scarano, an Independent Plastic Pipe Consultant. Mr. Scarano will be speaking on the proper methods of solvent cementing for ABS, PVC, and CPUC piping system. Tony will not only cover the standards for the solvent cements, but also for primers, pipes, and the IAPMO installation standards.

We feel very fortunate to have Mr. Scarano as our guest speaker, as he is considered one of the leading experts in this field. We anticipate this to be a very informative session and encourage at least one person from each building department to be in attendance.

The meeting will be March 18, 1986 at 9:30 AM, 3rd floor of the Aurora Municipal Building.



# History

## ICBO 60 Years - 1986

### Colorado Chapter 33 Years in 1986

By Larry PirkI

The Pacific Coast Building Officials Conference was formed in 1922. The first President was Mr. M. C. Woodruff. The 1927 edition of the "Uniform Building Code" was published in December of 1928. Leatherbound copies could be purchased for \$2.50. The eight Annual Meeting of the Pacific Coast Building Officials Conference was held in Portland, Oregon on September 3 to 6, 1929, by which time 55 jurisdictions had adopted the U.B.C..

# History cont. ....

Two paragraphs of a letter from I.C.B.O. dated July 2, 1956 are:

"The name International Conference of Building Officials was selected to more nearly delineate the scope and purpose and to reflect the widespread use of the organization's materials and services. The Uniform Building Code is now in use in the United States, Alaska, Hawaii, Canada, Australia, Japan, Sweden and several Central and South American countries. Its actual maintenance as a modern document commands the co-operation of building code specialists from border to border and coast to coast."

"A San Fransisco office, on the agenda since 1953, is being opened in the Flood Building, (room 784) 870 Market Street on July 16. John Behrens, appointed to the position by the Executive Board on March 24, is exceptionally well qualified by background and experience to fill this important position."

As outlined in the last newsletter, the first meeting of the Colorado Chapter of the Pacific Coast Building Officials was held on January 23, 1953. The name was changed to the Colorado Chapter of I.C.B.O. shortly after the I.C.B.O. name change in 1956. The letterhead of the Chapter for 1976 read "Rocky Mountain Chapter of the International Conference of Building Officials" with the following states listed at the bottom of the page: Colorado, Wyoming, New Mexico, Kansas, and Nebraska. The 1978 letterhead reads as it does now.

After some research and contributions by Mr. John Petersell and Mr. John Stone, the Historical Committee would submit these names as serving as Presidents of the Chapter over the last thirty-three years.

1953	E. J. Jones	Canon City
54	J. Petersell	City of Pueblo
55	"	"
56	"	"
57	"	"
58	W. Kuenning	Colo. Springs
59	M. Woltz	Denver F. D.
1960	J. Antonio	Denver
61		
62	T. Briggs	Aurora
63	C. Meyring	Boulder
64	Jay	Denver
	Kinkel(deceased)	Arvada
65	Jay	Denver
66		
67		
68	K. Christenson	Aurora
69	Robenstein	Greeley

1970		
71	B. Awanius	State Health Dept.
72	A. Pisciotta	CO Community Coll
73	G. Clyde	Ft. Collins
74	A. Fuller	Aurora
75	R. Jackson	Jefferson County
76	C.K.Carter	Boulder
77	P. Tyree	Colo. Springs
	D.H.Andrews(deceased)	Loveland
78	A. Larson	Adams County
79	H. Paddock	Broomfield
1980	B. Kowalski	Arvada
81	J. Prose	Wheatridge
82	J. Hatfield	Edgewater
83	D. Tyree	Avon
34	M. Fischer	Grand County
85	G. Booth	Breckenridge

If anyone can fill in the blanks for the years 1961, 66, 67, 70, and 75, or if you have any corrections, please contact Larry Pirk1, 8101 Ralston Road, Arvada, CO 80002.

## definitions:

### Garage:



SAMPLE  
RESOLUTION

COLORADO BUILDING SAFETY WEEK  
April 13-19, 1986

(For adoption by the Counties, Cities, and Towns of the State of Colorado)

WHEREAS, the states and local jurisdictions of this nation have adopted legislation and do administer, when necessary, laws and ordinances to protect the health, safety, welfare and property of the citizens, and

WHEREAS, the (City, Town, County of) \_\_\_\_\_ a local jurisdiction in the State of Colorado, has adopted rules regulating the construction of buildings in which people live, work and play and

WHEREAS, other concerned jurisdictions also have realized the importance of building safety, the proper application of the building code requirements and the importance of developing uniform interpretation and the exchange of information, and have formed the Colorado Chapter of the International Conference of Building Officials to assist in the administrative problems of the various communities in the State, and

WHEREAS, building safety is foremost in the concerns of these building officials, as well as the City (Town, County) administration and elected officials of the (City, Town, County of) \_\_\_\_\_,

BE IT THEREFORE RESOLVED, that, the week of April 13-19, 1986 shall be designated as Building Safety Week.

IT IS FURTHER URGED that all the citizens of this community will become acquainted with the building department; the personnel; it's various processes and it's services during this week.

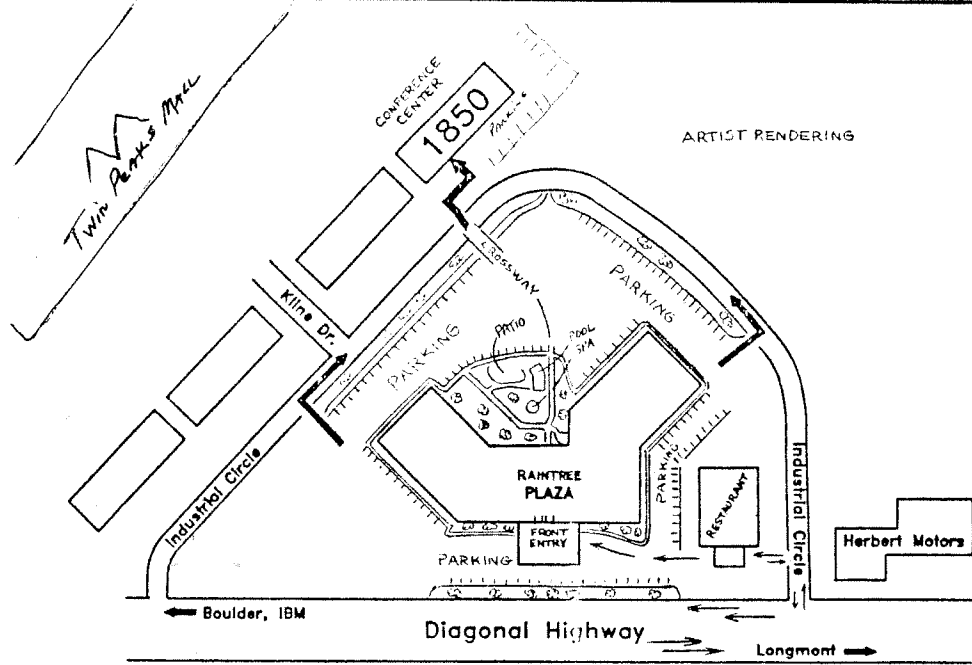
IN WITNESS, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord nineteen hundred and eighty three.

\_\_\_\_\_  
Mayor (Chairman or Other Title)

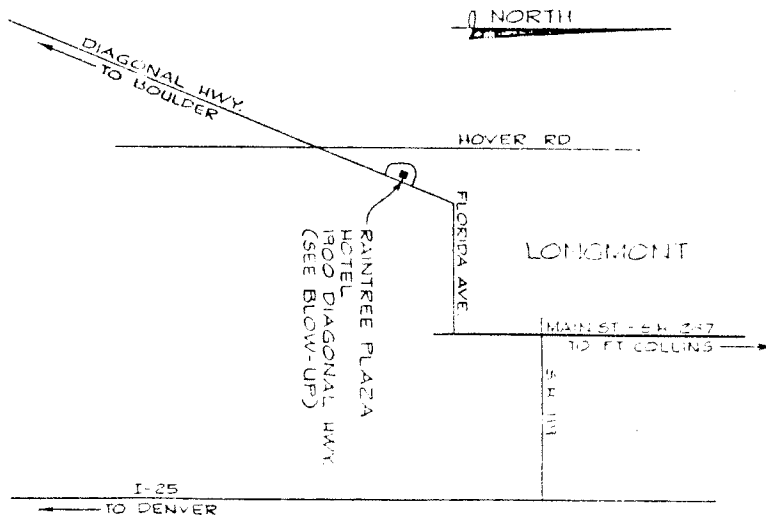
# I.C.B.O. MEETING AT LONGMONT

March 21, 1986

(See maps that follow)



The Rain Tree Plaza is offering a \$48.00/night plus tax, single or double room rental rate for 10 or more rooms. The normal rate is \$53.00 plus tax for a single. The price includes continental breakfast and an open bar hospitality room. Reservations may be made by calling 776-2000 in Longmont. Other motels in the area include the Briarwood and the Lamplighter Motels. The Briarwood has hot tubs in the rooms and the rates are \$32.00 per night plus tax for a single and \$35.00 per night plus tax for a double. Their telephone number is 776-6622. The Lamplighter is \$29.50 a night plus tax for a single and \$35.00 per night plus tax for a double. Their telephone number is 776-7620. Both motels are located on North Main Street in Longmont (Highway 287).



# odds and ends

## Job Opening

City of Boulder: Coordinator of Inspection Services and Assistant Building Official

Job Duties Include: Supervision of 6 Building Inspectors, 3 Housing (Rental) Inspectors, 3 Right-of-Way Inspectors, 1 Zoning Inspector, 3 Administrative and Clerical Staff, 1 Plans Examiner. Management Responsibilities include monitoring budget, scheduling work, and extensive public contact related to code requirements. Extensive code enforcement or technical background such as construction, architectural or engineering experience required. Management skills and experience required. Contact: City of Boulder Personnel Department 441-3070 regarding application

Salary Range (Yearly): \$29,613 to \$40,241

## Retired

Leonard Bowen has retired as Plans Examiner for Boulder County as of January 3, 1986. Leonard has worked for Boulder County since Feb. 1983. Prior to 1983, he worked for CSU in Ft. Collins as an on-site inspector. Before being employed at CSU he operated a gas-fired appliance installation and repair business. Like most of us who "retire" from the code enforcement business, Leonard "just can't stay away" and will be offering his services on a contract or fill-in basis. If you are interested in contacting Mr. Bown, please call (303)666-5089. We wish Leonard the very best in his retirement and new endeavors.

RECEIVED MAR 7 1986

Thompson, Thomas  
Broomfield, City of  
#6 Garden Center  
Broomfield, Colo. 80020

# COLORADO CHAPTER NEWS



APRIL VOL.5 #3



## MESSAGE FROM THE PRESIDENT

by: Gerry George

Having missed the deadline for the last issue of the newsletter I'll try to recap the Chapter's activities since January.

To those of you who attended the Code Development Hearings in January, my heartfelt thanks. By rough estimate the Chapters position on the approximately 350 proposed changes was sustained by the Code Development Committees in over 90% of the cases. A very good and thorough job by our Code Changes Committee. The Chapter's activity was well recognized by the Conference and industry.

By March 7th the Chapter's Educational Committee was breathing a big sigh of relief having completed the final day of the Educational Institute. With over 280 attendees in 27 different classes, the hard work indeed paid off. Again the conference had watched, with respect, the Chapter's progressive activity.

Our joint meeting with the Utah Chapter has been moved from Grand Junction to Glenwood Springs due to facility problems in Grand Junction. The meeting will be held in the historic Hotel Colorado just across the street from the Hot Springs Pool. I look forward to seeing all of you there.

The Annual Business Meeting is fast approaching. The Code Changes Committee will be working hard on the "Report of the Code Development Committees" just as soon as the monographs are mailed. Should you have any concerns or wish to attend the Code Change Committee meetings, contact Dan Nickle, Chairman, at 987-7500.

## POLICY STATEMENT by: Perry C. Tyree

We are in release of a policy statement that was made in November 1984 by the Colorado State Board of Registration for Professional Engineers and Land Surveyors. This statement had to do with the inspection of buildings for "proper integrity or capacity" and was construed by some to include a building inspector in the discharge of his duties.

The entire policy statement is printed herein:

### POLICY STATEMENT

(Revised November 9, 1984)

It is the opinion of the Board that the inspection and examination of single or multiple family residential, commercial, industrial or institutional buildings, regarding their structural, electrical, mechanical, thermal insulation and roofing/waterproofing subsystems for proper integrity or capacity, constitutes the practice of engineering as defined in C.R.S. 12-25, Part 1. Any attempt to determine the structural integrity or capacity of a building, or any subsystem thereof, other than detection of problems by visual inspection or normal operation of the user's controls, constitutes the practice of engineering. This would include the diagnosis and analysis of problems with buildings and/or the design of remedial actions. Therefore, an individual who advertises in this area shall be registered as a Professional Engineer in the State of Colorado.

POLICY STATEMENT CON'T.

In discussing this with Susan Miller, the Program Administrator for the Board, she indicated that the Board would be reviewing this policy at one of their meetings in the near future. She seemed to think that it would be revised somewhat at that time.

As an observation this is merely a policy statement by the Board but was probably not intended by them to address local building departments enforcing their codes. Where it actually applies does not appear to be too clear at this time; maybe it will get better after they work on it.

GOLF ANYONE?

Anyone who is interested in Golf Thursday, May 8, 1986, after the meeting, please call Gerry George (303)987-7500 or Bob Foote at (303)289-3672 by Wednesday, April 23, 1986.

RATES: \$10.00 per person for 18 holes  
\$ 6.00 per person for 9 holes  
\$14.00 Electric Cart  
\$ 5.00 Club Rental

WHOSE JOB IS IT?

This is a story about a company that had four vice-presidents named Everybody, Somebody, Anybody, and Nobody. There was an important job to be done and Everybody was sure Somebody would do it. Anybody could have done it, but Nobody did. Somebody got angry about that, because it was Everybody's job. Everybody thought Anybody could do it, but Nobody realized that Everybody wouldn't do it. It ended up that Everybody blamed Somebody when Nobody did what Anybody could have done.

COLORADO (ROCKY MOUNTAIN) CHAPTER  
HISTORICAL HYSTERIA by: Perry C. Tyree

Yes, we were the Rocky Mountain Chapter for a short time when the members of the Colorado Chapter realized that there were no Chapters in the adjoining states. We had members also from Wyoming, Kansas, and Nebraska as I recall and in comparison with our own membership the out-of-staters were in good attendance at our meetings. When Wyoming got their own Chapter and the Nebraska members became lax in attendance we went back to the Colorado Chapter. One of the more prolific of our "out-of-state" members became an international president; Newell Pock, who at that time was the Building Official of Caspar, Wyoming. He is listed as the Building Official of Yakima, Washington because that is where he went from Caspar, but Newell was a member of the Rocky Mountain Chapter for a while.

Jack White was another Chapter member who may have been better known as the host of the ABM in Kansas City, Missouri in 1972 and later as an international president. Jack was second in command with the Denver Building Department for awhile. He was active with the Chapter for many years and left Denver for Kansas City after Jack O'Fallon became the Director of the Department in Denver. They had an agreement to disagree. Jack is now retired and is living in Springfield, Missouri.

Walter Kuenning, my predecessor in Colorado Springs was a member of the Board of Directors and a good candidate for the chairs. Walt gave up his opportunity when he left the building department in favor of School District 11 as their construction supervisor in 1962.

## HISTORICAL HYSTERIA CON'T.

My term as international president was preceded by a term on the Research Committee and two years on the Board of Directors. Pat and I were host and Hostess of the 50th ABM in Kansas City in 1972. Our outing on Wednesday evening was rather wet as those of you that attended will recall; a rodeo in the rain. The Sunday night first-timers reception is still the talk of the conference, however. A gastronomical extravaganza.

Charles "Red" Gillett, the current building official of Arapahoe County, served on the ICBO Board of Directors for a couple of terms and was a member of the Board for the Coordination of the Model Codes (BCMC) for several years. There is an article in the January/February 1986 Building Standards covering their activities.

Several former members of our Chapter have been selected to positions on ICBO staff. It seems that the building officials position with the City of Aurora was the jumping-off point since both Tom Briggs and Ken Christiansen left from there. Ken came to Aurora from Fort Collins. The other member of the ICBO staff trio was Gordon Clyde who joined ICBO after leading the Fort Collins Department for several years. All three of these men were very active in our Chapter which of course exposed them to the Whittier crowd.

## CODE DEVELOPMENT COMMITTEE

The Code Development Committee has set June 15, 1986 as the deadline for new submittals to be considered in 1986. Mail your code changes to Bob Foote, 5291 East 60th Avenue, Commerce City, Colorado, 80022. The next Code Development Committee meeting will be convened at 9:00 a.m., April 25, 1986, in Glendale. You are encouraged to attend.

## MARCH MEETING RECAP: By Gary Pringey

The ICBO Colorado Chapter meeting on March 21, 1986, was held in Longmont, Colorado. In addition to the business meeting, there were three presentations by guest speakers.

The first presentation provided an overview of state and local requirements for handicapped-accessible and barrier-free building design. The presentation included slides of examples throughout Denver and the metro area which demonstrated both successful and unsuccessful design responses to barrier-free design requirements.

Statistics show that 11.14 percent of the of the population in Colorado (approximately 300,000 persons) meet the definitions of handicapped or disabled. It is important to realize that these categories extend beyond those persons restricted wheelchair and includes all persons whose mobility is impaired. This impairment may be due to partial paralysis, loss of limb, loss of or limited sight, or loss of hearing, just to name a few of the major disabilities included in the statistics. Barrier-free design criteria and guidelines presented in several national or federal publications are far more comprehensive than the requirements in the Uniform Building Code and are based on improving accessibility for persons limited by any of these disabilities.

The presentation emphasized that there are are often several methods of design that may be used to comply with the intent of barrier-free criteria and that the prescriptive requirements listed in the UBC may not always be the only or even the best solution. It should also be recognized that many of the barrier-free requirements improve building accessibility and are used not only for disabled persons, but also for the general population.

MARCH MEETING RECAP CON'T.

Mark Kluver of the Portland Cement Association made a presentation of slides of the damage in Mexico City from the recent earthquake. Mark is co-author of the article on that earthquake damage which appeared in January-February, 1986 issue of Building Standards. This earthquake is difficult to compare with design assumptions and requirements in the Uniform Building Code because of a significant difference in the type of geological fault that caused the Mexico City disaster and the types of faults which are prevalent in California and are responsible for recent earthquakes in the United States.

Two keys to the structural failures in Mexico City buildings were the lack of lateral shear walls in concrete frame structures and inadequate detailing and placement of reinforcing steel in the concrete frame structure. Walls in the concrete frame structures were not designed or reinforced to collect and transfer the lateral forces resulting from the buildings movement. The steel reinforcement at beam to column connections did not comply with the quantity or spacing requirements of the UBC, resulting in connections that deteriorated and failed. The stresses at these connections were made more critical due to the lack of shear walls.

Also, a presentation of a firestop material manufactured by 3M under the trade name "Fire Barrier" This is a UL listed product that is approved for sealing penetrations of fire-resistive construction. "Fire Barrier" is an intumescent material which begins to expand at temperatures of 250 degrees Fahrenheit and forms a hard char to maintain its position and prevent the passage of flame and smoke to areas outside a fire area enclosed by fire-resistive construction. The product for use in fire-resistive assemblies of up to 3-hour ratings. Limitations on the use and application of this product should be reviewed in listing reports from the manufacturer and for distributors.

During the business meeting Mr. Maldonado, of the Colorado Division of Housing, presented Chapter President, Gerald George, a proclamation recognizes the observance of National Building Safety Week in Colorado, April 13-19. Announcement of this Proclamation will be distributed by the Governor's office to the news media.

Tom Thompson, Chairperson of the Historical Committee, outlined the committee's work to establish a library of past Chapter records and information. The committee has compiled a collection of past past editions of the Uniform Building Code back to the 1937 edition. They are still in need of copies of the 1943, 1958, 1961, and 1964 editions. Any assistance or contributions to this effort will be greatly appreciated. In months, the committee will be presenting articles for the newsletter on the history of the Colorado Chapter, including past distinguished members and officers and past annual business meetings held in Colorado.

Greg Keith, Chairperson of the Education Committee, outlined the results of the Education Institute held in Denver, March 3-7. The sessions attracted <sup>apt.</sup> 281 registrants from 10 states and Japan. There were 27 subject groups presented, involving 47 instructors. The feedback from the participants was very on the quality of the material presented. Secondarily, the use in institute also resulted in a profit to the Chapter. It was decided that this profit will be invested in an interest-bearing account to be used as seed-money for expenses in hosting the 1990 ABM. The Committee has already begun planning for the 1987 Educational Institute. Tentative plans are scheduling the Institute for the week of March 2-6. Plans next year include expanding the number of course paths from 7 to 10. As plans become more Director established they will be announced so that members may again plan next year's budgets to allow for maximum participation.

**OFFICERS**

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Past President  
GERALD BOOTH  
Town of Breckenridge

*Colorado Chapter, Inc.*

OF THE

**INTERNATIONAL CONFERENCE OF  
BUILDING OFFICIALS**

P.O. Box 961

Arvada, Colorado 80001

Colorado Chapter / Utah Chapter

Joint Meeting Announcement

Date: May 8 and 9, 1986

Location: Hotel Colorado

526 Pine St.

Glenwood Springs, Colorado 81601

Registration: \$25.00

AGENDA

Thursday, May 8th

8:00- 8:30	Registration at Door
8:30-10:00	The LaPlatta County, Colorado Case
	Mr. Law
10:00-10:15	Break
10:15-11:30	Limiting Your Liability Exposure
	Susan K. Griffiths
11:30-12:30	Lunch
12:30- 1:45	Giving Court Testimony
	The Mr. Law
1:45- 2:00	Break
2:00- 3:15	Fire Safety Update
	Dean Smith, Director of Colorado Division of
	Fire Safety

Friday, May 9th

8:30- 9:45	Abatement of Dangerous Buildings
	Ralph Overbay, City of Thornton
9:45-10:00	Break
10:00-11:00	Special Inspection
	"Rusty" Price, City of Littleton
11:00-11:45	Effective Communication With Your Council
	Dave VanAllen, City of Longmont
11:45- 1:00	Lunch
1:00- 2:15	Chapter Business Meetings
2:15- 2:30	Break
2:30- 3:30	Code Questions and Answers
	Some from Colorado - Some from Utah

Hotel Colorado Room Rate - Single or Double \$45.00/Night  
When making reservations refer to Colorado Chapter of I.C.B.O.  
For reservations call - Hotel Colorado (303)945-6511.

# **COLORADO CHAPTER NEWS**

2255 West Berry Avenue  
Littleton, Colorado 80165

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