



BUILDING CONNECTION NEWSLETTER

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Mission Statement

Working in partnership with the community, the City and County of Broomfield provides excellent services in an efficient, respectful, and courteous manner to enhance and protect the quality of life of Broomfield citizens.

This newsletter is published by the Building Division to improve communication between the Building Division and our customers. The newsletter and all applications, forms, handouts and other useful information can also be found on our web site www.broomfield.org/building. You can also call 303-438-6370 and speak directly to a member of our staff.

All effort is made to insure that the information in this newsletter is accurate and reliable. Our Codes and Ordinances are periodically revised or changed and should always be consulted as the final authority.

MESSAGE FROM TIM PATE,

BUILDING PLAN REVIEW AND INSPECTION SUPERVISOR

January 1, 2011 brought about a reorganization in the Community Development Department for the City and County of Broomfield. The Building Division was brought together with the Code Compliance Division and I was promoted to take over the supervision of the Building Division. I have been with the Building Division for over 11 years, which made for a seamless transition.

We did not make any other reassignments nor did we change any procedures with how we review and issue permits or do field inspections.

Our Division has seen a steady number of new residential building permits and every indication shows that we will continue this same activity trend. We are also seeing two and possibly three new apartment projects that will begin the fall and winter along with a new 5 story office building.

Our inspection staff members have been able to continue providing next day inspections on all projects, and are also available to answer questions from contractors and homeowners every morning between 8:00 and 8:30.

I am always open for any suggestions from homeowners and contractors regarding how we can be more efficient in all of our processes. Feel free to call me, and I will be happy to schedule a meeting to discuss your ideas.

2011 NATIONAL ELECTRICAL CODE CHANGES FOR RESIDENTIAL

**The 2011 NEC has been adopted by the State of Colorado effective July 1, 2011.
All permits issued after July 1 in Broomfield will need to comply with the 2011 NEC.**

Below is a brief list of changes from the 2008 NEC most likely to affect the residential construction industry.

- Article 210.8 now requires that Ground Fault Circuit Interrupters (GFCI's) shall be located in a readily accessible location. Thus GFCI receptacles will not be allowed in ceilings, behind refrigerators, or behind access panels.
- Article 210.12 (B) requires that Arc Fault Circuit Interrupters (AFCI's) be provided to circuits that are being modified or extended. This will require either an AFCI breaker to be installed or an AFCI receptacle to be placed at the first receptacle location of the circuit.
- Article 210.52 (E) (3) requires that all decks which have access from inside the home be provided with a receptacle. In previous codes decks less than 20 square feet were exempt from this requirement.
- Article 210.52 (G) requires any accessory building provided with power to have at least one receptacle.
- Article 210.52 (I) now requires foyers 60 square feet and larger to be provided with receptacles in any wall 3 feet in length or longer. It does not however, require receptacles to be placed so that no point along the floor is greater than 6 feet from a receptacle.
- Article 338.10 (B) (4) (a) now allows type SE Cables that are used as feeders to interior panels or for interior branch circuits to be sized per table 310.15 (B) (7) unless the cable will be embedded in thermal insulation. If embedded, the cable ampacity is limited to the values contained in 60 degree column of table 310.15 (B) (16).
- Several sections were added that address replacement of receptacles. Essentially, any receptacles that are being replaced shall comply with the current requirements. This does not mandate replacement, but results in gradual upgrading of older installations to newer standards.
 - Article 406.4 (D) (4) will require replacement receptacles to have AFCI protection beginning January 1, 2014.
 - Article 406.4 (D) (5) requires replacement receptacles to be tamper resistant if required to be tamper resistant in other parts of the code.
 - Article 406.4 (D) (6) requires replacement receptacles to be weather resistant if required to be weather resistant in other parts of the code.
- Article 406.12 has had exceptions added to it so that tamper resistant receptacles are not required if they are 5.5 feet above the floor, are part of a luminaire or appliance or a dedicated receptacle for an appliance that is not easily moved such as a refrigerator.
- Article 410.16 now gives us required clearances for LED type luminaires located in clothes closets. The clearances are the same for incandescent luminaires in clothes closets.
- Article 424.44 (G) has been expanded to require GFCI protection for electrical floor heating cable in kitchens in addition to bathrooms and hydro-massage bathtub locations.
- Article 590.4 (D) has been changed to require extra-duty in-use covers for temporary pedestals.
- Article 680.73 has had a new sentence added that requires the receptacle for a hydro-massage tub motor to be located so that its face is within direct view and is within 1 foot of the access opening. Also keep in mind that GFCI receptacles shall be installed in a readily accessible location (a location which does not require removal of obstacles for access). The receptacle may be protected by a no-face GFCI installed in a nearby readily accessible location.
- Article 680.74 requires that if a double insulated pump motor is installed for a hydro-massage tub, the bond wire required for the metal piping system is now also required for future replacement motors that may not be double insulated. The 8 AWG solid conductor is required to be tied into the branch circuit grounding conductor supplying the receptacle for the tub.

FRONT COUNTER CORNER

Attention All Electricians:

Please be aware that all electrical contractor registrations will expire on 9/30/11, concurrent with the State of Colorado electrical licenses. All electricians shall complete the electrical registration application form and supply the City and County of Broomfield with new signed copies of their master and state contractor licenses showing the new expiration date of 2014. We do not check the DORA website for licenses; copies of State receipts are only accepted for a period of 30 days, after which the City and County of Broomfield electrical contractor registration will be invalidated unless the correct documents have been submitted. A copy of the master electrician's photo ID shall be submitted with all registration applications.

Attention All Plumbers:

As of 8/31/11, all Colorado master plumber and state contractor licenses will expire. This will require all plumbing contractors to provide us with new signed copies of their state contractor and master licenses showing the new expiration date of 8/31/13. We do not check the DORA website for licenses; copies of State receipts are only accepted for a period of 30 days, after which the City and County of Broomfield plumbing contractor license will be invalidated unless the correct documents have been submitted. A copy of the master plumber's photo ID shall be submitted with all registration applications.

Furnace and Air Conditioning Installations

All permits for furnace and air conditioner replacements shall show a licensed electrician along with the valuation of the electrical work. This will cover the installation of the new air conditioner condenser. This applies even if the existing breaker and disconnect are adequate size for new condenser.

CHANGES TO 2009 INTERNATIONAL CODES

The City & County of Broomfield has adopted the 2009 International Code package effective March 7, 2011. The requirement for residential fire sprinklers has been deferred until the City Council adopts a separate ordinance making this requirement effective at a future date.

Some other significant residential changes are as follows:

1. Carbon monoxide alarms are required in all new dwelling units if they have any fuel fired appliances or an attached garage. These alarms are also required when doing any interior renovation requiring permits. We have been requiring these installations since July 1, 2009, since the State of Colorado passed a similar law.
2. To determine if a guard is required, the difference in elevation will be measured from the walking surface to the lowest point of finished grade within a 36 inch horizontal distance out from the edge of the deck or walking surface. Thirty inches or more difference in elevation from floor or walking surface to grade below requires a guard. This will apply to both residential and commercial projects. If a guard is required and there will be a permanent seat you would need to have the back of seat be at least 36" high above the level of the seat.

3. Smoke alarms will not be required to be added when doing interior permits that involve only plumbing or mechanical work.
4. Swimming pool entrapment avoidance requirements have been changed to match the requirements in the recently passed Federal legislation "Virginia Graeme Baker Pool and Safety Act." This will apply to both residential and commercial swimming pools and spas. Enclosures around pools now include the portion of the home if it acts as part of the barrier. Alarm systems at doors may be required.
5. We have deleted the energy code requirement section out of the 2009 IRC and will now reference the residential energy code requirements out of the 2009 IECC. Energy Conservation Code provisions for both residential and commercial structures are approximately 15% more restrictive. Exterior walls will need to have an R-value of 20. At least 50% of all light bulbs will need to be high efficacy (CFL or LED).
6. Locking access caps will be required for all exterior residential and commercial refrigerant circuit access ports for air conditioner condensers.
7. Kitchen exhaust hoods that are capable of exhausting in excess of 400 cfm will require make up air from the exterior.
8. We have deleted the electrical code chapter out of the 2009 IRC and will now reference the latest version of the National Electrical Code as adopted by the State of Colorado. The State of Colorado is enforcing the 2011 National Electrical Code as of July 1, 2011. Please see the article on page 2 of this newsletter.
9. Approved rain sensors are required to be installed with any permit for a new landscape irrigation system.
10. Approved drip edge and gable flashing is required on all new residential structures and reroof projects.

PERGOLAS AND PERMITS

Pergolas, shade structures, arbors, gazebos, awnings, and similar structures are in demand this sunny summer. A structure is anything constructed or erected with a fixed location on the ground above grade. Any structure used or intended for sheltering or supporting any use or occupancy is considered a building. Since permits are required for all buildings, pergolas, shade structures, gazebos, etc. all require building permits.

In order to obtain a building permit for your project, complete submittals are comprised of three main parts: 1) general permit application form; 2) dimensioned site plan showing the location of the existing structures and the proposed construction; and 3) PLANS! Plans shall be detailed enough to show the type of foundation; the size, type, species and spacing of all framing members; attachment of framing members to one another and to the house; and type of covering. Structures shall be designed to withstand the required snow and wind loads to which they may be subject. Although a lattice covering will not keep out the rain, it may accumulate snow, especially heavy spring blizzards! Plans examiners will review the plans, check the required setbacks with the Planning Division, and when all necessary details have been ironed out – issue the permit. Please check with us first before building!

HOW TO EXEMPT LOCAL SALES TAXES ON CONSTRUCTION MATERIALS

1. The *Broomfield Building Division*, upon issuing a construction permit, certifies on the face of the permit to indicate fees AND “local” use taxes charged to the General Contractor at issuance of the permit.
2. Local use taxes are an “estimated” amount of tax, based on the declared value of the project. After project completion and issuance of a Certificate of Occupancy, the General Contractor is required to declare the final (“actual”) value of the materials, and the use tax will be adjusted to the total due based on the actual materials used. (Tools used to construct are exempt and should not be included in the valuation).
3. The payment of estimated use taxes (1 & 2 above) is to be considered the payment of a “legally imposed” local tax on all materials purchased. Municipal codes in Colorado usually allow credit for “legally imposed” taxes, previously paid on the purchase of tangible personal property. Thus, when purchasing materials, the only tax that should be charged would be the State (2.9%) and other State collected taxes, such as RTD, CD, FD. (1.2%).
4. Presentation of a permit copy to a vendor should provide ample evidence that the Broomfield local tax has previously been paid to the *Broomfield Building Division*. The tax rate in Broomfield is 4.15% (City: 3.75%, County: 0.4%)
5. If a vendor is unsure of the exemption for local tax as discussed above, they should call the sales and use tax department of their jurisdiction to verify the allowance of the exemption.
6. Another method of exempting the local tax on material purchases is to have the materials **shipped/delivered from the vendor, directly to the job site in Broomfield**. Each local jurisdiction in Colorado has a “delivery exemption” in their code, which says that the vendor’s local tax is to be exempted if the materials are delivered outside the selling jurisdiction. Here again, only the State and “RTD” taxes would be collected. Again, if the vendor is in doubt, they should call their local tax office.
7. If the vendor continues to insist on collecting their local tax, the payer has the right to “file for refund” with the local tax office, and provide a copy of the permit as support. Most tax offices would rather have the tax exempted at sale than process multiple refunds; thus a call to the tax office should correct the vendor that refuses to exempt. Provide the tax office with the name and phone number of the vendor to assist in correcting the procedure.

More information regarding Sales/Use Taxes may be obtained at: www.broomfield.org/salestax/