

TOWN OF DOLORES, COLORADO

ORDINANCE NO. 555 SERIES 2021

AN ORDINANCE AMENDING TITLE 15 OF THE DOLORES MUNICIPAL CODE AND ADOPTING BY REFERENCE THE INTERNATIONAL BUILDING CODE, 2021 EDITION, THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION, THE INTERNATIONAL FUEL GAS CODE, 2021 EDITION, THE INTERNATIONAL PLUMBING CODE, 2021 EDITION, THE INTERNATIONAL MECHANICAL CODE, 2021 EDITION, THE INTERNATIONAL EXISTING BUILDING CODE, 2021 EDITION, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION, THE INTERNATIONAL FIRE CODE, 2021 EDITION AND THE INTERNATIONAL ENERGY CONSERVATION CODE, 2021 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL

WHEREAS, Colorado Revised Statutes, § 31-15-401 grants general police powers to the Board of Trustees to promulgate ordinances for the health, safety, and welfare of the public, including building and fire codes; and,

WHEREAS, the Town of Dolores has previously adopted the 2006 version of the International Building Code, the 1997 version of the Uniform Plumbing Code and the 2006 version of the International Fire Code, and a fuel gas code as set forth in Title 15 of the Dolores Municipal Code;

WHEREAS the Codes published by the International Building Code organization have undergone significant revisions intended to increase public safety and address changes in construction practices and materials;

WHEREAS, the Board of Trustees determines that it is in the best interests of the health, safety and welfare of the inhabitants of the Town to exercise its express statutory authority to update these codes; and,

WHEREAS adoption of the current building codes promotes the health, safety and welfare of the citizens of the Town of Dolores and benefits them in the form of potentially lower rates of fire and flood insurance and increased property values; and,

WHEREAS whenever a municipality updates its building codes, it is required by CRS § 31-15-602 to adopt an energy code; and,

WHEREAS the Town of Dolores wishes to adopt an ordinance adopting by reference the International Building Code (2021 Edition); The International Residential Code (2021 Edition); The International Fuel Gas Code (2021 Edition); The International Plumbing Code (2021 Edition); The International Mechanical Code (2021 Edition); The International Existing Building Code (2021 Edition); The International Property Maintenance Code (2021 Edition); The International Fire Code (2021 Edition); The International Energy Conservation Code (2021 Edition), Published by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, with specified amendments to each.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF DOLORES:

SECTION 1. Chapter 15.04 of the Dolores Municipal Code is repealed and reenacted to read as follows:

Chapter 15.04
Uniform Building, Fire and Gas Codes

15.04 Building Codes Adopted

The Town adopts the following international building, fire and fuel gas codes which are collectively referred to herein as the “Code” or “Codes” adopted under this Chapter.

15.04.010. International Building Code (2021 Edition). There is hereby adopted as the building code of the Town, by reference thereto, The International Building Code (2021 Edition), together with all appendices and tables thereto, Published by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 to have the same force and effect as if set forth herein in every particular, except that detached, single family residential structures, less than 3,500 square feet including attached garages and under eave line, shall be exempt from the requirement to install an automatic sprinkler system as provided by Sections 9.03.2.8 and 903.3.

15.04.020 The International Residential Code (2021 Edition). There is hereby adopted as the building code of the Town, by reference thereto, The International Residential Code (2021 Edition), together with all appendices and tables thereto, Published by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 to have the same force and effect as if set forth herein in every particular, except that detached, single family residential structures, less than 3,500 square feet including attached garages and under eave line, shall be exempt from the requirement to install an automatic sprinkler system as provided by Section P2904.1.1.

15.04.030 The International Fuel Gas Code (2021 Edition). There is hereby adopted as the building code of the Town, by reference thereto, The International Fuel Gas Code (2021 Edition), together with all appendices and tables thereto, published by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 to have the same force and effect as if set forth herein in every particular.

15.04.040 The International Plumbing Code (2021 Edition). There is hereby adopted as the building code of the Town, by reference thereto, The International Plumbing Code (2021 Edition), together with all appendices and tables thereto, published by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 to have the same force and effect as if set forth herein in every particular.

15.04.050 The International Mechanical Code (2021 Edition). There is hereby adopted as the building code of the Town, by reference thereto, The International Mechanical Code (2021 Edition), together with all appendices and tables thereto, published by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 to have the same force and effect as if set forth herein in every particular.

15.04.060 The International Existing Building Code (2021 Edition). There is hereby adopted as the building code of the Town, by reference thereto, The International Existing Building Code (2021 Edition), together with all appendices and tables thereto, Published by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 to have the same force and effect as if set forth herein in every particular.

15.04.070 The International Property Maintenance Code (2021 Edition). There is hereby adopted as the building code of the Town, by reference thereto, The International Property Maintenance Code (2021 Edition), together with all appendices and tables thereto, Published by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 to have the same force and effect as if set forth herein in every particular.

15.04.080 The International Fire Code (2021 Edition). There is hereby adopted as the building code of the Town, by reference thereto, The International Fire Code (2021 Edition), together with all appendices and tables thereto, Published by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 to have the same force and effect as if set forth herein in every particular.

15.04.090 The International Energy Conservation Code (2021 Edition). There is hereby adopted as the building code of the Town, by reference thereto, The International Energy Conservation Code (2021 Edition), together with all appendices and tables thereto, Published by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 to have the same force and effect as if set forth herein in every particular.

15.04.100 Codes to be made available. At least one (1) copy of each of the Codes adopted under this Chapter, certified to be a true copy, have been and are now on file in the office of the Town Clerk and may be inspected by any interested person during normal business hours. The Code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price and may be found at the International Code Council's website at www.iccsafe.org.

15.04.110 Building Permits Required. The building codes adopted in this Chapter prohibits any person or entity from erecting, constructing, enlarging, altering, repairing, improving, moving or demolishing, any building or structure, or undertake any other work or improvement without first obtaining a building permit. Applications for building permits shall be available in the office of the Town Clerk.

15.04.120 Building Permit Fees. Building permit fees are established in accordance with the International Code Council's most current Building Valuation Data unless otherwise modified by resolution. The Board of Trustees shall have the authority to waive in whole or in part building permit fees in order to promote the development of affordable housing or the expansion or establishment of new businesses in the Town of Dolores by resolution.

15.04.130 Building Official. In furtherance of the codes adopted under this Chapter, the Town Trustees shall appoint from time to time a Building Official who shall have all of the authority and duties described in the Codes adopted under this Chapter.

15.04.140 Appeals. Any person aggrieved by the actions of the Building Official or person acting on their behalf in interpreting, applying or enforcing the Codes adopted in this Chapter shall have a right to appeal in the manner set forth therein. Unless otherwise appointed by resolution by the Town Trustees, the Board of Adjustments described in the Dolores Land Use Code shall sit as the Board of Appeals described in the Codes adopted in this Chapter.

15.04.150 Penalties for Violation. Any violation of the building codes adopted in this Chapter shall be unlawful and shall subject the violator to fine of not more than Four Hundred and Ninety-Nine Dollars (\$499) for each violation. The imposition of one (1) penalty for one (1) violation shall not excuse the violation or permit it to continue, and each day thereafter that prohibitive conditions are maintained

shall constitute a separate and chargeable offense. Separate and additional complaints may be filed by the Building Official for such continuing violations. The Town's remedies are cumulative not exclusive, and are concurrent. Any person, organization, or business that violates the provisions of this Chapter may be issued a citation to appear in the Dolores Municipal Court, or may be subject to any other remedy, enforcement procedure, abatement and assessment, including not limited to injunctive relief in a court of competent jurisdiction.

SECTION 2. The subject matter of Chapter 15.12 (Fire Code) and Chapter 15.16 (Gas Code) of the Dolores Municipal Code being addressed in the revised Chapter 15.04 enacted in Section 1 above are hereby repealed.

SECTION 3. The Town Trustees hereby finds, determine, and declare that this Ordinance is promulgated under the general police power of the Town of Dolores, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Trustees further determine that the ordinance bears a rational relation to the proper legislative object sought to be attained.

SECTION 3. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 4. This Ordinance shall take effect December ____, 2021 or thirty (30) days after final publication whichever is later.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the _____ day of December _____, 2021, in the Town Board Chambers in Town Hall, Dolores, Colorado, at which time and place all persons may appear and be heard concerning the same.

Passed adopted and approved on the first reading this _____ day of _____, 2021.

DOLORES BOARD OF TRUSTEES:

By: _____

Mayor Chad Wheelus

Attest:

By: _____

Town Clerk Tammy Neely

Passed adopted and approved on the second and final reading this _____ day of _____, 2021.

DOLORIS BOARD OF TRUSTEES:

By: _____

Attest:

By: _____