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# Chapter 18 Building Regulations

## ARTICLE I International Residential Code

### Sec 18-1. Adoption of International Residential Code

Pursuant to CRS §31-16-202, the 2017 edition of the International Residential Code is hereby adopted and is currently in use by Planning & Zoning of the Town of Williamsburg.

### Sec 18-2. Purpose and scope

The purpose of the International Residential Code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within this jurisdiction and certain equipment specifically regulated in this code.

Secs. 18-3--18-10. Reserved.

## ARTICLE II Dangerous Buildings

### Section 18-11. Purpose and scope

It is the purpose of this chapter to provide a just, equitable, and practicable method whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety, or welfare of the general public or such building's occupants or neighbors, shall be required to be repaired, vacated, or demolished. The provisions of this Article shall apply to all dangerous buildings, as herein defined, which are now in existence or which may hereafter become dangerous buildings or structures within the Town.

### Section 18-12. Definitions

*Dangerous Building* refers to any building or structure deemed to be dangerous under any of the following provisions:

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
2. Whenever the walking surface of any aisle passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
3. Whenever the stress in any materials, member, or portion thereof, due to all dead and live loads, is more than one and one-half ( $1 \frac{1}{2}$ ) times the working stress or stresses allowed by the International Residential Code (as adopted in Section 18-1 of this Chapter, and hereinafter referred to as "IRC") for new buildings of similar structure, purpose, or location.
4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the uniform building code for new buildings of similar structure, purpose, or location.
5. Whenever any portion or member or appurtenance thereof is likely to fail or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
6. Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half ( $\frac{1}{2}$ ) of that specified in the uniform building code of new buildings of similar structure, purpose, or location without exceeding the working stresses permitted in the uniform building code for such buildings.
7. Whenever any portion thereof has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
8. Whenever the building or structure, or any portion thereof, because of dilapidation, deterioration, decay, faulty construction, removal, movement or instability of any portion

of the ground necessary for the purpose of supporting such building; the deterioration, decay or inadequacy of its foundation, or any other cause, is likely to partially or completely collapse.

9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
10. Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third ( $\frac{1}{3}$ ) of the base.
11. Whenever the building or structure, exclusive of the foundation, shows thirty three percent (33%) or more damage or deterioration of its supporting member or members, of fifty percent (50%) damage or deterioration of its nonsupporting members, enclosing or outside walls, or coverings.
12. Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children/ a harbor for vagrants, criminals, or immoral persons; or as to enable persons to resort thereof for the purpose of committing unlawful or immoral acts.
13. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air, or sanitation facilities, or otherwise, is determined by agents of the Town of Williamsburg, the County of Fremont, or the State of Colorado health officer or caseworker to be unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness disease, or injury to occupants or others.
14. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, as determined by the Florence Fire Chief, to be a fire hazard.
15. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or by state statute or by town ordinance or code found in Chapter 7 of this Code Book.
16. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six (6) months so as to constitute such building or portion thereof an attractive nuisance or safety hazard to the public. Is this commonly known language?

## Section 18-13. Enforcement

1. The Board of Trustees shall appoint the Code Enforcement Officer, Planning & Zoning Designee, or other appropriate officer, hereinafter referred to as the "building official" to enforce the provisions of this Article. The person so appointed by the Town shall have the minimum training or education necessary to interpret and enforce the provisions of this chapter and codes referred to therein.
2. The building official and the Florence Fire Chief are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this Article.

3. When it is necessary to make an inspection to enforce the provisions of this Article, or when the building official or the building official's authorized representative, has reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this Article which makes the building or premises unsafe, dangerous, or hazardous, the building official may enter the building, premises, or structure, at reasonable times to inspect or to perform the duties imposed by this Article provided that if such building, structure, or premises are occupied that credentials be presented to the occupant and entry requested. If such building or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building, structure, or premises and request entry. If entry is refused, the building official shall have all recourse to the remedies provided by law to secure entry including the obtainment of an order through the Williamsburg Municipal Court.
4. All buildings or portions thereof which are determined after inspection by the building official to be dangerous as defined in this Article are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedures set forth in this Article.
5. It shall be unlawful for any person, persons, corporations or other legal entities, to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of the terms of this Article. Those persons or entities in violation of the provisions of this Article may be subject to a fine, the amount of which is to be set by Resolution of the Board of Trustees, for each violation of this Article, for each day that the property is not in compliance with the provisions of this Article.

## Section 18-14. Notices and orders of the building official

1. When the building official has inspected or caused to be inspected any building or structure and has found and determined that such building or structure is a "dangerous building", as defined herein, the building official shall commence proceedings to cause the repair, vacation, or demolition of the building.
2. Upon such finding, the building official shall issue a notice and order directed to the record owner of the building and/or the occupants of the building. The notice and order shall contain the following information:
  - a. The street address and a legal description sufficient for identification of the premises upon which the building is located.
  - b. A statement that the building official has found the building to be dangerous with a brief and concise description of the conditions found to render the building dangerous under the provisions of this Article.
  - c. A statement of the action required to be taken as determined by the building official.
    - i. If the building official has determined that the building or structure must be repaired the order shall require that the owner obtain all necessary permits, if any, and that all repairs commence within such time (not to exceed 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.
- ii. If the building official has determined that the 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 under the circumstances.
  - iii. If the building official has determined that the 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 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 under the circumstances.
- d. Statements advising the owner that if any required repair or demolition work is not commenced within the time specified, the building official will order the building vacated and posted to prevent further occupancy until the work is completed and may proceed to cause the work to be done and charge the costs thereof against the property or its owner.
  - e. Statements advising that any person having any record title or legal interest in the building may appeal from the notice and order of any action of the building official to the Board of Trustees, provided that the appeal is made in writing and filed with the Town Clerk within fifteen (15) days from the date of service of such notice and order; and that failure to appeal in a timely manner will constitute a waiver of all right to an appeal hearing. Any appeal shall state with specificity the reasons for the appeal
  - f. Statements advising that the order may be enforced by the Williamsburg Municipal Court.
  - g. Service of the notice and order may be made upon the owner of the property by either mailing a copy of the notice and order to the owner by certified mail, delivering a copy of the notice and order to the owner at his address or wherever he or she may be found and/or by posting such notice and order to the front door or other visible portion of the subject property.

## Section 18-15. Abatement

1. Refusal to Comply: Should the owner, or person or persons in control of the dangerous building fail or refuse to comply with the notice and order issued by the building official and further fail to appeal to the Board of Trustees within the time required by this Article, the building official shall cause a summons and complaint to be served upon the person or persons, in accordance with the Colorado municipal court rules of procedure, requiring the person or persons to appear in Williamsburg Municipal Court on a date certain to answer the charges against him or her. Nothing in this chapter shall be construed to prevent the building official from taking immediate action to abate the dangerous building if in the building official's discretion immediate action is required due

to an imminent and immediate hazard, danger, and safety factor existing to the public at large if immediate action is not taken.

2. Abatement: The town, through the building inspector, upon the determination that an owner, person, or persons, in control of a dangerous building, has failed and refused to bring the dangerous building into compliance, and/or upon a finding of the Williamsburg Municipal Court Judge that the subject property is in violation of this Article, may take such action as is necessary to abate the dangerous building and to bring the subject property into compliance. The whole cost, thereof, including the Town's reasonable costs (including legal, engineering, and other technical expenses) incurred in enforcing this Article, together with five percent (5%) for inspection and other incidental costs in connection therewith, shall be assessed upon the lots and tracts of land which have been adjudicated to be a dangerous building. The assessment shall be a lien against each lot or tract of land until paid. (CRS §31-20-105)
3. Certification To County Treasurer: In the event the assessment for the abatement of the dangerous building is not paid within thirty (30) days of the final billing o the town, or of such deadline as is established by the Williamsburg Municipal Court, whichever the case may be, the Town may certify the sum owed to the Fremont County Treasurer who shall collect the assessment, together with a ten percent (10%) penalty for cost of collection, in the same manner as other taxes are collected. (CRS §31-20-106)

## Section 18-16. Penalties

Those persons or entities in violation of the provisions of this chapter may be subject to a fine as set by Resolution of the Board of Trustees for each violation of this chapter, for each day that the property is not in compliance with the provisions of this chapter.

Secs. 18-17--18-30. Reserved

## ARTICLE III Electrical Installations

### Sec. 18-31. Adoption of code by reference

Pursuant to CRS §31-16-202, there is hereby adopted the \_\_\_\_\_ edition of the National Electrical Code and is currently in use by Planning & Zoning of the Town of Williamsburg. The National Electrical Code was published by the National Fire Protection Association, 60 Battery March Street, Boston, Massachusetts 02110.

### Sec. 18-32. Purpose and scope

The purpose of this code is the practical safeguarding of persons and property from hazards arising from the use of electricity. This Article shall apply to all electrical installation uses in the Town from the effective date hereof. The subject matter of the National Electrical Code covers the electric conductors and equipment installed within or on public or private buildings and other premises, including yards, carnival and parking lots and industrial substations, and also the conductors that connect the installation to a supply of electricity and other outside conductors adjacent to the premises.

Secs. 18-33--18-50. Reserved

## ARTICLE IV Plumbing Code

### Sec. 18-51. Adoption of code by reference

Pursuant to CRS §31-16-202, there is hereby adopted the \_\_\_\_\_ edition of the Uniform Plumbing Code and is currently in use by Planning & Zoning of the Town of Williamsburg.

### Sec. 18-52. Purpose and scope.

The purpose of the Uniform Plumbing Code is to provide standards for the inspection of plumbing systems.

Secs. 18-53--18-60. Reserved

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## ARTICLE V Building Numbering

### Sec. 18-61. Numbering required; system established

All buildings that are now or shall hereafter be erected within the corporate limits of the Town, facing upon any street or avenue, shall be separately numbered by the owner or owners, occupant or occupants or the agent thereof, according to the following plan, to wit:

1. Buildings on streets or avenues running east and west in the Town shall be numbered from Central and Quincy Avenues, as a base line, with odd numbers on the south side and even numbers on the north side, progressing alternately from side to side.
2. Buildings on streets or avenues running north and south in the Town shall be numbered from Main Street, as a base line, with odd numbers on the east side and even numbers on the west side, progressing alternately from side to side.

### Sec. 18-62. Size and placement of numbers

The figures of each number shall be not less than three (3) inches in length, shall be legible and placed in a conspicuous place on the front of each building.

### Sec. 18-63. Town Clerk to assign numbers

It shall be the duty of the Town Clerk, upon request therefore, to advise the owner or owners, occupant or occupants or the agent thereof of the proper number assigned, under the provisions of this Article, to any building that is now or may hereafter be erected in the Town.

### Secs. 18-64--18-70. Reserved

## ARTICLE VI General Provisions

### Sec. 18-71. Uniform code indemnification provisions repealed

Any and all provisions contained in any uniform codes adopted by reference by the Town, purporting to provide indemnification by the Town for inspections conducted pursuant to the provisions of such codes, are hereby repealed.

### Sec. 18-72. Town not liable for inspectors or contractors

1. Under no circumstances shall the Town defend, insure, indemnify, hold harmless or be responsible for the actions of private inspectors or contractors with whom the Town may contract to perform services pursuant to the codes referred to in Section 18-71 above.
2. The standing contract terms of any contract entered into by the Town shall contain language that requires the contractor to provide a Certificate of Insurance that names the Town as additional insured for the duration of their contract with the Town.

### Sec. 18-73. Reimbursement agreements

1. Any person constructing a street, water line, storm drainage line or sewer line through undeveloped areas of the Town to reach and serve such person's property, or any person constructing such a street or line on the perimeter of his or her property, shall be responsible for the entire cost of such construction. Any person constructing such improvements shall hereinafter be referred to as 'the developer.'
2. Any developer who constructs a street, water line, storm drainage line or sewer line as aforesaid enter into a reimbursement agreement with the Town, the terms of which are more fully described herein. In the event such an agreement is entered into, the Town is hereby authorized to assess a charge against each property owner specially benefited by the improvements for the cost of the improvements at the time access to the street is granted or a connection permit to the water line, storm drainage line or sewer line is issued.
3. In the event an agreement is entered into and a charge is collected, the Town shall reimburse the developer to the extent of such collection after deducting a service charge of three percent (3%), representing the Town's administrative costs. All costs of construction of the street, water line, storm drainage line or sewer line must be fully paid by the developer before the developer will be entitled to any reimbursement under any agreement which may be entered into pursuant to this Section. Reimbursement to the developer is absolutely contingent upon actual collection of the charge by the Town.
4. The term of any reimbursement agreement shall not exceed a period often (10) years from the date of its execution. The Board of Trustees may approve one (1) extension of the agreement not to exceed an additional ten (10) years if application for extension is made prior to the of the original ten-year period. The Town is not liable for any portion of the uncollected balance.

5. The books and records of the developer relating to the cost of the construction of the improvements for which the developer seeks reimbursement shall be open to the Town at all reasonable times for the purpose of and verifying the developers costs.

#### Sec. 18-74. Construction or relocation of utility facilities

1. Any entity which furnishes, transports, sells and/or distributes gas, electricity, telephone, fiber optics, cable television or any other utility service within the Town shall obtain approval of all plans for the construction or relocation of any of such entity's facilities or fixtures within the Town prior to commencing any such construction or relocation.
2. Each entity as aforesaid shall be obligated to furnish to Planning & Zoning sufficiently detailed plans adequately describing the size and shape of the proposed facilities or fixtures and the proposed location thereof, including the proximity of such proposed facilities or fixtures to existing improvements, streets, sidewalks or alleys. Such plans may be reviewed by the Town to ascertain, inter alia,
  - a. that all applicable laws including building, plumbing and zoning codes and air and water pollution regulations are complied with,
  - b. that aesthetic and good planning principles have been given due consideration, and
  - c. that adverse impact on the environment and the convenience of the Town's inhabitants has been minimized.
3. The Board of Trustees is hereby authorized to oversee the development and adoption of such rules and regulations as may be deemed necessary to effectuate and carry out the intent of this Section.

#### Secs. 18-75--18-90. Reserved