

ORDINANCE NO. 2012 - 2

TITLE AND PURPOSE:

AN ORDINANCE RELATING TO THE REGULATION, ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERNATION, REPAIR MOVING REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF RESIDENTIAL AND NON-RESIDENTIAL STUCTURES IN THE TOWN OF LA JARA, COLORADO; ADOPTING BY REFERENCE THE 2012 EDITION OF THE *INTERNATIONAL BUILDING CODE*; THE 2012 EDITION OF THE *INTERNATIONAL RESIDENTIAL CODE*; AND THE 2012 EDITION OF THE *INTERNATIONAL EXISTING BUILDING CODE*; REPEALING ALL ORDINANCES OF THE TOWN OF LA JARA, COLORADO, IN CONFLICT OR INCONSISTENT HEREWITH; AND PROVIDING A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF SAID BUILDING CODES.

WHEREAS, the Board of Trustees of the Town of La Jara has made a thorough study of the 2012 edition of the *International Building Code*; the 2012 edition of the *International Residential Code*, and the 2012 edition of the *International Existing Building Code*, and

WHEREAS, the Board is of the opinion that the same should be adopted;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA, COLORADO, AS FOLLOWS:

Section 1. Adoption. Pursuant to parts 1 and 2 of Article 16 of Title 31 and part 4 of Article 15 of Title 30, C.R.S., there is hereby adopted as the Building Code, the Residential Code and the Existing Building Code of the Town of La Jara, Colorado, by reference the 2012 edition of the *2012 International Building Code*; the 2012 edition of the *2012 International Residential Code*, and the 2012 edition of the *2012 International Existing Building Code*, all of which are published by the International Code Council, Inc., 4051 West Flossmoor Road, County Club Hills, IL 60478-5795. The subject matter of the adopted codes include comprehensive provisions and standards regulating the erection, construction, enlargement, alterations, repair, moving, removal, conversion, demolition of residential and non-residential building and structures for the purpose of protecting the public health, safety, and general welfare, providing for the issuance of building permits and collection of fees therefore, and each and all of such regulations, provisions, conditions and terms of such *2012 International Building Code*, *2012 International Residential Code*, and *2012 International Existing Building Code*, published by the International Code Council, all of which are on file in the office of the

La Jara Town Clerk are hereby referred to, adopted, and made a party hereof as if fully set out in this Ordinance.

Section 2. Amendments and Deletions.

- A. Whenever in any of the codes herein set forth reference is made to the “Building Officer” or such other similar designation, such reference shall mean the duly-appointed Building Inspector of the Town of La Jara.
- B. Whenever in any of the codes herein set forth reference is made to the “Board of Appeals” or such other similar designation, such reference shall mean the Board of Adjustments of the Town of La Jara.
- C. Whenever in any of the codes herein set forth reference is made to Building Permit Fees or such other similar designation, such references are hereby deleted in their entirety and replaced by the following table:

BUILDING PERMIT FEES

<u>TOTAL VALUATION</u>	<u>FEE</u>
\$1.00 to \$500.00	None
\$501.00 to \$2,000.00	\$5.00 for the first \$500.00, plus \$1.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$20.00 for the first \$2,001.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$25,000.00.
\$25,001.00 to \$50,000.00	\$89.00 for the first \$25,001.00 plus \$2.50 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$151.50 for the first \$50,001.00 plus \$1.50 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,001.00 and up	\$226.50 for the first \$100,001.00 plus \$1.50 for each additional thousand or fraction thereof.

Section 3. Code Copies: At least one (1) copy of the *2012 International Building Code*; the *2012 International Residential Code*, and of the *2012 International Existing Building Code* of the International Code Council, certified to be true copies, have been and are now on file in the Office of the La Jara Town Clerk and may be inspected by any

interested person between the hours of 8:00 A.M. and 5:00 P.M., Mondays through Friday, holidays excepted. Copies of said Codes as finally adopted shall be available for sale to the public through the Office of the La Jara Town Clerk at a moderate price, but not less than actual cost to the Town of La Jara.

Section 4. Penalties:

- A. Any penalty clauses in either of the codes referenced herein is hereby deleted in its entirety and replaced by the following:
 - 1. **VIOLATIONS:** It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip or maintain any residential or non-residential building or structure or cause or permit the same to be done in violation of either one or all codes as herein referenced.
 - 2. Any person, firm, or corporation violating any of the provisions of either code as herein referenced shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of either or all of such Codes is committed, continued, or permitted, and upon conviction of any such violation, such person shall be punished by a fine of not more than \$300.00 or by imprisonment for not more than 30 days, or by both such fine and imprisonment.

Section 5. Savings Clause: If any part, section, subsection, sentence, clause, or phrase of this Ordinance or one or all codes herein referenced and adopted hereby is for any reasons held invalid, such decisions shall not affect the validity of the remaining sections of this Ordinance, or of said 2012 editions of the herein referenced 2012 Codes, the Board of Trustees hereby declares that it would have passed this Ordinance and adopted said 2012 editions of the Codes as herein referenced in each part, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more parts, sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 6, Repeal: Any and all ordinances or parts of ordinances of the Town of La Jara in conflict or inconsistent herewith are hereby repealed, **PROVIDED, HOWEVER,** that the repeal of any ordinances of the Town of La Jara shall not revive any other sections or any ordinance or ordinances heretofore repealed or superseded. Ordinance No 1988-2, "AN ORDINANCE RELATING TO THE REGULATION OR, ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCEY EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF BUILDINGS OR STRUCTURES IN THE TOWN OF LA JARA, COLROADO; ADOPTING BY

REFERENCE THE 1997 EDITION OF THE *UNIFORM BUILDING CODE* OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, REPEALING ALL ORDINANCES OF THE TOWN OF LA JARA, COLOADO, IN CONFLICT OR INCONSISTENT HEREWITH; AND PROVIDING A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF SAID BUILDING CODE” is hereby specifically repealed in its entirety.

Section 7. Publication: The Town Clerk shall certify to the passage of this Ordinance, cause notice of its contents and passage to be published or posted, and make not less than one (1) copy of the adopted *2012 International Building Code* and one (1) copy of the *2012 International Residential Code*, and one (1) copy of the *2012 International Existing Building Code* available for the inspection thereof by the public during regular business hours.

Section 8. Effective Date: **Whereas**, an emergency exists in that this ordinance is necessary for the immediate preservation of the public peace, health and safety, this Ordinance shall be in full force and effect from and after its final passage and publication.

DULY PASSED, APPROVED AND ADOPTED BY AN AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS OF THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA PRESENT AT A REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON JUNE 14, 2012, AND SIGNED THIS 14TH DAY OF JUNE, 2012.



TOWN OF LA JARA, COLORADO

By: /s/Larry Zaragoza
Larry Zaragoza, Mayor

/s/ Karol Wilson *Karol Wilson*
Karol Wilson
La Jara Town Clerk

DATE OF PUBLICATION: 6/18/12

NOTICE OF HEARING

NOTICE is hereby given of a public hearing before the Board of Trustees of the Town of La Jara, Colorado, at 6:00 P.M. of the 14th day of June, 2012, at the La Jara Town Hall, 221 Broadway, La Jara, Colorado, for the purpose of considering the adoption by reference of the "2012 International Building Code"; the "2012 International Residential Code" and the "2012 International Existing Building Code" as the building codes of the Town of La Jara.

Copies of the referenced codes are on file at the Office of the La Jara Town Clerk and may be inspected during regular business hours. If enacted as an ordinance of the Town of La Jara, the referenced codes will not be published in full, but in accordance with state law, copies will be kept on file at the Office of the La Jara Town Clerk.

The above-referenced codes are published by the International Code Council, Inc., 4051 West Flossmoor Road, County Club Hills, IL 60478-5795. The subject matter of the above-referenced codes include comprehensive provision and standards regulating the election, construction enlargement, alterations, repair, moving, removal, conversion, demolition of residential and non-residential structures for the purpose of protecting the public health, safety, and general welfare, and providing for the issuance of building permits and collection of fees therefor.

At its next regular meeting following this hearing, the Board of Trustees of the Town of La Jara will consider passage of the adopting ordinance.

This notice is given and published by the order of the Board of Trustees of the Town of La Jara, Colorado.

Dated this 8th day of May, 2012

TOWN OF LA JARA, COLORADO

By: /s/ Karol Wilson 
La Jara Town Clerk

First Notice of Hearing: June 14, 2012

Second Notice of Hearing _____, 2012.