



STATE OF COLORADO
TOWN OF LARKSPUR, COLORADO

ORDINANCE NO. 3.118

AN ORDINANCE OF THE TOWN OF LARKSPUR, COLORADO, ADOPTING BY REFERENCE AND ENACTING A NEW MUNICIPAL CODE FOR THE TOWN OF LARKSPUR; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE ADOPTION OF A SECONDARY CODE BY REFERENCE; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

Be It Ordained by the Town Council of the Town of Larkspur, Colorado:

Section 1. The Code entitled the *Larkspur Municipal Code*, published by Municipal Code Corporation, consisting of Chapters 1 through 18, with Tables and Index, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before the adoption date of this Ordinance, which are inconsistent with the provisions of the Larkspur Municipal Code, to the extent of such inconsistency, are hereby repealed. The repeal established in this Section 2 shall not be construed to revive any ordinance or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 3. The following codes were previously adopted by reference and incorporated in the Larkspur Municipal Code. One (1) copy of each is on file in the Town Clerk's office:

- (1) The *International Building Code*, 2012 edition, published by the International Code Council, as adopted and amended in Section 18-1-10, et seq.;
- (2) The *International Plumbing Code*, 2012 edition, published by the International Code Council, as adopted and amended in Section 18-2-10, et seq.;
- (3) The *International Mechanical Code*, 2012 edition, published by the International Code Council, as adopted and amended in Section 18-3-10, et seq.;
- (4) The *International Fire Code*, 2012 edition, published by the International Code Council, as adopted and amended in Section 18-4-10, et seq.;
- (5) The *International Fuel Gas Code*, 2012 edition, published by the International Code Council, as adopted and amended in Section 18-5-10, et seq.;
- (6) The *International Residential Code*, 2012 edition, published by the International Code Council, as adopted and amended in Section 18-6-10, et seq.;
- (7) The *International Energy Conservation Code*, 2009 edition, published by the International Code Council, as adopted and amended in Section 18-7-10, et seq.;
- (8) The *International Property Maintenance Code*, 2012 edition, published by the International Code Council, as adopted and amended in Section 18-8-10, et seq.;
- (9) The *National Electrical Code*, most current edition, published by the National Fire Protection Association, as adopted in Section 18-9-10; and
- (10) The *International Existing Building Code*, 2012 edition, published by the International Code Council, as adopted and amended in Section 18-10-10, et seq.

Section 4. The following code is hereby adopted by reference and incorporated in the Larkspur Municipal Code. One (1) copy is on file in the Town Clerk's office:

(1) The *Model Traffic Code for Colorado*, 2010 edition, published by the Colorado Department of Transportation, as adopted and amended in Section 8-1-10, et seq.

Section 5. The penalties provided by the Municipal Code of the Town of Larkspur are hereby adopted as follows:

(1) Sec. 1-3-120. Altering or tampering with Code; penalty. (Chapter 1, General Provisions; Article 3, General)

Any person who alters, changes or amends this Code, except in the manner prescribed in this Article, or who alters or tampers with this Code in any manner so as to cause the ordinances of the Town to be misrepresented thereby, shall, upon conviction thereof, be punished as provided in Section 1-4-20 of this Chapter.

(2) Sec. 1-4-20. General penalty for violation. (Chapter 1, General Provisions; Article 4, General Penalty)

(a) Any person who violates or fails to comply with any provision of this Code for which a penalty is not provided shall, upon conviction thereof, be punished by a fine not exceeding \$300.00, except as provided in Section 1-4-30 below. In addition, any person convicted of violating this Code or a Town ordinance shall pay all costs and expenses incurred by the Town in connection with enforcing this Code or its ordinances and prosecuting the case, including attorney fees. Each day such violation continues shall be considered a separate offense.

(b) No person shall be imprisoned for violating this Code or a Town ordinance. To the extent that other ordinances of the Town provide for imprisonment as a possible penalty, such provisions are hereby repealed.

(3) Sec. 1-4-30. Application of penalties to juveniles. (Chapter 1, General Provisions; Article 4, General Penalty)

Every person who, at the time of commission of the offense, was at least ten but not yet 18 years of age, and who is subsequently convicted of or pleads guilty or nolo contendere to a violation of any provision of this Code, shall be punished by a fine of not more than \$300.00 per violation or count. Any voluntary plea of guilty or nolo contendere to the original charge or to a lesser or substituted charge shall subject the person so pleading to all fines and/or penalties applicable to the original charge. Nothing in this Section shall be construed to prohibit incarceration in an appropriate facility, at the time of charging, of a juvenile violating any section of this Code.

(4) Sec. 1-4-40. Penalty for violation of ordinances adopted after adoption of Code. (Chapter 1, General Provisions; Article 4, General Penalty)

Any person who violates any provision of any ordinance of a permanent and general nature passed or adopted after adoption of this Code, either before or after it has been inserted in this Code by a supplement, shall, upon conviction thereof, be punished as provided by Section 1-4-20 above unless another penalty is specifically provided for the violation.

(5) Sec. 4-2-110. Deficient returns; specific penalties. (Chapter 4, Revenue and Finance; Article 2, Admissions Tax)

(a) *Violations.* It shall be a violation of this Article for any vendor to fail to file a return or to file a deficient return, which failure or deficiency is caused by the negligence or reckless disregard of the provisions of this Article and any rules or regulations promulgated hereunder, to refuse to

make any return provided to be made in this Article, to make any false or fraudulent return or any false statement in any return, to fail or refuse to make payment to the Town Clerk of any taxes collected or due the Town, or in any manner to evade the collection and payment of the tax or any part thereof imposed by this Article; or for any person or purchaser to fail or refuse to pay such tax or evade the payment thereof or to aid or abet another in any attempt to evade the payment of the tax imposed by this Article.

(b) *Penalty for deficiencies caused by disregard of rules.* If any part of the deficiency is due to negligence or reckless disregard of the provisions of this Article and any rules and regulations promulgated hereunder, but without intent to defraud, there shall be added to the deficiency 15 percent of the total amount of deficiency. In such case, interest shall be collected from the person required to file the return at the rate of one and one-quarter percent per month or portion thereof on the amount of the deficiency and penalty from the time the return was due, all of which shall be due and payable within ten days after written notice and demand by the Town Clerk.

(c) *Penalties for deficiencies caused by refusal to make return or by fraud.* If any part of the deficiency is due to a refusal to make any return or due to fraud with the intent to evade the tax, there shall be added 50 percent of the total amount of the deficiency. In such case, the whole amount of the tax unpaid, including the additions, shall become due and payable ten days after written notice and demand by the Town Clerk, and an additional one and one-quarter percent per month on said amounts shall be added from the date the return was due until paid.

(d) *Penalty for repeated enforcement.* If three notices of assessment have been issued to the same taxpayer within 36 consecutive months, a special penalty of 100 percent of the tax due, or \$300.00, whichever is greater, shall be levied.

(6) Sec. 4-2-180. Penalty; violation. (Chapter 4, Revenue and Finance; Article 2, Admissions Tax)

Any person who violates any of the provisions of this Article shall be guilty of a violation hereof and shall be punished in accordance with the provisions set forth in Section 1-4-20 of this Code.

(7) Sec. 4-3-410. Authority of Tax Official. (Chapter 4, Revenue and Finance; Article 3, Sales and Use Tax)

(a) *Tax Official.* The administration of this Article is hereby vested in the Tax Official.

* * * *

(i) *Penalty assessment.* If the Tax Official determines that a person has registered or caused to be registered a motor vehicle outside the Town and that such motor vehicle should have been registered at an address in the Town, the Tax Official is authorized to assess a civil penalty of \$300.00 against the person. A written notice of the penalty assessment shall be issued, paid and protested in the same manner as a notice of assessment. The Tax Official may enforce collection of the penalty assessment in the same manner as provided in this Article for the collection of tax due. Assessment and collection of the penalty shall not preclude the collection of any tax due or fee or the imposition of any civil or criminal penalty provided by law.

(j) *Notices.* Notices required by this Article shall be in writing and delivered in person or sent, postage prepaid, by first-class mail to the last known address of the taxpayer.

(8) Sec. 4-3-640. Penalties. (Chapter 4, Revenue and Finance; Article 3, Sales and Use Tax)

(a) *Penalty for late payment.* A penalty shall be levied on any tax deficiency. Such penalty shall be \$20.00 or 15 percent of the tax deficiency, whichever is greater.

(b) *Penalty for fraud.* If any tax deficiency is due to fraud or the intent to evade the tax, the penalty shall be 50 percent of the total tax deficiency.

(c) *Penalty for repeated enforcement.* If three notices of assessment have been issued to the same taxpayer within 36 consecutive months, a special penalty of 100 percent of the tax due, or \$300.00, whichever is greater, shall be levied.

(d) *Abatement of penalty.* Any penalty assessed in this Section may be abated by the Tax Official if the taxpayer submits a written request for such abatement on or before the payment date of the applicable notice of assessment and if the Tax Official finds good cause therefor.

(9) Sec. 4-3-880. Violations; summons and complaint; penalty. (Chapter 4, Revenue and Finance; Article 3, Sales and Use Tax)

(a) It shall be a violation of this Article to fail to perform any applicable affirmative duty specified in this Article, including but not limited to:

(1) The failure of any person engaged in business in the Town to obtain a license.

(2) The failure of any taxpayer to file a timely return or to make timely payment of any tax due.

(3) The failure of any resident individual or business to comply with the registration requirements for automotive vehicles.

(4) The making of any false or fraudulent statement by any person in any return, claim for refund or hearing.

(5) The evasion of collection of any sales tax by any person or the aiding or abetting of any other person in an attempt to evade the timely payment of tax due.

(b) The Tax Official may issue a complaint and summons to appear before the Municipal Court to any person who may be in violation of this Article or of the rules and regulations promulgated by the Town Council to enforce this Article.

(c) Penalties:

(1) Any person who violates any of the provisions of this Article shall, severally, for each and every such violation and noncompliance respectively, be subject to punishment as set forth in Section 1-4-20 of this Code.

(2) The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and such person shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each day a violation exists shall constitute a separate offense.

(3) The application of the above penalty shall not be held to prevent the Town Council from taking action it may deem appropriate in a court of competent jurisdiction to obtain an injunction against or an abatement of a continuing violation, or to revoke a license in accordance with the provisions of this Article.

(10) Sec. 4-4-50. Penalty. (Chapter 4, Revenue and Finance; Article 4, Lodging Tax)

The penalty for violating the provisions of this Article shall be the same as those imposed for violating Article 3 of this Chapter.

(11) Sec. 6-1-110. Enforcement and penalty. (Chapter 6, Business Licenses and Regulations; Article 1, Business Licenses)

(a) Any person who violates any of the provisions of this Article shall be subject to a penalty as set forth in Section 1-4-20 of this Code. The imposition of one penalty for any violation shall not excuse a violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable period of time.

(b) The application of the above penalty shall not be held to prevent the Town Council from taking any action as may be deemed appropriate in a court of competent jurisdiction to obtain an injunction against or an abatement of a continuing violation.

(12) Sec. 6-2-110. Enforcement and penalty. (Chapter 6, Business Licenses and Regulations; Article 2, Alcoholic Beverages)

It shall be the duty of the officials of the Town to enforce all provisions hereof, including any and all special provisions adopted by the Town Council with respect to any particular license and, in the event of noncompliance, to issue a summons and complaint to the holder of a license or any other person not abiding by the terms hereof. Any person convicted of violating any provision of this Article shall be punished in accordance with the provisions of Section 1-4-20 of this Code.

(13) Sec. 6-3-230. Penalties. (Chapter 6, Business Licenses and Regulations; Article 3, Transient Merchants)

(a) Any person who violates any of the provisions of this Article shall, severally, for each and every such violation and noncompliance, respectively, be punished in accordance with the provisions of Section 1-4-20 of this Code.

(b) The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each day a violation exists shall constitute a separate offense.

(c) The application of the above penalty shall not be held to prevent the Town Council from taking action it may deem appropriate in a court of competent jurisdiction to obtain an injunction against or an abatement of a continuing violation, or to revoke a license in accordance with Section 6-3-190 above.

(14) Sec. 7-1-60. Abatement of nuisance. (Chapter 7, Health, Sanitation and Animals; Article 1, Administration and Abatement of Nuisances)

Whenever the Town Council directs, the Town Clerk shall immediately thereafter notify any owner of property, his or her agent or any person having charge of such property, in writing, that an order has been made by the Town Council requiring the removal of any accumulated refuse from such property or premises within 30 days after service of notice. If such property owner, agent or person having charge of such property does not remove such refuse in accordance with the requirement of such order, the Town Council may order that such refuse be removed by an agent of the Town Council and assess the cost thereof against the property or the premises. The amount so assessed shall be a lien upon such property until the same is paid; provided that, in case of failure to pay such assessment within ten days after the same is mailed, the Town Clerk shall cause a notice of such assessment to be given to the owner of such property by publishing in a newspaper

in the County for two successive weeks, which publication shall contain a notice to such property owner of the amount assessed against his or her property, and shall designate a time and place when the Town Council will hear any objections as to the adjustment and corrections of the amount assessed. If such assessment is not paid within ten days after hearing upon such objections, and unless the same are sustained, the Town Clerk shall certify such assessment to the County Treasurer, to be placed by him or her on the tax list for the current year, to be collected in the same manner as other taxes are collected, with a 12-percent penalty to defray the cost of collection, as provided by state law.

(15) Sec. 7-1-100. Violations and penalties. (Chapter 7, Health, Sanitation and Animals; Article 1, Administration and Abatement of Nuisances)

Any person who violates any of the provisions of this Chapter shall be subject to the penalty provisions of Section 1-4-20 of this Code.

(16) Sec. 7-7-80. Penalties. (Chapter 7, Health, Sanitation and Animals; Article 1, Dogs)

(a) Any person who violates any of the provisions of this Article shall, severally, for each and every such violation and noncompliance, respectively, and for each and every day of a continuing violation, be subject to punishment as set forth in Section 1-4-20 of this Code.

(b) The imposition of one penalty for any violation shall not excuse the violation or permit it to continue.

(c) The application of the above penalty shall not be held to prevent the Town Council from taking action it may deem appropriate in a court of competent jurisdiction to obtain an injunction or an abatement of a continuing violation.

(17) Sec. 8-1-60. Penalties. (Chapter 8, Vehicles and Traffic; Article 1, Model Traffic Code)

(a) It is unlawful for any person to violate any of the provisions stated or adopted in this Article.

(b) Every person convicted of a violation of any provision stated or adopted in this Article shall be punished as set forth in Section 1-4-20 of this Code.

(18) Sec. 11-1-150. Violations. (Chapter 11, Streets, Sidewalks and Public Property; Article 1, Clearing, Grading and Excavating)

(a) Any person violating any provision of these regulations shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished in accordance with the provisions of Section 1-4-20 of this Code.

(b) This Section may be enforced by injunction, including both the enjoining of actions or inactions in violation of this Article (i.e., land-disturbing activities undertaken without, or in violation of the terms of, a permit as required herein), and a mandatory injunction to require the removal of excavation or fill accomplished without, or in violation of the terms of, such a permit. In any such injunctive action, the Town shall be entitled to an award of its costs of suit and any costs incurred in the removal of fill and/or restoration of areas where fill or excavation activities have been undertaken in violation of the provisions of this Article.

(19) Sec. 11-2-150. Penalty for violation. (Chapter 11, Streets, Sidewalks and Public Property; Article 2, Parks and Recreation Areas)

(a) Any person who violates any of the provisions of this Article shall, for each and every such violation and noncompliance, respectively, be subject to punishment as set forth in Section 1-4-20 of this Code.

(b) The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and, when not otherwise specified, each day a violation exists shall constitute a separate offense.

(c) The application of the above penalty shall not be held to prevent the Town Council from taking action it may deem appropriate in a court of competent jurisdiction to obtain an injunction or an abatement of a continuing violation.

(20) Sec. 11-3-50. Violation; penalty. (Chapter 11, Streets, Sidewalks and Public Property; Article 3 Trash Facilities)

Any person alleged to be in violation of any of the provisions of this Article may be issued a summons and complaint to appear in the Municipal Court. Any person who violates any of the provisions of this Article shall, upon conviction, be fined in accordance with the provisions of Section 1-4-20 of this Code.

(21) Sec. 13-2-480. Penalties. (Chapter 13, Municipal Utilities; Article 2, Water and Wastewater Service)

(a) Any person who violates any of the provisions of this Article or fails to comply herewith shall severally, for each and every such violation and noncompliance, respectively, be guilty of a violation of this Code, punishable in accordance with the provisions of Section 1-4-20 of this Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each day that the violation exists, or that the violation continues or occurs, shall constitute a separate violation.

(b) Nothing contained herein shall preclude the Town or its officials from pursuing injunctive relief to obtain a restraining order, injunction or other equitable relief which is necessary to enforce the terms of this Article.

(22) Sec. 15-1-190. Penalty. (Chapter 15, Annexations; Article 1, Annexation Procedures)

Failure to comply with any of the provisions of this Chapter shall be punishable in accordance with the provisions of Section 1-4-20 of this Code.

(23) Sec. 16-1-100. Enforcement. (Chapter 16, Zoning; Article 1, General Provisions)

(a) No land in the Town shall be used, nor any building or structure erected, constructed, enlarged, altered, maintained, moved or used, in violation of this Chapter. The Town Council, through the Town Attorney, may initiate legal action, both criminal and civil, to enjoin, prevent, abate or remove such unlawful erection, construction, reconstruction, enlargement, alteration, maintenance, movement or use, in addition to any other remedies provided by law.

(b) Any person who violates any of the provisions of this Chapter shall be subject to a penalty as set forth in Section 1-4-20 of this Code. This Section shall apply to any landowner who allows the use of his or her land by another in violation of this Chapter.

(c) In any civil or criminal action brought to enforce this Chapter, the Town Attorney may request a court order authorizing the Town to abate any violation of this Chapter at the expense of the violator. The costs of abatement shall be supported by competent evidence and reduced to judgment in the same action in a hearing before the court.

(24) Sec. 16-14-250. Penalties for noncompliance. (Chapter 16, Zoning; Article 14, Flood Damage Prevention)

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this Article and other applicable regulations. Violation of

the provisions of this Article by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this Article or fails to comply with any of its requirements shall, upon conviction thereof, be fined as provided in Section 1-4-20 of this Code. Nothing herein contained shall prevent the Town from taking such other lawful action as is necessary to prevent or remedy any violation.

(25) Sec. 16-15-140. Enforcement provisions. (Chapter 16, Zoning; Article 15, Signs)

(a) No sign shall be installed, enlarged, maintained or used in violation of this Article. The Town Council, through the Town Attorney, may initiate legal action to enjoin, prevent, abate or remove such unlawful installation, enlargement, maintenance or use in addition to any other remedies provided by law.

(b) Any person who violates any of the provisions of this Article shall be subject to a fine as set forth in Section 1-4-20 of this Code, such fine to inure to the Town. This Section shall also apply to any landowner who allows the use of his or her land by another in violation of this Article.

(c) In any action brought to enforce this Article, the Town Attorney may request a court order authorizing the Town to abate any violation of this Article at the expense of the violator and awarding to the Town and against the violator the costs and attorney fees associated with abatement.

(26) Sec. 16-17-310. Town's remedies. (Chapter 16, Zoning; Article 17, Adult-Oriented Businesses)

(a) If any person fails or refuses to obey or comply with or violates any of the provisions of this Article, whether such provisions place an affirmative duty on such person or declare unlawful the performance of some act, such person, upon conviction of such offense, shall be punished as set forth in Section 1-4-20 of this Code.

(b) Nothing herein contained shall prevent or restrict the Town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any violation or noncompliance. Such other lawful action shall include, but shall not be limited to, an equitable action for injunctive relief or an action at law for damages.

(c) All remedies and penalties provided for in this Section shall be cumulative and independently available to the Town. The Town shall be authorized to pursue any and all remedies set forth in this Section to the full extent allowed by law.

(27) Sec. 17-1-30. Enforcement and penalties. (Chapter 17, Subdivisions; Article 1, General Provisions)

(a) Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers, sells, agrees to sell or negotiates to sell any land by reference to or exhibition of or by use of a plat of a subdivision before such plat has been approved by the Planning Commission and recorded or filed in the office of the County Clerk and Recorder, shall pay a penalty of \$100.00 to the Town for each lot or parcel so transferred, sold or agreed or negotiated to be sold. The description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies provided in this Section. The Town may enjoin such transfer or agreement by action for injunction brought in any court of competent jurisdiction and may recover the penalty by civil action in any court of competent jurisdiction.

(b) Failure to comply with any of the provisions of this Chapter, other than as set forth in Subsection (a) above, shall be punishable in accordance with the provisions of Section 1-4-20 of this Code.

(28) Sec. 17-4-100. Penalties. (Chapter 17, Subdivisions; Article 4, Storm Drainage)

(a) Any person who violates any of the provisions of this Article, who fails to comply with this Article or who makes any improvement in violation of the provisions hereof shall, severally, for each and every such violation and noncompliance, respectively, and for each and every day of a continuing violation, be subject to punishment in accordance with the provisions of Section 1-4-20 of this Code. The imposition of one penalty for any violation shall not excuse a violation or permit it to continue; and such person shall be required to correct or remedy such violations or defects within a reasonable time.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions or to prevent the Town Council from taking any action as may be deemed appropriate in a court of competent jurisdiction to obtain an injunction or an abatement to remove a continuing violation.

(29) Sec. 18-1-50. Penalty. (Chapter 18, Building Regulations; Article 1, Building Code)

(a) It is unlawful for any person to do any act which is forbidden or declared to be unlawful or declared to be a nuisance, to fail to do or perform any act required in the adopted building code, or to erect, construct, reconstruct, alter, remodel, use or maintain any building, structure or equipment in the Town or cause or permit the same to be done, contrary to or in violation of any of the provisions of the adopted building code. Maintenance of any condition which was unlawful at the time it was initiated and which would be unlawful at the time it was installed after February 10, 2016, shall constitute a continuing violation. Any person violating any of the provisions of the adopted building code shall be deemed guilty of a misdemeanor, shall be deemed guilty of a separate offense for each and every day or portion thereof during which any such violation is committed, continued or permitted, and, upon conviction of any such violation, shall be punished by the penalty set forth in Section 1-4-20 of this Code.

(b) In addition to any and all other remedies provided by law, the Town may institute an appropriate action for injunction, mandamus or abatement to prevent, enjoin, abate or remove any unlawful act, erection, construction, reconstruction, alteration, remodeling or use.

(c) It is unlawful for any person to erect, construct, reconstruct, alter, remove or change the use of any building or other structure within the Town without first obtaining all permits required by the adopted building code. No such permit shall be issued unless the plans for the proposed erection, construction, reconstruction, alteration, removal or use fully conform to this Chapter and Chapters 16 and 17 of this Code, to the final subdivision plat and final development plan governing the property for which this permit is requested, and to other applicable regulations of the Town.

(30) Sec. 18-4-40. Amendments. (Chapter 18, Building Regulations; Article 4, Fire Code)

The code adopted herein is hereby modified by the following amendments:

* * * *

(2) Section 109.3 is amended to read as follows:

"109.3 Violation penalty. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directives of the fire code official, or of a permit or certificate used under provisions of this code, within the geographical limits of a municipality shall be subject to the penalties set forth in Section 18-4-50 of the Larkspur Municipal Code."

(3) Section 111.4 is amended to read as follows:

"111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, within the geographical limits of a municipality shall be subject to the penalties set forth in Section 18-4-50 of the Larkspur Municipal Code."

* * * *

(31) Sec. 18-4-50. Penalty. (Chapter 18, Building Regulations; Article 4, Fire Code)

Any person who violates any of the provisions of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in Section 1-4-20 of this Code for each such violation. Each day that a violation continues shall be deemed a separate offense.

(32) Sec. 18-5-50. Penalty. (Chapter 18, Building Regulations; Article 5, Fuel Gas Code)

Any person who violates any of the provisions of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in Section 1-4-20 of this Code for each such violation. Each day that a violation continues shall be deemed a separate offense.

(33) Sec. 18-6-50. Penalty. (Chapter 18, Building Regulations; Article 6, Residential Code)

Any person who violates any of the provisions of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in Section 1-4-20 of this Code for each such violation. Each day that a violation continues shall be deemed a separate offense.

(34) Sec. 18-7-50. Penalty. (Chapter 18, Building Regulations; Article 7, Energy Conservation Code)

Any person who violates any of the provisions of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in Section 1-4-20 of this Code for each such violation. Each day that a violation continues shall be deemed a separate offense.

(35) Sec. 18-8-50. Penalty. (Chapter 18, Building Regulations; Article 8, Property Maintenance Code)

Any person who violates any of the provisions of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in Section 1-4-20 of this Code for each such violation. Each day that a violation continues shall be deemed a separate offense.

(36) Sec. 18-9-50. Penalty. (Chapter 18, Building Regulations; Article 9, Electrical Code)

Any person who violates any of the provisions of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in Section 1-4-20 of this Code for each such violation. Each day that a violation continues shall be deemed a separate offense.

(37) Sec. 18-10-50. Penalty. (Chapter 18, Building Regulations; Article 10, Existing Building Code)

Any person who violates any of the provisions of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in Section 1-4-20 of this Code for each such violation. Each day that a violation continues shall be deemed a separate offense.

Section 6. Additions or amendments to the Code, when passed in the form as to indicate the intention of the Town to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 7. Ordinances adopted after this Ordinance that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to those provisions of the Code.

Section 8. In the opinion of the Town Council of the Town of Larkspur, Colorado, this Ordinance is necessary for the preservation of the public peace, health, and safety, and shall become effective immediately.

Section 8. This Ordinance shall become effective five (5) days after it is posted, in accordance with Section 3.20 of the Town Charter..

INTRODUCED this 24th day of July, 2016.

TOWN OF LARKSPUR, COLORADO


Gerry Been, Mayor

ATTEST:


Matt Krimmer, Town Clerk

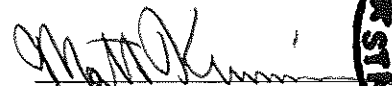
(SEAL)

ADOPTED AND ORDERED PUBLISHED on this 24th day of July, 2016.

TOWN OF LARKSPUR, COLORADO


Gerry Been, Mayor

ATTEST:


Matt Krimmer, Town Clerk

(SEAL)



APPROVED AS TO FORM:

Dan Krob, Town Attorney