

**TOWN OF LARKSPUR
ORDINANCE NO. 3.75**

AN ORDINANCE ADOPTING BY REFERENCE THE UNIFORM BUILDING CODE OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, 1997 EDITION; THE UNIFORM BUILDING CODE STANDARDS, 1997 EDITION; THE NATIONAL ELECTRICAL CODE OF THE NATIONAL FIRE PROTECTION ASSOCIATION, 1999 EDITION; THE UNIFORM PLUMBING CODE OF THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, 2000 EDITION; THE UNIFORM MECHANICAL CODE OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, 2000 EDITION; THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, 1997 EDITION, AND DECLARING AN EMERGENCY

(THIS ORDINANCE HEREBY REPEALS AND SUPERSEDES ORDINANCE NO. 3.60, PASSED AND ADOPTED ON MAY 16, 1996, AND ALL OTHER ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT THEREWITH.)

WHEREAS, pursuant to Section 3.17 of the Town Charter, the Town of Larkspur possesses the authority to adopt codes by reference; and

WHEREAS, copies of the uniform codes referenced in this ordinance are available for public inspection; and

WHEREAS, the Town Council of the Town of Larkspur wishes to adopt more current editions of the Uniform Building Code, Uniform Electrical Code, Uniform Plumbing Code, Uniform Mechanical Code, and Uniform Code for the Abatement of Dangerous Buildings.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO as follows:

Section 1. This Ordinance hereby repeals and supersedes Ordinance No. 3.60 passed and adopted on May 16, 1996, and all other ordinances, resolutions or parts thereof in conflict herewith. The repeal of this ordinance shall not affect or prevent the prosecution or punishment of any person for the violation of any ordinance repealed hereby for any offense committed prior to the repeal.

Section 2. Pursuant to Charter Section 3.16, the Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town of Larkspur and that this Ordinance is necessary for the immediate preservation of public property, health, welfare, peace, and safety. Specifically, the immediate effectiveness of the Ordinance is necessary to effectuate the purposes of the intergovernmental agreement ("IGA") between the Town and Douglas County concerning administration and enforcement of the uniform building and other related codes within the Town of Larkspur. The immediate adoption of this Ordinance along with the IGA is necessary to ensure that the Town's agreement with Douglas County to utilize the expertise of County building inspectors with respect to regulating the

materials, designs, and methods used in the construction of buildings and structures within the Town of Larkspur is renewed prior to the expiration of the existing IGA on May 14, 2001. Because the Douglas County Board of County Commissioners has previously adopted the uniform codes and editions set forth in this Ordinance, it is in the best interests of the residents of the Town to adopt the same.

Section 3. The Town Council may, from time to time, appoint a Town Building Inspector by resolution or delegate this responsibility to the Douglas County Building Department, for the purposes of implementing and enforcing the Uniform Building Code of 1997, as amended ("UBC"), the Uniform Building Code Standards of 1997 ("UBCS"), the Uniform Mechanical Code of 2000, as amended ("UMC"), the Uniform Plumbing Code of 2000, as amended ("UPC"), the National Electrical Code of 1999, as amended ("NEC"), and the Uniform Code for the Abatement of Dangerous Buildings of 1997 ("UCADB") (collectively referred to as the "Codes").

Section 4. The following Codes are hereby adopted by reference, and made a part hereof as if fully set forth in this Ordinance:

The UBC, with the amendments specified on Exhibit A attached hereto and incorporated herein, which is published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601.

The UBCS, which is published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601.

The UMC, with the amendments specified on Exhibit A attached hereto and incorporated herein, which is published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601.

The UPC, with the amendments specified on Exhibit A attached hereto and incorporated herein, which is published by the International Association of Plumbing and Mechanical Officials, 20001 Walnut Drive South, Walnut, California 91789.

The NEC, which is published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

The UCADB, which is published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601.

Section 5. It shall be unlawful for any person, firm, or corporation 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 any of the Codes adopted herein by reference.

Section 6. Violations and Penalties. Any person, firm or corporation violating any provision of the UBC, UBCS, UMC, UPC, NEC or the UCADB shall be deemed guilty of an ordinance violation and, upon conviction thereof, shall be punishable by a fine not to exceed \$1,000.00 or by imprisonment not to exceed 360 days, or both fine and imprisonment. Each separate day, or any portion thereof, during which any violation occurs or continues shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for an approval of, any violation of any provisions of the UBC, UBCS, UMC, UPC, NEC or the UCADB. No permit presuming to give authority to violate or cancel the provisions of the UBC, UBCS, UMC, UPC, NEC or the UCADB shall be valid, except insofar as the work or use which it authorizes is lawful.

Section 7. The issuance or granting of a permit or approval of plans shall not prevent the Building Inspector of Larkspur or any other designated official of the Town of Larkspur from thereafter requiring the corrections of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of the UBC, UBCS, UMC, UPC, NEC or the UCADB, or any other ordinance, or from revoking any certificate of occupancy when issued in error.

Section 8. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid by a court of competent jurisdiction, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.


Section 9. All other ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this Ordinance are hereby repealed, provided that such repeal shall not repeal any repealer clauses in such ordinances nor revive any ordinance thereby.

In accordance with Section 3.16 of the Town Charter, this Ordinance shall take effect upon final passage, with posting and publication as soon after passage as possible.


Introduced as an ordinance at a special meeting of the Town Council of the Town of Larkspur, Colorado, on the 3RD day of MAY, 2001, and passed by a vote of 6 for, 0 against, and 0 abstentions.


Wandalene Hertz, Mayor

ATTEST:


Claudia Whitney, Town Clerk

I hereby certify that the within Ordinance was posted on the bulletin board at the Town Hall of the Town of Larkspur from May 4, 2001 to June 4, 2001 and published one time in the News Press on May 9, 2001.


Claudia Whitney, Town Clerk

EXIBITS ARE AVAILABLE FOR PUBLIC TO VIEW AT TOWN HALL