

ORDINANCE NO. 2017-2

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAXTUN, COLORADO AMENDING CHAPTER 15 OF THE HAXTUN MUNICIPAL CODE REGARDING BUILDING REGULATIONS TO ADOPT BY REFERENCE THE FOLLOWING CODES: UNIFORM BUILDING CODE, 1991 EDITION; UNIFORM HOUSING CODE, 1991 EDITION; UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1991 EDITION; UNIFORM PLUMBING CODE, 1991 EDITION; NATIONAL ELECTRICAL SAFETY CODE, 1990 EDITION; AND UNIFORM FIRE CODE STANDARDS, 1991 EDITION.

WHEREAS, national building, construction and fire standards have been developed and from time to time amended and updated, as set forth in the uniform code series; and

WHEREAS, it is deemed to be in the interest of the public health, safety and general welfare of the Town and its residents to adopt by reference thereto said uniform codes; and

WHEREAS, the Town Council, after proper notice as required by law, has held a public hearing on this ordinance providing for the adoption of said codes; and

WHEREAS, the uniform codes have been submitted to the Town Council in writing and the Town Council has determined that the uniform codes should be adopted as herein set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAXTUN, COLORADO:

Section 1. Section 15.04.010 of the Haxtun Municipal Code is hereby repealed and re-enacted to read as follows:

15.04.010 Adoption. Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted by reference the Uniform Building Code, 1991 Edition, as published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, CA 90601, subject to any amendments set forth herein, to protect the health, safety and general welfare by providing minimum standards for the design, construction, quality of materials, use and occupancy, location and maintenance of buildings and other structures. In case of any conflict between such code adopted herein and any other specific provision of the Haxtun Municipal Code, the specific provision of the Haxtun Municipal Code shall prevail.

Section 2. Section 15.08.010 of the Haxtun Municipal Code is hereby repealed and re-enacted to read as follows:

15.08.010 Adoption. Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted by reference the Uniform Housing Code, 1991 Edition, as published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, CA 90601, subject to any amendments set forth herein, to protect and safeguard life, limb, health, property and public welfare by regulating, providing minimum standards, and controlling the use and occupancy, location and maintenance of residential buildings and other structures within the Town. In case of any conflict between such code adopted herein and any other specific provision of the Haxtun Municipal Code, the specific provision of the Haxtun Municipal Code shall prevail.

Section 3. Section 15.12.010 of the Haxtun Municipal Code is hereby repealed and re-enacted to read as follows:

15.12.010 Adoption. Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted by reference the Uniform Fire Code Standards, 1991 Edition, as published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, CA 90601 and the Western Fire Chiefs Association, 5360 South Workman Mill Road, Whittier, CA 90601, subject to any amendments set forth herein, to protect the public health, safety and welfare by providing minimum standards relating to the storage, handling and use of hazardous substances, materials and devices, and providing greater safety and protection to the public from conditions hazardous to life or property in the occupancy of buildings or premises. In case of any conflict between such code adopted herein and any other specific provision of the Haxtun Municipal Code, the specific provision of the Haxtun Municipal Code shall prevail.

Section 4. Section 15.16.010 of the Haxtun Municipal Code is hereby repealed and re-enacted to read as follows:

15.16.010 Adoption. Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted by reference the National Electric Safety Code, 1990 Edition, as published by the Institute of Electrical and Electronics Engineers, Inc., 345 East 47th Street, New York, NY 10017, subject to any amendments set forth herein, to protect the public health, safety and welfare by providing minimum standards and requirements pertaining to electrical installations. In case of any conflict between such code adopted herein and any other specific provision of the Haxtun Municipal Code, the specific provision of the Haxtun Municipal Code shall prevail.

Section 5. Section 15.16.020 of the Haxtun Municipal Code is hereby repealed and re-enacted to read as follows:

15.16.020 Adoption. Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted by reference the Uniform Plumbing Code, 1991 Edition, as

published by the IAPMO Publications Department, 20001 Walnut Drive South, Walnut, CA 91789-2825, subject to any amendments set forth herein, to protect the public health, safety and general welfare by providing minimum plumbing standards for new and existing structures. In case of any conflict between such code adopted herein and any other specific provision of the Haxtun Municipal Code, the specific provision of the Haxtun Municipal Code shall prevail.

Section 6. Title 15 of the Haxtun Municipal Code is hereby amended by the addition of a new Chapter 15.20 to read as follows:

Chapter 15.20

DANGEROUS BUILDING CODE

15.20.010 Adoption. Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted by reference the Uniform Code for the Abatement of Dangerous Buildings, 1991 Edition, as published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, CA 90601, subject to any amendments set forth herein, to protect the public health, safety and welfare by providing a just, equitable and practicable method, to be cumulative with and in addition to any other remedy provided by the Building Code, Housing Code or otherwise available by law, whereby buildings or structures that, from any cause, endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants, and providing a process by which the same may be required to be repaired, vacated or demolished. In case of any conflict between such code adopted herein and any other specific provision of the Haxtun Municipal Code, the specific provision of the Haxtun Municipal Code shall prevail.

Section 7. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 8. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 9. The repeal or modification of any provision of any prior ordinance by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

INTRODUCED, READ, ADOPTED, AND ORDERED PUBLISHED AND POSTED IN FULL THIS ____ day of _____, 2017.

TOWN OF HAXTUN, COLORADO

Todd Workman, Mayor

ATTEST:

Karie L. Wilson, Town Clerk

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