

ORDINANCE NO. 726-16

AN ORDINANCE ADOPTING BY REFERENCE THE INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL PROPERTY MAINTENANCE CODE.

An ordinance of the Town of Fowler, Colorado adopting the 2006 edition of the International Building Code and the 2012 edition of the International Property Maintenance code that regulate and govern the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structure in the Town of Fowler; providing for the issuance of permits and collection of fees therefor; repealing all other ordinances and parts of ordinances in conflict therewith.

BE IT ORDAINED by the Board of Trustees of the Town of Fowler as follows:

a. Building Code Adopted.

- 1 Pursuant to Title 31, Article 16, Part 2 of the Colorado Revised Statutes the “International Building Code” 2006 edition, including the International Building Code Appendices, published by the International Code Council Inc. (“ICC”) 500 New Jersey Avenue, NW, 6th.Floor, Washington, DC 20001-2070 is adopted by reference as the building code for the Town of Fowler. Three (3) copies of the IBC are on file in the office of the town clerk.
- 2 The subject matter of the adopted International Building Code and appendix includes comprehensive provisions and standards regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of all buildings and structures in the Town of Fowler and further provides for the issuance of permits and the collection of fees therefore.
- 3 Penalties.
 - A Any person, firm or corporation who violates any provision of the International Building Code is guilty of a civil infraction. A violation of the IBC is a strict liability offense. A person, firm or corporation shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted. Upon conviction of any such violations, such person shall be punished by a fine of not less than one-hundred dollars (\$100.00) and not more than two-thousand-six-hundred-fifty dollars (\$2,650.00).

b. Property Maintenance Code Adopted.

- 1 Pursuant to Title 31, Article 16, Part 2 of the Colorado Revised Statutes the “International Property Maintenance Code” (“IPMC”) 2012 edition published by the International Code Council Inc. (“ICC”) 500 New Jersey Avenue, NW, 6th.Floor,

Washington, DC 20001-2070 is adopted by reference as the property maintenance code for the Town of Fowler. Three (3) copies of the IPMC are on file in the office of the town clerk.

2 The subject matter of the adopted IPMC and any appendix includes comprehensive provisions and standards regulating the maintenance of buildings and real properties in the Town of Fowler and further provides for the issuance of permits and the collection of fees therefore.

3 Penalties.

A Any person, firm or corporation who violates any provision of the International Property Maintenance Code is guilty of a civil infraction. A violation of this Code is a strict liability offense. A person, firm or corporation shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted. Upon conviction of any such violations, such person shall be punished by a fine of not less than one-hundred dollars (\$100.00) and not more than two-thousand-six-hundred-fifty dollars (\$2,650.00).

c. The determination of value or valuation under any of the provisions of these Codes shall be made by the Building Official.

d. Buildings or structures 150 square feet or less and pre-engineered temporary metal one-stall car ports shall not require a building permit but must comply with appropriate setback regulations.

1 Fees.

A Building Permit Fees. The following fees shall be charged for building permits.

i Total Valuations	Fee
I \$1.00 to \$500.00	\$25.00
II \$501.00 to \$2,000.00	\$25.00 for the first \$500 plus \$3.27 for each additional \$100 or fraction thereof, to and including \$2,000.
III \$2,001 to \$25000.	\$75.00 for the first \$2,000 plus \$18.48 for each additional \$1,000 or fraction thereof, to and including \$25,000.
IV \$25,001 to \$50,000	\$400.00 for the first \$25,000 plus \$16.00 for each additional \$1,000 or fraction thereof, to and including

	\$50,000.
V \$50,001 to \$100,000	\$685.00 for the first \$50,000 plus \$15.30 for each additional \$1,000 or fraction thereof, to and including \$100,000.
VI \$100,001 to \$500,000	\$1,100.00 for the first \$100,000 plus \$6.63 for each additional \$1,000 or fraction thereof, to and including \$100,000.
VII \$500,001 to \$1,000,000	\$3,400.00 for the first \$500,000 plus \$6.20 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.
VIII \$1,000,001 and up.....	\$5,700.00 for the first \$1,000,000 plus \$3.80 for each additional \$1,000 or fraction thereof.

e. Set Up Inspection Fee. A set up inspection fee shall be charged as follows: Set up inspection fees for a single wide mobile home, manufactured home and factory-built house will be a minimum of \$275.00, and if the value of the home/house is greater than \$25,000.00 the fee will be calculated as provided under this Resolution for any other structure.

f. Other Inspections and Fee.

- 1 Inspections out of normal business hours.\$60.00 per hr. / Minimum 2 hrs.
- 2 Re-inspection fees\$60.00 per hr.
- 3 Inspections for which no fee is specifically\$60.00 per hr. / Minimum 0.5 hrs. Charged.
- 4 Additional plan review required.....\$60.00 per hr./ Minimum 0.5 hrs. By changes, additions or revisions to approved plans.
- 5 Plan Review Fee for Consultants. If the Building Official determines that the plans require review by a third party consultant, the applicant will pay, at the time of application, the estimated cost for the review. After the review is complete, the applicant will be refunded any money not required to pay the consultant, but if the review costs more than the estimate, the applicant is required to pay the additional fees before the building permit will be issued.

- 6 Inspection Fee for Consultants. If the Building Official determines that a third party consultant is required to properly inspect the project, the applicant and property owner are responsible to reimburse any additional fees required fees for the third party inspection before a certificate of occupancy will be issued.
- g. Fee Amendments. From time to time, the Town of Fowler Board of Trustees may amend the fees contained herein by resolution or by ordinance.
- h. Severance. If any sentence, clause, phrase or section of the provisions of these Codes or their application to any person, firm, or corporation or any circumstance is held to be invalid or unconstitutional by a decision of any Court, such decision shall not affect the validity of the remaining portions of these Codes.
- i. Conflicts. All existing Town of Fowler code sections, ordinances or resolutions that conflict with these Codes or the provisions of this ordinance are hereby amended and/or repealed.

INTRODUCED, READ BY TITLE, PASSED, HEARING ORDERED AND ORDERED PUBLISHED ON FIRST READING the 25th day of January, 2016

HEARING CONDUCTED on the 22nd day of February, 2016.

ADOPTED AND APPROVED the 22nd day of February, 2016.

TOWN OF FOWLER

DATED this 22nd day of February, 2016.

BY: _____
Mayor Town of Fowler

ATTEST:

Kelly Lotrich, Town Clerk