

ORDINANCE 1707

AN ORDINANCE AMENDING CHAPTER 1 (BUILDING CODE) OF TITLE 18 (BUILDING CODES) OF THE FOUNTAIN MUNICIPAL CODE, AS AMENDED, PERTAINING TO THE ADOPTION OF THE PIKES PEAK REGIONAL BUILDING CODE, 2017 EDITION.

WHEREAS, by an intergovernmental agreement, the City of Fountain uses the services of the Pikes Peak Regional Building Department to administer and enforce building and construction codes; and

WHEREAS, in 2017 the Pikes Peak Regional Building Department adopted changes to the Pikes Peak Regional Building Code, 2017 Edition, that the participants in the intergovernmental agreement need to adopt for purposes of uniformity; and

WHEREAS, the amendments adopted by the Pikes Peak Regional Building Department are incorporated into the Pikes Peak Regional Building Code, 2017 Edition; and

WHEREAS, the Pikes Peak Regional Building Department requests that the City adopt the Pikes Peak Regional Building Code, 2017 Edition; and

WHEREAS, City staff recommends that the City adopt the Pikes Peak Regional Building Code, 2017 Edition; and

WHEREAS, City staff recommends that certain technical changes be made to Title 18 of the City Code;

BE IT ORDAINED by the City Council of the City of Fountain, Colorado:

Section 1: Chapter 01 (Building Code) of Title 18 (Building Codes) of the Fountain Municipal Code is amended to read:

18.01.010 TITLE: This Chapter shall be known and may be cited as "The Pikes Peak Regional Building Code", "Regional Building Code", or "Building Code".

18.01.020 Code Adopted by Reference: The Pikes Peak Regional Building Code, 2011 Edition Third Printing Dated March 8, 2016 **2017 Edition**, published by the Pikes Peak Regional Building Department, 2880 International Circle, Colorado Springs, CO 80910, (the Pikes Peak Regional Building Code) is adopted by reference as if set out in its entirety.

18.01.030 Codes Available for Inspection and Sale: One copy of the Pikes Peak Regional Building Code certified by the Mayor and the City

Clerk to be a true copy, and one copy of each secondary code the Pikes Peak Regional Building Code adopted by reference, each certified by the Mayor and the City Clerk to be a true copy, shall be maintained on file in the Office of the City Clerk and may be inspected during regular business hours. The City Clerk shall assure that a reasonable supply of copies of the Pikes Peak Regional Building Code and the secondary codes the Pikes Peak Regional Building Code adopted by reference are maintained for sale at a reasonable price at the Pikes Peak Regional Building Department, 2880 International Circle, Colorado Springs, CO 80910.

18.01.040 Sections Deleted from the Pikes Peak Regional Building Code:
The following sections are deleted from the Pikes Peak Regional Building Code: RBC101.8 **and** RBC103.12, ~~RBC301.5, and RBC313.10.~~

18.01.050 Violations: A person who violates this Building Code is guilty of a misdemeanor and upon conviction shall be fined not more than \$500.00, or imprisoned not more than ninety (90) calendar days in the city jail or county jail, or both. Each calendar day an illegal erection, construction, reconstruction, alteration, maintenance, or use continues is a separate offense. If a building or structure is erected, constructed, reconstructed, altered, remodeled, used, or maintained in violation of this Building Code the city attorney, in addition to other remedies provided by law, may institute an appropriate action for injunction, mandamus, or abatement to prevent, enjoin, abate, or remove the unlawful erection, construction, reconstruction, alteration, remodeling, maintenance, or use.

18.01.060 Authority to Impose Fines: The Building Official may impose an administrative fine of not more than \$1,000.00 on a person engaged in construction consulting work or construction work covered by this Building Code who engages in that work in violation of this Building Code. Appeals of an administrative fine may be commenced as provided by RBC101.7.

18.01.070 Fire Board of Appeals: RBC111.7 is amended to read:

The Fire Board of Appeals shall have the power and authority specified in RBC207.3.6.

~~18.01.080 New Permit Required. RBC105.9.2.1 is amended by deleting the last sentence and replacing it with the following:~~

~~Before a permit is issued, the applicant shall pay the fees established by City Council.~~

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by the City Charter.

Introduced, read by title, and passed on first reading, this 10th of April, 2018, by City Council and ordered to be published by title in the El Paso County Advertiser and News with a summary written by the City Clerk, and with a statement that the ordinance is available for public inspection and acquisition in the office of the City Clerk, 116 South Main Street, Fountain, Colorado 80817.



Silvia Huffman
Silvia Huffman, City Clerk

CITY OF FOUNTAIN, COLORADO

By: [Signature]
Phillip Thomas, Mayor Pro Tem

Introduced, read by title, and passed on second and final reading on the 24th day of April, 2017 signed by the Mayor, and ordered published by title in the El Paso County Advertiser and News a newspaper of general circulation in the City of Fountain, Colorado, in accordance with the City Charter.



By: Silvia Huffman
Silvia Huffman, City Clerk

CITY OF FOUNTAIN, COLORADO

By: [Signature]
Gabriel P. Ortega, Mayor