

ORDINANCE NO. 15

AN ORDINANCE FOR THE COMPREHENSIVE BUILDING REGULATIONS OF THE COUNTY OF ALAMOSA, COLORADO; ADOPTING BY REFERENCE THE 2003 EDITION OF THE "INTERNATIONAL BUILDING CODE", THE 2003 EDITION OF THE "INTERNATIONAL RESIDENTIAL CODE" AND THE 2003 EDITION OF THE "INTERNATIONAL MECHANICAL CODE"; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ALAMOSA, COLORADO:

Section 1. Adoption. Pursuant to C.R.S. § 30-28-201, there is hereby adopted by reference the 2003 editions of the "International Building Code," the 2003 edition of the "International Residential Code" and the 2003 edition of the "International Mechanical Code" promulgated and published by International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The subject matter of the International Building Code, International Residential Code and International Mechanical Code relates primarily to comprehensive building regulations for the County. The purpose of the Ordinance and the Codes adopted therein is to provide a system of building regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation. Three (3) copies of the International Building Code, the International Residential Code and the International Mechanical Code adopted herein are now filed in the office of the Clerk of the County of Alamosa, Colorado, and may be inspected during regular business hours.

Section 2. Deletions. The 2003 editions of the International Building Code, the International Residential Code and the International Mechanical Code are adopted as if set out at length save and except the following articles and/or sections which are declared to be inapplicable to this municipality and are therefore expressly deleted:

NONE

Section 3. Additions or Modifications. The said adopted Codes are subject to the following additions or modifications:

NONE

Section 4. Penalties. The following penalties, herewith set forth in full, shall apply to this ordinance:

- (a) It is unlawful for any person to violate any of the provisions adopted in this ordinance.

(b) Every person convicted of a violation of any provision adopted in this ordinance shall be punished by a fine not exceeding One Hundred dollars (\$ 100.00), or by imprisonment not exceeding ten (10) days, or by both such fine and imprisonment. Each day during which any provision of this Ordinance is violated shall be deemed a separate offense.

Section 5. Application. This ordinance shall apply to the erection, constructions, reconstruction, or alteration of any building or structure, either within or outside the corporate limits of this municipality or county, the use of which this municipality or county has jurisdiction and authority to regulate.

Section 6. Validity. If any part of parts of this ordinance are for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this ordinance. The Board of County Commissioners hereby declares that it would have passed this ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

Section 7. Repeal. Existing or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

Section 8. Interpretation. This ordinance shall be so interpreted and construed as to effectuate its general purpose to conform with similar regulations throughout the state and the nation. Article and section headings of the ordinance and adopted International Building Code, International Residential Code and International Mechanical Code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof.

Section 9. Certification. County Clerk shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

By adoption of this Ordinance, any Alamosa County Resolution/Ordinance in conflict is hereby revoked as of January 1, 2006.

INTRODUCED, READ AND ORDERED published the 31st day of August, 2005, with public hearing occurring on the 26th day of October, 2003, at 9:45 a.m.

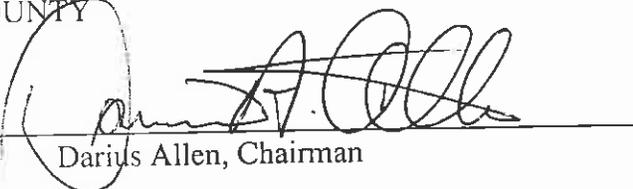
APPROVED AND ADOPTED on November 9, 2005.

EFFECTIVE on January 1, 2006.

BOARD OF
COUNTY COMMISSIONERS OF ALAMOSA
COUNTY

(SEAL)

By



Darius Allen, Chairman

ATTEST:

Dancer N. Galy, deputy clerk
Holly Z. Dowder,
Clerk of the Board



BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2016 – G - 14

RE: A RESOLUTION AMENDING ORDINANCE NO. 15 REGARDING THE COMPREHENSIVE BUILDING REGULATIONS OF THE COUNTY OF ALAMOSA, COLORADO.

Commissioner Donny moved for the adoption of the following Resolution.
Commissioner Johan seconded the motion.

WHEREAS, the Board of Commissioners for Alamosa County, pursuant to §C.R.S. 30-28-201, is authorized to adopt building codes for the unincorporated portions of Alamosa County; and

WHEREAS, on November 9, 2005, the Board of Commissioners for Alamosa County, adopted Ordinance No. 15 adopting certain building codes for the unincorporated portions of Alamosa County; and

WHEREAS, the Board of Commissioners for Alamosa County, pursuant to §C.R.S. 30-28-204, is authorized to amend said building codes after public hearing which notice of said hearing is provided by publishing notice in at least one newspaper of general circulation fourteen days prior to said hearing; and

WHEREAS, a notice for public hearing on the amendments to Ordinance No. 15 was ordered by the Board of Commissioners for Alamosa County at a regularly scheduled meeting on May 11, 2016; and

WHEREAS, notice was published in the Valley Courier, stating that a public hearing on the proposed amendments would be held before the Board of Commissioners for Alamosa County on June 29, 2016; and

WHEREAS, a public hearing was held before the Board of County Commissioners of Alamosa County on June 29, 2016, after said notice was published, for the consideration of the amendments to Ordinance No. 15; and

WHEREAS, the Building Official for Alamosa County has recommended that Ordinance No. 15 be amended as follows:



1. **“Section 1 Adoption”** of said Ordinance No. 15 shall be deleted in its entirety and shall be replaced as follows:

Section 1 – Adoption: Pursuant to C.R.S. § 30-28-201, there is hereby adopted by reference the 2012 International Building Code with certain exceptions; the 2012 International Residential Code with certain exceptions; the 2009 edition of the International Energy Conservation Code. The subject matter of the International Building Code, International Residential Code and International Energy Conservation Code relates primarily to comprehensive building regulations for the County. The purpose of the Ordinance and the Codes adopted therein is to provide a system of building regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation. Copies of the International Building Code, the International Residential Code and the International Energy Conservation Code, with exception noted herein, are now filed in the office of the Clerk of the County of Alamosa, Colorado, and may be inspected during regular business hours.

2. **“Section 2 Deletions”** of said Ordinance No. 15 shall be deleted in its entirety and shall be replaced as follows:

Section 2 – Deletions: The 2012 International Building Code; the 2012 International Residential Code; and the 2009 edition of the International Energy Conservation Code are adopted as if set forth fully herein except as follows:

The 2012 edition of the International Building Code is adopted in its entirety excepting the following provisions:

- Chapter 27
- Chapter 29
- Appendix A, D, H

The 2012 edition of the International Residential Code is adopted in its entirety excepting the following provisions:

- Chapter 11 shall be removed and replaced by the 2009 edition of the International Energy Conservation Code
- Chapters 25 through 27
- Chapters 30 through 32
- Chapters 34 through 40
- Chapter 43
- Appendix E, F, I, K, L, P



The 2009 edition of the International Energy Conservation Code is adopted in its entirety excepting the following provisions:

- None

3. "Section 3 Additions or Modifications" of said Ordinance No. 15 shall be deleted in its entirety and shall be replaced as follows:

Section 3 – Additions and Modifications: The 2012 International Building Code; the 2012 International Residential Code; and the 2009 edition of the International Energy Conservation Code are amended as set forth below:

The 2012 edition of the International Building Code is amended as follows:

A. SECTION 101: GENERAL

1. **101.4 Referenced Codes:** The other codes listed in sections 101.4.1 through 101.4.6 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.
 2. **Section 101.1 Title:** These regulations shall be known as the Building Code of Alamosa County, hereinafter referred to as "This Code".
 3. **Section 101.4.1 Gas:** Delete section. Add "All references to the provisions of the international Fuel and Gas Code shall not apply unless specifically adopted by the appropriate governing body."
 4. **Section 101.4.3 Plumbing:** Delete section. Add "All references to the provisions of the international Plumbing Code shall not apply unless specifically adopted by the appropriate governing body."
 5. **Section 101.4.4 Property Maintenance:** Delete section. Add "All references to the provisions of the international Property Maintenance Code shall not apply unless specifically adopted by the appropriate governing body."
 6. **Section 101.4.5 Fire Prevention:** Delete section. Add "All references to the provisions of the International Fire Code shall not apply unless specifically adopted by the appropriate governing body."
 7. **Section 101.4.6 Energy:** The provisions of the International Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency.
 8. **Section 101.4.2 Mechanical:** The provisions of the International Mechanical Code which cross over to this code and specific provisions of this code which reference mechanical installations shall be enforced as provided in this code.
- B. **Section 104.10.1 Flood Hazard Areas:** All development in areas prone to flooding shall comply with the Alamosa County Floodplain Regulations as adopted by the Alamosa County Board of County Commissioners through **Resolution No.2014-G-002**, and all subsequent amendments, additions, revisions of the same. In any case where there is a conflict between the provisions of this code and the provisions of the Alamosa County Flood Damage Prevention



Regulations, the Alamosa County Flood Damage Prevention Regulations shall prevail and shall supersede the provisions of this code.

B. SECTION 103: DEPARTMENT OF BUILDING SAFETY

1. **Section 103 and subsections 103.1 through 103.3:** are hereby deleted in their entirety and the following section and subsections are hereby substituted therefore:
2. **Section 103.1 Creation of enforcement agency:** There is hereby established the Alamosa County Department of Building Safety which shall be under the administrative and operational control of the Building Official. The **Section 103.2 Appointment:** The Building Official shall be appointed by the Alamosa County Board of County Commissioners.
3. **Section 103.3 Deputies:** In accordance with the prescribed procedures of Alamosa County and with concurrence of the Board of County Commissioners, the building official shall have the authority to appoint technical officers, inspectors, plans examiners and other staff persons. Such persons shall have powers and authority as delegated by the building official.

C. SECTION 105: PERMITS

1. **Sections 105.1.1 through 105.1.2:** are hereby deleted in their entirety and the following section is substituted therefore:
2. **Section 105.2 Work exempt from permits:** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of Alamosa County, the State of Colorado or the United States of America. Permits shall not be required for the following:
 - a. One story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed two (200) square feet.
 - b. Fences not over six (6) feet high.
 - c. Oil derricks
 - d. Retaining walls that are not over four (4) feet in height measured from the lowest point of finished grade to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids.
 - e. Water tanks supported directly on grade if the capacity does not exceed five thousand (5000) gallons and the ratio of height to diameter or width is not greater than 2 to 1.
 - f. Sidewalks and driveways not more than thirty (30) inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
 - g. Painting, papering, tiling, carpeting, cabinets, counter tops trim work and similar finish work.
 - h. Temporary motion picture, television, and theater stage sets and scenery.
 - i. Prefabricated swimming pools that are installed entirely above ground and in-ground swimming pools which are accessory to group R-3 occupancy.



- j. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
 - k. Swings and other playground equipment accessory to detached one and two family dwellings.
 - l. Window awnings supported by an exterior wall that do not project more than fifty four (54) inches from the exterior wall and do not require additional support.
 - m. Moveable fixtures, cases, racks, counters and partitions not over eight (8) feet in height.
1. **Section 105.5 Expiration:** Every permit issued by the Building Official under provisions of this code shall expire one year from the date of issue.
 - a. **Exceptions:**
 - i. Demolition permits expire 180 days from the date of issue.
 - ii. Re-roofing permits expire one year from the date of issue.
 2. **Section 105.5.1 Renewal:** The building official is authorized to renew any permit for one additional year provided that a request for renewal from the permit holder and the appropriate renewal fee submitted to the building department prior to the expiration date. No permit may be renewed more than once.
 - a. **Exceptions:**
 - i. Demolition permits may not be renewed.
 - ii. Re-roofing permits may not be renewed.
 3. **Section 105.7 Replacement of Permit:** is hereby amended by adding the following sentence: Add "Replacement of a lost, stolen or damaged building permit card is subject to a fee pursuant to the Alamosa County Building Department Fee Schedule-Table B".

D. SECTION 109: FEES

1. **Section 109.4 Work:** commencing before permit issuance. Any person who commences work on a building or structure before obtaining the necessary permits shall be subject to a penalty or additional fee, the amount of which is equal to the required permit fee, and shall be payable in addition to the required permit fee. Civil penalties may also be assessed pursuant Colorado Law, including but not limited to, Article 28 of Title 30, Colorado Revised Statutes as amended.
2. **Section 109.6 Refunds:** The building official will apply to the Alamosa County Finance Office for any refund only upon receipt of a written request for refund from the original permit applicant and not later than ninety (90) days after the date of fee payment. The building official is authorized to deduct from the fee payment of any expenses incurred by the building department for administrative costs or plan review time.

E. SECTION 110: INSPECTIONS

Section 110.3.10 Final Inspection: The final inspection shall be made after all work required by the building permit is completed and final inspections from a Colorado State Electrical and Colorado State Plumbing Inspector have been approved.



The 2012 edition of the International Residential Code is amended as follows:

- A. **Section R101.1 Title:** Insert "Alamosa County"
- B. **Section R102.7 Existing Structures:** Delete references to "International Property Maintenance Code and the International Fire Code."
- C. **Section R105.5 Expiration:** Delete Section and replace with "Notwithstanding provisions in the applicable Building codes to the contrary, permits issued under the County Building Codes are effective for a period of one (1) year. Upon a written request for an extension by the applicant, a permit may be extended for an additional one (1) year period. In order to renew action on a permit after expiration, the permittee shall pay one half of the original fee, except the Building Official may authorize one fourth the original fee where all rough inspections have been completed and approved under the expired permit. Up to two extensions may be requested, provided that in no event may a permit be valid for more than three years, or for more than two years following the adoption of a new edition of the applicable building code, whichever is less. For example, if a building permit is issued on January 15, 2016 and a new edition of the building code is adopted on June 1, 20 2016, the maximum date to which the permit can be effective, including the extensions, would be June 1, 2018."
- D. **Section R108.3 Building Permit Valuations:** Delete section and replace with "valuation shall be established using the procedures outlined in Exhibit A." The fee schedule is based on the projected construction cost of the work to be done. Two methods are used to determine this cost valuation: (1) a "per-square foot" factor based on the use and occupancy of the building and the type of construction involved or (2) the "Bid or Estimated Cost" factor based on the total accepted bid price for doing the work. The valuation is determined by including the value of the construction process, including both material and labor. It is important that a realistic valuation be determined for every project so that permit fees are applied fairly and accurately."
- E. **Section R108.6** commencing before permit issuance. Any person who commences work on a building or structure before obtaining the necessary permits shall be subject to a penalty or additional fee, the amount of which is equal to the required permit fee, and shall be payable in addition to the required permit fee. Civil penalties may also be assessed pursuant Colorado Law, including but not limited to, Article 28 of Title 30, Colorado Revised Statutes as amended.
- F. **Section R 110.1 Use and Occupancy:** Add: "Accessory buildings or a structure without habitable space or decks, porches, or minor remodels (remodels other than additions)."
- G. **Table R 301.2 (1):** is hereby amended by adding the following information to the corresponding columns as Climatic and Geographic Design Criteria.
 - 1. Ground snow load-30lb.Except in the Zapata Subdivision is 40 lb.
 - 2. Wind speed-90 miles per hour (3 second gust).
 - 3. Topographic Effects-No
 - 4. Seismic Design Category-C
 - 5. Subject to Damage by Weathering-Severe
 - 6. Subject to Damage by Frost Line-36 inches
 - 7. Subject to Damage by Termite-Moderate to Heavy



8. Subject to Damage by Decay-None to Slight
9. Winter Design Temperature-16° F
10. Ice Barrier Underlayment Required-Yes
11. Flood Hazards-FIRM (adopted June 1, 1978-amended March 12, 2014)
12. Air Freezing Index-3000
13. Mean Annual Temperature 43° F

H. **Section R313-Automatic Fire Sprinkler Systems:** is hereby deleted in its entirety.

4. “Section 4 Penalties” of said Ordinance No. 15 shall be deleted in its entirety and shall be replaced as follows:

Section 4 – Penalties: Any person who violates a provision of this code shall be subject to a penalty or additional fee, the amount of which is equal to the required permit fee, and shall be payable in addition to the required permit fee. Civil penalties may also be assessed pursuant Colorado Law, including but not limited to, Article 28 of Title 30, Colorado Revised Statutes as amended.

5. “Section 9 Certification” of said Ordinance No. 15 shall be deleted in its entirety and shall be replaced as follows:

Section 9 – Permit Fees: Permit fees shall be in accordance with the Fee Schedules attached hereto identified as Exhibit A and Exhibit B respectively.

WHEREAS, the Board of County Commissioners finds that the amendments to Ordinance No. 15 regarding such building codes, permit fees, and penalties should be adopted and enforced in the unincorporated area of Alamosa County that being all that of Alamosa County that are not embraced within the limits of any incorporated city or town; and

WHEREAS, the Board of County Commissioners for Alamosa County hereby finds that the provisions of the 2012 edition of the International Building Code, the 2012 edition of the International Residential Code and the 2009 edition of the International Energy Conservation Code with the exceptions noted herein take into consideration the public health, safety, and general welfare; and the safety, protection and sanitation of dwellings, buildings and structures within the county.

THEREFORE BE IT RESOLVED by the Board of County Commissioners of Alamosa County that Alamosa County Ordinance No. 15, adopted on the 9th day of November, 2005, is hereby amended as set forth herein and any provision not amended herein remains in full force and effect as of the date of this Resolution. Amendments to Ordinance No. 15 shall become effective 30 days from the date of this Resolution.



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Melanie Woodward
Alamosa Cnty Clerk

BE IT FURTHER RESOLVED that the Board of County Commissioners of Alamosa County hereby order that a copy of this Resolution shall be filed with the Alamosa County Clerk and Recorder and copies shall be made available for public inspection at the Alamosa County Land Use Office. The filing of this Resolution shall serve as notice of the description of the area subject to Ordinance No. 15 pursuant to §30-28-208 C.R.S.

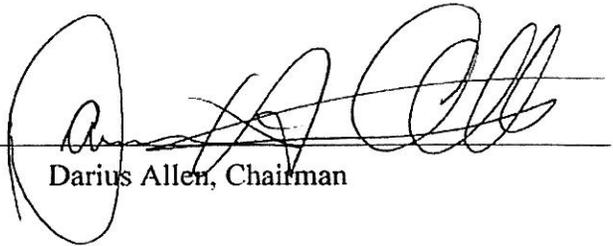
Passed by roll call vote, three in favor, none opposed

Done this 29th day of June, 2016

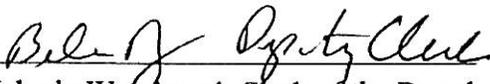
DATED: This 29th day of June, 2016.

BOARD OF COUNTY COMMISSIONERS OF ALAMOSA

COUNTY
(S E A L)

By 
Darius Allen, Chairman

ATTEST:


Melanie Woodward, Clerk of the Board