

TITLE 6

BUILDING AND CONSTRUCTION

CHAPTERS:

- 6.02 RECREATIONAL VEHICLES AND RECREATIONAL VEHICLE PARKS
- 6.03 MOBILE HOME REGULATIONS
- 6.04 FLOODPLAIN REGULATIONS
- 6.05 INTERNATIONAL BUILDING CODE
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CHAPTER 6.02

RECREATIONAL VEHICLES AND RECREATIONAL VEHICLE PARKS

Sections:

- 6.02.010 Definitions.
- 6.02.020 Recreational Vehicle Parks and Resorts Prohibited.
- 6.02.030 Storage of Recreational Vehicles.

6.02.010 Definitions. The following definitions shall apply.

- A. “Recreational Vehicle” shall refer to all vehicles, with or without motive power, designed, converted or used to provide temporary living quarters that include four or more of the following permanently installed facilities: cooking, refrigeration or ice box, self-contained toilet, heating and/or air conditioning, potable water supply system including faucet and sink, separate 110-125 volt electrical power supply and/or LP gas supply. (Ord. 2003-01)
- B. “Recreational Vehicle Park” shall refer to any lot or parcel developed to provide spaces and facilities for the temporary residential use of two or more recreational vehicles. (Ord. 2003-01)
- C. “Recreational Vehicle Resort” refers to an integrated development where recreational vehicles are used for temporary residential purposes in conjunction with recreational and social centers designed to provide a significant portion of the recreational and social needs of the occupants of the resort. (Ord. 2003-01)

- D. “Recreational Vehicle Space” refers to a parcel of land within an approved recreational vehicle park, shown in the records of the Town of Orchard City, and which was designed and intended for the accommodation of one recreational vehicle. (Ord. 2003-01)

6.02.020 Recreational Vehicle Parks and Resorts Prohibited. No Recreational Vehicle Parks or Recreational Vehicle Resorts are permitted within the Town limits. (Ord. 2003-01)

6.02.030 Storage of Recreational Vehicles. The storage of recreational vehicles is governed by the following:

- A. No recreational vehicle shall be used for living, sleeping or housekeeping purposes for longer than ninety (90) days during any twelve (12) month period when parked in any location not specifically approved for such use. Persons shall not live or sleep in a recreational vehicle parked on a public street or parking lot; and (Ord. 2003-01)
- B. Recreational vehicles shall not be parked on a public street or public or private parking lot for more than seventy-two (72) consecutive hours. (Ord. 2003-01)
- C. The use of recreational vehicles may be permitted after an application has been made to the Town and approved by the Town Administrator. Limited exceptions may include use of recreational vehicles as temporary office space on construction sites, and for temporary dwelling while the primary residence is being constructed on the same parcel. (Ord. 2005-06, Prior Ord. 2003-01)

CHAPTER 6.03
MOBILE HOME REGULATIONS

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- 6.03.340 Non-Conforming Mobile Home Park.
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- 6.03.360 Modifications of Standards.

ARTICLE I - STATUTORY AUTHORIZATION, EFFECTIVE DATE, FINDINGS OF FACT, PURPOSE AND OBJECTIVE

6.03.010 Statutory Authorization. The Legislature of the State of Colorado has in C.R.S. §31-23-301, et seq., as amended, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizens. Therefore, the Board of Trustees ordains as set forth in this Chapter. (Ord. 3-1997)

6.03.020 Effective Date. All provisions of these Regulations shall be effective as of the date of formal adoption of this Chapter by the Board of Trustees of Orchard City, Colorado, (the "Effective Date"). (Ord. 3-1997, Passed at the August 13, 1997 meeting)

6.03.030 Statement of Purpose. It is the intent of these Standards to promote an acceptable and safe living environment for mobile home users on rented or leased sites within a Mobile Home Park. It is further the intent to establish compatible land use regulations with due regard to a mobile home's necessity as a residential dwelling unit and to establish safety standards for Mobile Homes moved into or within the Town limits. (Ord. 3-1997)

6.03.040 Findings of Fact. The Town has experienced an influx of mobile homes which do not meet the construction standards of The National Mobile Home Construction & Safety Standards Act of 1974 (42 U.S.C. 1501) and which were manufactured prior to June 15, 1976. The existence of such structures is considered dangerous by the Town Council. Furthermore, mobile homes are being located throughout the Town without regard to the impact of their location on surrounding properties and such random placement is not in the best interests of the citizens of the Town. (Ord. 3-1997)

ARTICLE II - DEFINITIONS AND GENERAL PROVISIONS

6.03.050 Definitions. Unless specifically defined in this section, words or phrases used in this Chapter shall be interpreted so as to give them the meaning they have in common usage and to give this Chapter its most reasonable application.

- A. A “site” or “space” refers to a rentable space of real property within a Mobile Home Park. (Ord. 3-1997)
- B. A “Manufactured Home” is a single-family dwelling which is partially or entirely manufactured in a factory, is not less than twenty-four (24) feet in width and thirty-six (36) feet in length, is installed on an engineered permanent foundation, has brick, wood or cosmetically equivalent exterior siding and a pitched roof (minimum 3-12 pitch) and is certified pursuant to the National Manufactured Housing Construction and Safety and Standards Act of 1974, 42 U.S.C. 5401, *et. seq.*, as amended, and is built for the Colorado climate according to the Department of Housing and Urban Development standards established under the provisions of 42 U.S.C. 5401. (Ord. 2002-17, Prior Ord. 3-1997)
- C. A “Manufactured Housing Subdivision” is a parcel of land subdivided into lots, each lot individually owned and utilized as the site for placement of a single-family manufactured home or single-family factory built home. A Manufactured Housing Subdivision must meet Town of Orchard City subdivision standards. (Ord. 3-1997)
- D. A “Mobile Home” is any wheeled vehicle (even if wheels and axles have been removed) containing five hundred (500) square feet or more of living area, without motor power, built on a permanent chassis designed for long-term residential occupancy or office use and containing complete electrical, plumbing and sanitary facilities and designed to be installed in a permanent or semi-permanent manner with or without a permanent foundation which is capable of being drawn over public highways as a unit or in sections by special permit. Manufactured Homes shall not be considered mobile homes. (Ord. 3-1997)
- E. A “Mobile Home Park” is any park, trailer park, trailer court, camp, site, lot, parcel, or tract of land designed, maintained or intended for the purpose of supplying a location or accommodation of any Mobile Home, and upon which any Mobile Home is parked and shall include all buildings used or intended for use a part of the equipment thereof whether a charge is made for the use of the mobile home park and its facilities or not. Mobile Home Park shall not include automobile or trailer sales lots on which unoccupied trailers or mobile homes are parked for purposes of inspection and sale. (Ord. 3-1997)
- F. A “Replacement Mobile Home” is a Mobile Home moved in to replace an established mobile home that must comply with the regulations of National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401), *et seq.* (Ord. 3-1997)

6.03.060 Construction Standards for Mobile Homes. No Mobile Home may be moved into or within Orchard City unless the construction of the same complies with the requirements of NMHC & Safety Standards Act of 1974 (42 U.S.C. 1501), and which are manufactured after June 15, 1976. All Mobile Homes moved into or within Orchard City, Colorado, from and after the Effective Date, must be located in an approved Mobile Home Park, except in the case of an approved Replacement Mobile Home as in definition 6.03.050. (Ord. 3-1997)

6.03.070 Existing Approved Mobile Homes Parks. As of the Effective Date, the following are the only approved Mobile Home Parks within the Town and they are approved for the following maximum number of units:

<u>NAME OF PARK</u>	<u>NUMBER OF UNITS</u>
Cherry Acres North.....	29 Units
Cherry Acres South.....	30 Units
Eckert Mobile Home Park & Cottages	27 Units
El Da Ma Da Trailer Court	14 Units
Horizons.....	50 Units
Wagon Wheel.....	14 Units

These existing Mobile Home Parks shall not be increased in size or capacity unless specifically approved in advance by the Board of Trustees in accordance with the provisions of these Regulations. No new Mobile Home Parks shall be permitted unless specifically approved in advance by the Board of Trustees in accordance with the provisions of these Regulations. (Ord. 3-1997)

6.03.075 Existing Mobile Homes Outside of Mobile Home Parks. Existing mobile homes may remain in place but may not be moved to any other location in the Town limits, including relocations on the same parcel of land. If any other dwelling unit is constructed on a parcel of land where an existing mobile home is located, then within sixty (60) days of the replacement structure receiving water service or within sixty (60) days of substantial completion of the new structure, the mobile home must be vacated as a dwelling unit and must be physically removed from the property. (Ord. 2003-02, Prior Ord. 3-1997)

6.03.080 Enforcement. Any person who violates or fails to comply with any provision of these Regulations shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$1,000 or imprisonment not to exceed one year, or both. Each day in which any such violation occurs or persists shall be deemed a separate and distinct offense. (Ord. 3-1997)

ARTICLE III - MOBILE HOME PARK STANDARDS

The following standards shall apply to all Mobile Home Parks:

6.03.090 Minimum Service Requirements. All of the utilities described in this section must be properly installed in accordance with existing regulations, and with systems of adequate capacity to meet anticipated demand. Each site or space will provide but not be limited to the following services:

- A. *Domestic Water.* Domestic water shall be installed and maintained in accordance with current regulations or the water department of the Town of Orchard City, Colorado. Such service shall provide for all necessary easements. (Ord. 3-1997)

- B. *Sewage Disposal.* A Sewage disposal system shall operate at all times in conformance with all applicable rules and regulations of the State and County. If the system at any time does not so comply, then at the time of the repair or replacement of the system it shall be upgraded to a closed, engineered, septic system, or mechanical system, sufficient to provide sewage disposal for the mobile home park in its entirety. Such service shall provide for all necessary easements. Individual sewage disposal systems for each site shall not be permitted. (Ord. 3-1997)
- C. *Electricity.* Electric lines, except major power transmission lines, shall be underground, unless specifically exempted by the Board, which shall grant such exemptions only in cases of extreme difficulty of installation. Illumination shall be provided during hours of darkness to permit the safe movement of individuals and vehicles. Such service shall provide for all necessary easements. (Ord. 3-1997)
- D. *Telephone.* Telephone lines shall be entirely underground and shall be constructed in accordance with the providers' requirements as well as any overriding Town of Orchard City requirements. Such service shall provide for all necessary easements. (Ord. 3-1997)
- E. *Natural or LP Gas May Be Provided.* Natural gas (if provided) shall be installed and maintained in accordance with current regulations of the gas provider and the Town of Orchard City, Colorado. Such service shall provide for all necessary easements. Liquid Propane Tanks shall, at a minimum, be set in accordance with the requirements of the provider and such service shall provide for all necessary easements including but not limited to the following:
1. One hundred twenty (120) gallon tank - three feet (3') from any structure/twenty-five feet (25') from lot lines. (Ord. 3-1997)
 2. Two hundred fifty (250)/five hundred (500) gallon tanks - ten feet (10') from any structure, flammable fences or other flammable material/twenty-five feet (25') from lot lines. (Ord. 3-1997)
- F. *Fire Protection.* Every mobile home park shall be equipped with fire hydrants in good working order of such type, size and number and so located within the park so as to satisfy applicable recommendations of Fire District #3, Cedaredge, Colorado. (Ord. 3-1997)
- G. *Concrete Pad For Location of Replacement Unit.* As units are replaced in any mobile home park, concrete pads shall be provided for the location and tie-down of the Unit. (Ord. 3-1997)
- H. *Cable Television.* Cable television lines shall be entirely underground and shall be constructed in accordance with the providers' requirements as well as any overriding Town of Orchard City requirements. Such service shall provide for all necessary easements. (Ord. 3-1997)

6.03.100 Number of Units. Two (2) or more mobile homes. (Ord. 3-1997)

6.03.110 Minimum Park Width. One hundred thirty feet (130') on existing Mobile Home Parks and two hundred feet (200') on any new Mobile Home Park. (Ord. 3-1997)

6.03.120 Maximum Density. Eight (8) mobile homes per acre. (Ord. 3-1997)

6.03.130 Maximum Building Coverage. No more than sixty-five percent (65%) of any Mobile home site or space shall be occupied by a mobile home. (Ord. 3-1997)

6.03.140 Access. Each mobile home park shall have at least one (1) main access which shall connect to a dedicated public right-of-way and one (1) emergency access or a one hundred-foot (100') radius cul-de-sac. The main access street shall be constructed in compliance with standard Town Road specifications. (Ord. 3-1997)

6.03.150 Placement. All mobile homes shall be placed in accordance with the Mobile Home Park Improvement Agreement. (Ord. 3-1997)

6.03.160 Space Size. Minimum individual site or space area:

- A. Single-wide mobile home - three thousand (3,000) square feet. (Ord. 3-1997)
- B. Double-wide or expandable mobile home - four thousand (4,000) square feet. (Ord. 3-1997)

6.03.170 Space Width. Minimum individual lot or space width: forty feet (40'). (Ord. 3-1997)

6.03.180 Setbacks. The following minimum setbacks shall apply:

- A. Front yard - twenty feet (20') where front parking is provided. (Ord. 3-1997)
- B. Side yard - six feet (6'). (Ord. 3-1997)
- C. Rear yard - six feet (6'). (Ord. 3-1997)
- D. No infringement into the required setbacks shall occur except that open carports or shelters (two (2) open sides) may extend to within two (2) feet of the property lines. (Ord. 3-1997)
- E. The minimum distance of any building or mobile home from any exterior boundary of the mobile home park shall be twenty feet (20'). (Ord. 3-1997)

6.03.190 Maximum Height. Maximum structural height: thirty feet (30'). (Ord. 3-1997)

6.03.200 Off-Street Parking. Each space shall have sufficient off-street parking for two (2) vehicles. The parking area shall be no less than eighteen feet (18') by eighteen feet (18'). (Ord. 3-1997)

6.03.210 Interior Streets. All interior streets shall be hard-surfaced with asphalt or concrete and shall provide convenient access to each individual lot or site. Street width shall be in accordance with the following table: (Ord. 3-1997)

<u>Parking</u>	<u>Minimum Paved Street Width</u>
No parking	Twenty-four feet (24')
One side only	Thirty feet (30')
Both sides.....	Thirty-six feet (36')

6.03.220 Walkways. Walkways not less than three feet (3') in width and having an all-weather surface shall be provided from each mobile home site or lot to all service buildings. (Ord. 3-1997)

6.03.230 Lighting. Interior streets, parking areas and walkways shall be adequately lighted so as to provide safe movement of vehicles and pedestrians during hours of darkness. (Ord. 3-1997)

6.03.240 Common Storage Areas. An enclosed individual or common storage area for the use of the Mobile Home Park residents shall be provided in an amount equal to one hundred (100) square feet per Mobile Home. (Ord. 3-1997)

6.03.250 Skirting. Within thirty (30) days after placement on a site or space all mobile homes shall be skirted between the floor and the ground surface with durable, all-weather construction as manufactured specifically for the purpose of covering the undercarriage area of mobile homes. (Ord. 3-1997)

6.03.260 Prohibitions. Recreational vehicles (as defined in 6.02.010) shall not be allowed except in the use as a temporary dwelling during the purchase and installation of an approved mobile home or other permanent residence. Said use shall be limited to no more than ninety (90) days in any calendar year. (Ord. 2003-02, Prior Ord. 3-1997)

6.03.270 Limited Exception for Recreational Vehicles. Recreational vehicles may be located (parked) upon private property for temporary occupancy for a period not to exceed ninety (90) days in any calendar year for any tract of property, either inside or outside of a mobile home park. Recreational vehicles used in this manner must be located within the minimum setback requirements of the Town of Orchard City, Colorado. (Ord. 2003-02, Prior Ord. 3-1997)

6.03.280 Dependent Mobile Homes. Dependent mobile homes (any type of trailer or vehicle that does not meet the definition of a recreational vehicle, and that is dependent upon a service building for toilet, lavatory and bathing facilities) shall not be permitted in Orchard City, Colorado. (Ord. 2003-02, Prior Ord. 3-1997)

6.03.290 Replacement Mobile Homes. Town of Orchard City must be notified in writing prior to removing existing Mobile Homes which are not located within existing approved Mobile Home Parks and replacements must comply with 6.03.090(G) and 6.03.250. (Ord. 3-1997)

ARTICLE IV - ADMINISTRATIVE PROCEDURES

6.03.300 Notification. Within two (2) weeks of the Effective Date, the Town Clerk shall provide a copy of these Regulations to the owners of record of each Existing Approved Mobile Home Park. Such notification shall be by regular U.S. Mail. In addition, within two (2) weeks after the Effective Date, the Town Clerk shall cause to be published a notice of the adoption of these Regulations and a copy thereof shall be made available to the public at the Town Hall. (Ord. 3-1997)

6.03.310 Filing of Site Plan and Phasing. The owners of all Existing Approved Mobile Home Parks which do not meet all of the Standards as set forth in this Chapter shall submit a Site Plan and Phasing Plan ("Plan") to the Town within one (1) year after the Effective Date. The Plan shall present a scale drawing of the existing Mobile Home Park and a drawing of the Park, as it will exist after being brought into compliance with these Standards. Accompanying the drawings will be detailed narratives describing the present condition of the facilities, how the facilities will be brought up to these Standards and a time schedule for completion of the upgrading. The Plan shall include a means of financing the improvements, phasing of the improvements, and a surety acceptable to the Town Council to guarantee the completion of the improvements. The Planning Commission shall provide guidelines to be followed in making the submittal. (Ord. 3-1997)

6.03.320 Extension of Time for Submittal of the Plan. If the owner files an application for extension of time in which to submit the Plan, and if the application for extension of time is received by the Town Clerk within one (1) year of the Effective Date, then for good cause shown the Town Council may grant additional time within which to submit the Plan. The Town Council, after Planning Commission review, may approve, approve with conditions, or deny the Plan. Upon final acceptance by the Town of the Plan, the document shall be signed by the Owner and the Town, shall be referred to as the "Mobile Home Park Improvement Agreement," and a copy shall be recorded with the Delta County Clerk and Recorder. (Ord. 3-1997)

6.03.330 Ten (10) Year Limitation. All Mobile Home Parks shall conform to all Standards established in this Chapter no later than ten (10) years after the Effective Date. Any Mobile Home Park which does not comply shall be closed. (Ord. 3-1997)

6.03.340 Non-Conforming Mobile Home Park. No replacement Mobile Homes shall be moved onto any space in a non-conforming Mobile Home Park until and unless a Mobile Home Park Improvement Agreement has been entered into and has been recorded with the Delta County Clerk and Recorder. (Ord. 3-1997)

6.03.350 Amortization of Non-Conforming Mobile Home Parks. If: (i) a Plan is not filed within one (1) year of the Effective Date or within such extension period as allowed by the Town Council; or (ii) the Town and the owners have not entered into a Mobile Home Park Improvement Agreement within three (3) years of the Effective Date; or (iii) if the terms and conditions of the Mobile Home Park Improvement Agreement are not completed in accordance with the Agreement, then the Town Council may terminate the approval of the Nonconforming Mobile Home Park by giving a Notice of Termination specifying the period within which the Park shall be required to cease operations. The Planning Commission shall establish a hearing procedure to be followed by the owner receiving the Notice of Termination. The period for ceasing operations shall be determined so as to allow a reasonable period for the recovery of amortizing the investment in the nonconforming Mobile Home Park, but such time shall not exceed five (5) years. No replacement Mobile Homes shall be moved onto any site or space in a nonconforming Mobile Home Park after receipt of the Notice of Termination. (Ord. 3-1997)

6.03.360 Modification of Standards. The standards established in this Chapter shall become effective thirty (30) days after publication of this Ordinance by the Town Trustees. These standards may be modified or waived in appropriate circumstances by the Town Trustees, after Planning Commission review, where it is demonstrated that no additional or adverse impact to the Town or the Public will result from such modification or waiver, and the design of the project offers alternative standards which are not detrimental to surrounding properties or to the community. (Ord. 3-1997)

CHAPTER 6.04
FLOODPLAIN REGULATIONS

**ARTICLE I - STATUTORY AUTHORIZATION, EFFECTIVE DATE,
FINDINGS OF FACT, PURPOSE AND OBJECTIVE**

Sections:

- 6.04.010 Statutory Authorization.
- 6.04.020 Findings of Fact.
- 6.04.030 Statement of Purpose.
- 6.04.040 Methods of Reducing Flood Losses.

ARTICLE II - DEFINITIONS AND GENERAL PROVISIONS

Sections:

- 6.04.050 Definitions
- 6.04.060 Lands to Which This Chapter Applies
- 6.04.070 Basis for Establishing Areas of Special Flood Hazard
- 6.04.080 Compliance
- 6.04.090 Abrogation and Greater Restrictions
- 6.04.100 Interpretation
- 6.04.110 Warning and Disclaimer of Liability

ARTICLE III - ADMINISTRATION

Sections:

- 6.04.120 Establishment of Development Permit
- 6.04.130 Designation of Floodway Administrator
- 6.04.140 Duties and Responsibilities of the Floodway Administrator
- 6.04.150 Variance Procedure

ARTICLE IV - PROVISIONS FOR FLOOD HAZARD REDUCTION

Sections:

- 6.04.160 General Standards
- 6.04.170 Specific Standards
- 6.04.180 Floodways

**ARTICLE I - STATUTORY AUTHORIZATION, EFFECTIVE DATE,
FINDINGS OF FACT, PURPOSE AND OBJECTIVE**

6.04.010 Statutory Authorization. The Legislature of the State of Colorado has in C.R.S. 1973 §31-23-301, et seq., as amended, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Board of Trustees ordains as set out in this Chapter. (Ord. 3-1983 §1.1)

6.04.020 Findings of Fact.

- A. The flood hazard areas of the town are subject to periodic inundations which result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. (Ord. 3-1983 §1.2(1))
- B. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately flood-proofed, elevated or otherwise protected from flood damage also contribute to the flood loss. (Ord. 3-1983 §1.2(2))

6.04.030 Statement of Purpose. It is the purpose of this Chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed: (Ord. 3-1983 §1.3)

- A. To protect human life and health; (Ord. 3-1983 §1.3(1))
- B. To minimize expenditure of public money for costly flood control projects; (Ord. 3-1983 §1.3(2))
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public; (Ord. 3-1983 §1.3(3))
- D. To minimize prolonged business interruptions; (Ord. 3-1983 §1.3(4))
- E. To minimize damage to public facilities and utilities such water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard; (Ord. 3-1983 §1.3(5))
- F. To help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas; (Ord. 3-1983 §1.3(6))
- G. To ensure that potential buyers are notified that property is in an area of special flood hazard; and (Ord. 3-1983 §1.3(7))
- H. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions. (Ord. 3-1983 §1.3(8))

6.04.040 Methods of Reducing Flood Losses. In order to accomplish its purposes, this Chapter includes methods and provisions for: (Ord. 3-1983 §1.4)

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities; (Ord. 3-1983 §1.4(1))
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction; (Ord. 3-1983 §1.4(2))
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters; (Ord. 3-1983 §1.4(3))
- D. Controlling filling, grading, dredging, and other development which may increase flood damage; and (Ord. 3-1983 §1.4(4))
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas. (Ord. 3-1983 §1.4(5))

ARTICLE II - DEFINITIONS AND GENERAL PROVISIONS

6.04.050 Definitions. Unless specifically defined in this section, words or phrases used in this Chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application. (Ord. 1-1989, Ord. 2-1988, Ord. 3-1983 §2.0)

- A. “Appeal” means a request for a review of the floodway administrator's interpretation of any provision of this Ordinance or a request for a variance. (Ord. 3-1983 §2.0)
- B. “Area of shallow flooding” means a designated AO or VO zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one foot (1’) to three feet (3’); a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. (Ord. 3-1983 §2.0)
- C. “Area of special flood hazard” means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. (Ord. 3-1983 §2.0)
- D. “Base flood” means the flood having a one percent chance of being equaled or exceeded in any given year. (Ord. 3-1983 §2.0)
- E. “Development” means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard. (Ord. 3-1983 §2.0)
- F. “Existing manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the

manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the Town of Orchard City. (Ord. 1-1990, Prior Ord. 1-1989, Prior Ord. 3-1983 §2.0)

- G. “Expansion to existing manufactured home park or subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads). (Ord. 1-1990, Prior Ord. 1-1989, Prior Ord. 3-1983 §2.0)
- H. “Flood” or “flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - 1. The overflow of inland or tidal waters; and/or
 - 2. The unusual and rapid accumulation or runoff of surface waters from any source. (Ord. 3-1983 §2.0)
- I. “Flood Insurance Rate Map (FIRM)” means the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. (Ord. 2-1988, Prior Ord. 3-1983 §2.0)
- J. “Flood Insurance Study (FIS)” means the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood. (Ord. 2-1988, Prior Ord. 3-1983 §2.0)
- K. “Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot (1’). (Ord. 3-1983 §2.0)
- L. “Habitable floor” means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a habitable floor. (Ord. 3-1983 §2.0)
- M. “Lowest floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or floor-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building’s lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Chapter. (Ord. 2-1988)
- N. “Manufactured home” means a structure, transportable in one or more sections, which is

built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.” (Ord. 1-1990, Ord. 2-1988)

- O. “Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale. (Ord. 2-1988)
- P. “Mobile home” means a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers. (Ord. 3-1983 §2.0)
- Q. “New construction” means structures for which the start of construction commenced on or after the effective date of the Ordinance codified in this Chapter. (Ord. 3-1983 §2.0)
- R. “New manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the Town of Orchard City. (Ord. 1-1990, Prior Ord. 3-1983 §2.0)
- S. “Recreational vehicle” means a vehicle which is (i) built on a single chassis; (ii) four hundred (400) square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. (Ord. 1-1990)
- T. “Start of construction” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. (Ord. 2-1988, Prior Ord. 3-1983 §2.0)
- U. “Structure” means a walled and roofed building or mobile home that is principally above ground. (Ord. 3-1983 §2.0)
- V. “Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty

percent (50%) of the market value of the structure before the damage occurred. (Ord. 1-1990)

- W. “Substantial improvement” means any rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either: (Ord. 1-1990, Prior Ord. 3-1983 §2.0)
1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or (Ord. 1-1990, Prior Ord. 3-1983 §2.0)
 2. Any alteration of a “historic structure.” (Ord. 1-1990, Prior Ord. 3-1983 §2.0)
- X. “Variance” means a grant of relief from the requirements of this Chapter which permits construction in a manner that would otherwise be prohibited by this Chapter. (Ord. 1-1990 (part); Prior Ord. 2-1988 (part); Prior Ord. 3-1983 §2.0)

6.04.060 Lands to Which This Chapter Applies. This Chapter shall apply to all areas of special flood hazards within the jurisdiction of the Town. (Ord. 3-1983 §3.1)

6.04.070 Basis for Establishing Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the Town of Orchard City, Colorado," dated January 16, 1981, with an accompanying Flood Insurance Rate Map (FIRM) is adopted by reference and declared to be apart of this Chapter. The Flood Insurance Study is on file at the Town Office, 2102 J50 Road, Austin, Colorado. (Ord. 3-1983 §3.2)

6.04.080 Compliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this Chapter and other applicable regulations. (Ord. 3-1983 §3.3)

6.04.090 Abrogation and Greater Restrictions. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Chapter and another Ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 3-1983 §3.4)

6.04.100 Interpretation. In the interpretation and application of this Chapter, all provisions shall be: (Ord. 3-1983 §3.5)

- A. Considered as minimum requirements; (Ord. 3-1983 §3.5(1))
- B. Liberally construed in favor of the governing body; and (Ord. 3-1983 §3.5(2))

- C. Deemed neither to limit nor repeal any other powers granted under state statutes. (Ord. 3-1983 §3.5(3)).

6.04.110 Warning and Disclaimer of Liability. The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This Chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Chapter shall not create liability on the part of the Town, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made thereunder. (Ord. 3-1983 §3.6)

ARTICLE III - ADMINISTRATION

6.04.120 Establishment of Development Permit. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 6.04.070. Application for a development permit shall be made on forms furnished by the floodway administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required: (Ord. 3-1983 §4.1)

- A. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures; (Ord. 3-1983 §4.1(1))
- B. Elevation in relation to mean sea level to which any structure has been flood-proofed; (Ord. 3-1983 §4.1(2))
- C. Certification by a registered professional engineer or architect that the flood-proofing methods for any nonresidential structure meet the flood-proofing criteria in Section 6.04.170(B); (Ord. 3-1983 §4.1(3))
- D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development. (Ord. 3-1983 §4.1(4))

6.04.130 Designation of Floodway Administrator. The position of floodway administrator is created to administer and implement this Chapter by granting or denying development permit applications in accordance with its provisions. The floodway administrator shall be appointed by the Board of Trustees. (Ord. 3-1983 §4.2)

6.04.140 Duties and Responsibilities of the Floodway Administrator. Duties of the floodway administrator shall include, but not be limited to: (Ord. 3-1983 §4.3)

- A. *Permit Review.* (Ord. 3-1983 §4.3-1)
1. Review all development permits to determine that the permit requirements of this chapter have been satisfied; (Ord. 3-1983 §4.3-1(1))
 2. Review all development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required; (Ord. 3-1983 §4.3-1(2))
 3. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 6.04.180(A) are met. (Ord. 3-1983 §4.3-1(3))
- B. *Use of Other Base Flood Data.* When base flood elevation data has not been provided in accordance with Section 6.04.070 - Basis for Establishing the Areas of Special Flood Hazard, the floodplain administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, state, or other source, as criteria for requiring that new construction, substantial improvements or other development in Zone A are administered in accordance with Section 6.04.170 - Specific Standards. (Ord. 1-1989, Prior Ord. 3-1983 §4.3-2)
- C. *Information to be Obtained and Maintained.* (Ord. 3-1983 §4.3-3)
1. Obtain and record the actual elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures; (Ord. 3-1983 §4.3-3(1))
 2. For all new or substantially improved flood-proofed structures: (Ord. 3-1983 §4.3-3(2))
 - a. Verify and record the actual elevation (in relation to mean sea level), and (Ord. 3-1983 §4.3-3(2)(i))
 - b. Maintain the flood-proofing certifications required in Section 6.04.120(C) (Ord. 3-1983 §4.3-3(2)(ii))
 3. Maintain for public inspection all records pertaining to the provisions of this Chapter. (Ord. 3-1983 §4.3-3(3))
- D. *Alterations of Watercourses.* (Ord. 2-1988, Ord. 3-1983 §4.3-4)
1. Notify adjacent communities and the Colorado Water Conservation Board prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency; (Ord. 2-1988, Prior Ord. 3-1983 §4.3-4(1))
 2. Require that maintenance is provided within the altered or relocated portion of

said watercourse so that the flood-carrying capacity is not diminished. (Ord. 3-1983 §4.3-4(2))

- E. Interpretation of FIRM Boundaries. Make interpretations where needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 6.04.150. (Ordinance 2-1988 (part); Prior Ord. 3-1983 §4.3-5)

6.04.150 Variance Procedure. (Ord. 3-1983 §4.4)

A. *Appeal Board.* (Ord. 3-1983 §4.4-1)

1. The board of adjustment as established by the Town shall hear and decide appeals and request for variances from the requirements of this Chapter; (Ord. 3-1983 §4.4-1(1))
2. The board of adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the floodway administrator in the enforcement or administration of this Chapter; (Ord. 3-1983 §4.4-1(2))
3. Those aggrieved by the decision of the board of adjustment or any taxpayer, may appeal such decision to the District Court, as provided in C.R.S. 1973, §31-23-307(1), as amended; (Ord. 3-1983 §4.4-1(3))
4. In passing upon such applications, the board of adjustment shall consider all technical evaluations, all relevant factors, standards specified in other sections of this Chapter, and: (Ord. 3-1983 §4.4-1(4))
 - a. The danger that materials may be swept onto other lands to the injury of others; (Ord. 3-1983 §4.4-1(4)(i))
 - b. The danger to life and property due to flooding or erosion damage; (Ord. 3-1983 §4.4-1(4)(ii))
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner; (Ord. 3-1983 §4.4-1(4)(iii))
 - d. The importance of the services provided by the proposed facility to the community; (Ord. 3-1983 §4.4-1(4)(iv))
 - e. The necessity to the facility of a waterfront location, where applicable;

(Ord. 3-1983 §4.4-1(4)(v))

- f. The availability of alternative locations, for the proposed use which are not subject to flooding or erosion damage; (Ord. 3-1983 §4.4-1(4)(vi))
 - g. The compatibility of the proposed use to the comprehensive plan and floodplain management program for that area; (Ord. 3-1983 §4.4-1(4)(vii))
 - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area; (Ord. 3-1983 §4.4-1(4)(viii))
 - i. The safety of access to the property in times of flood for ordinary and emergency vehicles; (Ord. 3-1983 §4.4-1(4)(ix))
 - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and (Ord. 3-1983 §4.4-1(4)(x))
 - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets, and bridges. (Ord. 3-1983 §4.4-1(4)(xi))
- 1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing paragraph 4 of this subsection has been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases; (Ord. 3-1983 §4.4-1(5))
 - 2. Upon consideration of the factors of paragraph (d.) of this subsection, and the purposes of this Chapter, the board of adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Chapter; (Ord. 3-1983 §4.4-1(6))
 - 3. The floodway administrator shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request. (Ord. 3-1983 §4.4-1(7))

B. *Conditions for Variances.* (Ord. 3-1983 §4.4-2)

- 1. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section; (Ord. 3-1983 §4.4-2(1))

2. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result; (Ord. 3-1983 §4.4-2(2))
3. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; (Ord. 3-1983 §4.4-2(3))
4. Variances shall only be issued upon: (Ord. 3-1983 §4.4-2(4))
 - a. A showing of good and sufficient cause, (Ord. 3-1983 §4.4-2(4)(i))
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant, and (Ord. 3-1983 §4.4-2(4)(ii))
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in subsection (2)(d.) of this section, or conflict with existing local laws or ordinances; (Ord. 3-1983 §4.4-2(4)(iii))
5. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. (Ord. 3-1983 §4.4-2(5))

ARTICLE IV - PROVISIONS FOR FLOOD HAZARD REDUCTION

6.04.160 General Standards. In all areas of special flood hazards the following standards are required: (Ord. 3-1983 §5.1)

- A. Anchoring. (Ord. 3-1983 §5.1-1)
 1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure and capable of resisting the hydrostatic and hydrodynamic loads; (Ord. 2-1988, Prior Ord. 3-1983 §5.1-1(1))
 2. All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that: (Ord. 3-1983 §5.1-1(2))
 - a. Over-the-top ties be provided at each of the four (4) corners of the mobile home, with two (2) additional ties per side at intermediate locations, with

mobile homes less than fifty feet (50') long requiring one (1) additional tie per side, (Ord. 3-1983 §5.1-1(2)(i))

- b. Frame ties be provided at each corner of the home with five (5) additional ties per side at intermediate points, with mobile homes less than fifty feet (50') long requiring four (4) additional ties per side, (Ord. 3-1983 §5.1-1(2)(ii))
- c. All components of the anchoring system be capable of carrying a force of four thousand eight hundred (800) pounds, and (Ord. 3-1983 §5.1-1(2)(iii))
- d. Any additions to the mobile home be similarly anchored; (Ord. 3-1983 §5.1-1(2)(iv))

B. Construction Materials and Methods. (Ord. 2-1988, Ord. 3-1983 §5.1-2)

- 1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage; (Ord. 3-1983 §5.1-2(1))
- 2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage; (Ord. 3-1983 §5.1-2(2))
- 3. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (Ord. 2-1988)

C. Utilities. (Ord. 3-1983 §5.1-3)

- 1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system; (Ord. 3-1983 §5.1-3(1))
- 2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and (Ord. 3-1983 §5.1-3(2))
- 3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. (Ord. 3-1983 §5.1-3(3))

D. Subdivision Proposals. (Ord. 3-1983 §5.1-4)

- 1. All subdivision proposals shall be consistent with the need to minimize flood damage; (Ord. 3-1983 §5.1-4(1))

2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage; (Ord. 3-1983 §5.1-4(2))
3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and (Ord. 3-1983 §5.1-4(3))
4. Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least fifty lots or five acres (whichever is less). (Ord. 2-1988 (part); Prior Ord. 3-1983 Part 5.1-4(4))

6.04.170 Specific Standards. In all areas of special flood hazards where base flood elevation data has been provided as set forth in Sections 6.04.070 or 6.04.140(B), the following provisions are required: (Ord. 3-1983 §5.2)

- A. Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation. (Ord. 3-1983 §5.2-1)
- B. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall: (Ord. 3-1983 §5.2-2)
 1. Be flood proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water; (Ord. 3-1983 §5.2-2(1))
 2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and (Ord. 3-1983 §5.2-2(2))
 3. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in Section 6.04.140(C)(2). (Ord. 3-1983 §5.2-2(3))
- C. Manufactured Homes. (Ord. 1-1989, Ord. 3-1983 §5.2-3)
 1. Mobile homes shall be anchored in accordance with Section 6.04.160(A)(2); (Ord. 3-1983 §5.2-3(1))
 2. All manufactured homes or those to be substantially improved shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and is securely anchored to an adequately anchored foundation system. This paragraph applies to manufactured homes to be placed or substantially improved in an expansion to an existing manufactured home park or subdivision except where the repair, reconstruction, or improvement of the streets, utilities and pads equals or exceeds fifty percent

(50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced. (Ord. 1-1989, Prior Ord. 3-1983 §5.2-3(2))

3. No mobile home shall be placed in a floodway, except in an existing mobile home park or existing mobile home subdivision. (Ord. 3-1983 §5.2-3(3))

D. Specific Construction Criteria. (Ord. 1-1990, 5.0)

1. Applicable to manufactured homes to be placed on a single lot or in a new or expansion to an existing manufactured home park or subdivision. Manufactured homes that are placed or substantially improved within zones AI-30, AH, and AE and sites (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision, or (d) in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as the result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement; (Ord. 1-1990 §5.2-4(1))
2. Applicable to manufactured homes to be placed in an existing manufactured home park or subdivision prior to the time these regulations are implemented. Manufactured homes to be placed or substantially improved on sites in existing manufactured home parks or subdivisions within zones AI-30, AH, and AE that are not subject to the provisions of the previous paragraph shall be elevated so that either (a) the lowest floor of the manufactured home is at or above the base flood elevation; or (b) the manufactured home chassis is supported by reinforced piers or other foundation elements that are no less than thirty-six inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. (Ord. 1-1990 §5.2-4(2))

6.04.180 Floodways. Located within areas of special flood hazard established in Section 6.04.070 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provision apply: (Ord. 2-1988, Ord. 3-1983 §5.3)

- A. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge. (Ord. 3-1983 §5.3(1))
- B. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this article. (Ord. 2-1988 (part); Prior Ord. 3-1983 §5.3(2))

CHAPTER 6.05
INTERNATIONAL BUILDING CODE

Sections:

- 6.05.010 Code Adopted; Purpose.
- 6.05.020 Copies of Code on File.
- 6.05.030 Amendments.
- 6.05.040 Conflicts; Permits Previously Issued.
- 6.05.050 Non-Assumption; Non-Waiver.

6.05.010 Code Adopted; Purpose. That a certain document being marked and designated as the *International Building Code*, 2006 Edition, including Appendix Chapters B and C, as published by the International Code Council, Inc., be and is hereby adopted as the Building Code of the Town of Orchard City, in the State of Colorado, for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code are hereby referred to, adopted, and made a part hereof, with the additions, insertions, deletions and changes, if any, prescribed in 6.05.030. (Ord. 2007-07, Prior Ord. 2001-03)

6.05.020 Copies of Code on File. One hard (1) copy and one (1) electronic copy of said code have been and are now filed in the office of the Town Clerk of the Town of Orchard City. (Ord. 2007-07, Prior Ord. 2001-03)

6.05.030 Amendments.

- A. All references to the International Plumbing Code shall hereafter be changed to reference the Uniform Plumbing Code. (Ord. 2001-03)
- B. *Section 101.1:* Insert “Orchard City, Delta County, Colorado.” (Ord. 2007-07, Prior Ord. 2001-03)
- C. *Section 105.2:* Section 105.2 Item 1 is amended to read as follows: “One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (11.15 m²).” (Ord. 2007-07, Prior Ord. 2004-13)
- D. *Section 105.2:* Section 105.2 Item 9 is amended by changing the wording as follows: Prefabricated swimming pools accessory to a Group R 3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L), or are installed entirely above ground. (Ord. 2007-07)
- E. *Section 105.2:* Section 105.2 is amended by the addition of the following new subsections: (Ord. 2001-03)
 - Item 14. Re-siding of buildings regulated by this Code.
 - Item 15. Re-roofing of buildings regulated by this Code.
 - Item 16. Patios, decks or porches, except decks over 6 feet above ground.
 - Item 17. Window Replacement

Item 17. Window replacement.

Item 18. All agricultural buildings as defined in Section 202. (Ord. 2007-07, Prior Ord. 2002-13)

F. *Section 108.2:* Section 108.2 is amended by the addition of Table 1-A, Building Permit Fees, Fee Schedule, for building permits and/or combinations of building, mechanical, and fuel gas piping permits. (Ord. 2007-07, Prior Ord. 2001-03)

G. *Section 108.6:* Section 108.6 is amended to establish a fee refund policy, by the addition of the following: Building permit fees may be refunded at a rate of 85% of the building permit fee provided the project for which the permit was issued has not commenced and/or inspections have not been conducted. No refunds will be made after work has commenced. (Ord. 2007-07, Prior Ord. 2001-03)

H. *Section 109:* Section 109 is amended by the addition of Subsection 109.7 as follows: (Ord. 2007-07, Prior Ord. 2001-03)

109.7 Inspections not required. No inspection shall be required for a building permit obtained for Agricultural Buildings as defined in Section 202, nor to the other requirements for inspections for electrical and plumbing.

I. *Section 112:* Section 112 is amended to read as follows: (Ord. 2007-07, Prior Ord. 2001-09)

112.1 Establishment. In order to determine the suitability of alternate materials and methods of construction and to provide reasonable interpretations of these Codes, there is hereby established Board of Appeals. This Board shall hear all appeals arising under the *International Building Code*, as adopted and amended from time to time by the Board of Trustees of the Town of Orchard City. The Chief Building Official shall be an ex-officio member of and shall act as secretary to the Board of Appeals.

112.2 Appointment; Term of Office. The Board shall consist of three members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the Town of Orchard City. The Board of Appeals shall be appointed by the Town Board of Trustees and shall hold office at its pleasure.

112.3 Procedure. The Board of Appeals shall adopt rules and procedures for conducting business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Chief Building Official.

112.4 Meetings. The Board of Appeals shall meet within 30 days of the written appeal, hear evidence and argument if it deems appropriate. The first offer of business at any hearing of the Board of Appeals shall be to determine if it has jurisdiction to hear the appeal.

112.5 Appeals. Any appeal to the Board of Appeals shall be preceded by a written appeal to the Chief Building Official, who shall reply in writing. The decision of the Chief Building Official may be appealed to the Board of Appeals, but such appeal must be filed with the Town Clerk within ten days from the date of the decision of the Chief Building Official. The appeal shall consist of a Notice of Appeal together with a copy of the original written appeal to the Chief Building Official and a copy of the Chief Building Official's written decision. The Board of Appeals shall not hear appeals of life safety items or administrative provisions of the Code nor shall the Board of Appeals be empowered to waive requirements of the Code.

112.6 Decisions of the Board of Appeals. The Board of Appeals shall have jurisdiction to decide any appeals from the Chief Building Official if the decision of the Chief Building Official concerns suitability of alternate materials, methods of construction or a reasonable interpretation of on the Code. The Board of Appeals shall render all decisions and findings in writing to the Chief Building Official with a duplicate copy to the appellant.

- J. *Section 113.3:* Section 113.3 is amended to read as follows: The offense and penalty are as set forth in Section 1.16.010 of the Town Codes. In addition to the foregoing, if any building or structure is or is proposed to be erected, constructed, remodeled, used or maintained in violation of this part or of any provision of this Chapter, the Town Attorney may institute and appropriate action for injunctive relief, for mandamus or abatement to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, remodel, maintenance or use. Each day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues shall be deemed a separate offense. (Ord. 2005-07)
- K. *Section 113.4:* Section 113.4 is amended to read as follows: The fine shall be not less than \$50.00 and not more than \$1,000.00 for each offense. (Ord. 2005-07)
- L. *Table 602:* Table 602 is amended by the addition of Footnote D to E, Occupancies: Footnote D shall read: (Ord. 2001-03)
 - d. Group B Day Care Occupancies that accommodate 12 or fewer persons shall have a fire resistive rating as required for Group R-3 Occupancies.

6.05.040 Conflicts; Permits Previously Issued

This Chapter shall have priority over any other Codes of the Town which may be in conflict herewith. This Chapter shall not affect the construction of buildings commenced before October 17, 2001, and such buildings shall be completed under the Codes of the Town which existed as of the date of commencement of construction of such buildings; provided, however, that no buildings under construction prior to October 17, 2001 shall be altered without complying with this Chapter. (Ord. 2001-03)

6.05.050 Non-Assumption; Non-Waiver

The Town of Orchard City, its officials, employees and agents shall not be deemed to have assumed a duty of care where none otherwise existed by the performance of a service or an act of assistance for the benefit of any person under this Chapter. The adoption of this Code shall not give rise to a duty of care. The enforcement or failure to enforce this Chapter, or the fact that an inspection was conducted in the course of enforcing this Chapter, shall not give rise to a duty of care where none otherwise existed. Enactment of this Chapter shall not constitute a waiver or sovereign immunity by the Town of Orchard City, its officials, employees and agents. (Ord. 2001-03)

CHAPTER 6.06
INTERNATIONAL RESIDENTIAL CODE

Sections:

- 6.06.010 Code Adopted; Purpose.
- 6.06.020 Copies of Code on File.
- 6.06.030 Amendments.
- 6.06.040 Conflicts; Permits Previously Issued.
- 6.06.050 Non-Assumption; Non-Waiver.

6.06.010 Code Adopted; Purpose. That a certain document being marked and designated as the *International Residential Code*, 2006 Edition as published by the International Code Council and is hereby adopted as the code of the Town of Orchard City for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the Town of Orchard City, and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such *International Residential Code*, 2006 Edition, are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in 6.06.030. (Ord. 2007-07, Prior Ord. 2001-04)

6.06.020 Copies of Code on File. One (1) hard copy and one (1) electronic copy of said code have been and are now filed in the office of the Town Clerk of the Town of Orchard City. (Ord. 2007-07, Prior Ord. 2001-04)

6.06.030 Amendments.

- A. All references in the International Residential Building Code to the International Electric Code shall be changed to reference to the National Electric Code. (Ord. 2001-04)
- B. *Section R101.1:* Insert Orchard City, Delta County, Colorado. (Ord. 2007-07, Prior Ord. 2001-04)
- C. *Section R105.2:* Section R105.2 is amended by addition of the following new subsections: (Ord. 2007-07, Prior Ord. 2001-04)
 - Item 10. Re-siding of the building regulated by this Code.
 - Item 11. Re-roofing of buildings regulated by this Code that do not exceed the limits of Section R907.3.
 - Item 12. Uncovered patios, decks or porches, except decks over 6 feet above ground. (Ord. 2002-12)
 - Item 13. Window replacement.
- D. *Section R105.3.1.1:* Section R105.3.1.1 is amended by deletion thereof. (Ord. 2007-07, Prior Ord. 2001-04)

- E. *Section R106. 2:* Section R106.2 is amended by deletion and replacement thereof by Section 106.2, of the International Building Code. (Ord. 2007-07, Prior Ord. 2001-04)
- F. *Section R106.5.2:* The Fee Schedule on file with the Town Clerk, as the same may be amended from time to time. (Ord. 2007-07, Prior Ord. 2001-04)
- G. *Section R106.5.3:* The Fee Refunds shall be as set forth in the Fee Schedule. (Ord. 2007-07, Prior Ord. 2001-04)
- H. *Section R108.4:* The offense and penalty are as set forth in Section 1.16.010 of the Town Ordinances. In addition to the foregoing, if any building or structure is or is proposed to be erected, constructed, remodeled, used or maintained in violation of this part or of any provision of this ordinance, the town Attorney may institute an appropriate action for injunctive relief, for mandamus or abatement to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, remodel, maintenance or use. Each day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues shall be deemed a separate offense. (Ord. 2007-07)
- I. *Section R108.5:* The fine shall be not less than %50.00 and not more than \$1,000.00 for each offense. (Ord. 2007-07)
- J. *Section R112:* Section R112 is amended to read as follows: (Ord. 2007-07, Prior Ord. 2001-09)

R112.1 Establishment. In order to determine the suitability of alternate materials and methods of construction and to provide reasonable interpretations of these Codes, there is hereby established Board of Appeals. This Board shall hear all appeals arising under the *International Residential Code*, as adopted and amended from time to time by the Board of Trustees of the Town of Orchard City. The Chief Building Official shall be an ex-officio member of and shall act as secretary to the Board of Appeals.

R112.2 Appointment; Term of Office. The Board shall consist of three members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the Town of Orchard City. The Board of Appeals shall be appointed by the Town Board of Trustees and shall hold office at its pleasure.

R112.3 Procedure. The Board of Appeals shall adopt rules and procedures for conducting business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Chief Building Official.

R112.4 Meetings. The Board of Appeals shall meet within 30 days of the written appeal, hear evidence and argument if it deems appropriate. The first offer of business at any hearing of the Board of Appeals shall be to determine if it has jurisdiction to hear the appeal.

R112.5 Appeals. Any appeal to the Board of Appeals shall be preceded by a written appeal to the Chief Building Official, who shall reply in writing. The decision of the Chief Building Official may be appealed to the Board of Appeals, but such appeal must be filed with the Town Clerk within ten days from the date of the decision of the Chief Building Official. The appeal shall consist of a Notice of Appeal together with a copy of the original written appeal to the Chief Building Official and a copy of the Chief Building Official's written decision. The Board of Appeals shall not hear appeals of life safety items or administrative provisions of the Code nor shall the Board of Appeals be empowered to waive requirements of the Code.

R112.6 Decisions of the Board of Appeals. The Board of Appeals shall have jurisdiction to decide any appeals from the Chief Building Official if the decision of the Chief Building Official concerns suitability of alternate materials, methods of construction or a reasonable interpretation of on the Code. The Board of Appeals shall render all decisions and findings in writing to the Chief Building Official with a duplicate copy to the appellant.

- K. *Section R112.2.1:* Section R112.2.1 is amended by deletion thereof. (Ord. 2007-07, Prior Ord. 2001-04)
- L. *Section R112.2.2:* Section R112.2.2 is amended by deletion thereof. (Ord. 2007-07, Prior Ord. 2001-04)
- M. *Section R113.3:* The offense and penalty are as set forth in Section 1.16.010 of the Town Code. In addition to the foregoing, if any building or structure is or is proposed to be erected, constructed, remodeled, used or maintained in violation of this part or of any provision of this Chapter, the Town Attorney may institute and appropriate action for injunctive relief, for mandamus or abatement to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, remodel, maintenance or use. Each day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues shall be deemed a separate offense. (Ord. 2005-07, Prior Ord. 2001-04)
- N. *Section R113.4:* The fine shall be not less than \$50.00 and not more than \$1,000.00 for each offense. (Ord. 2005-07, Prior Ord. 2001-04)
- O. *Section R301. 2.4:* Section R301.2.4 is amended by deletion thereof. (Ord. 2001-04)
- P. *Section R302.1:* Section R302.1 is amended to change the first paragraph to read:
Exterior walls with a fire separation distance of less than 3 feet shall have not less than one-hour fire resistive rating with exposure from both sides or when two residential buildings adjoin at a property line, a concrete or masonry wall with a minimum 3 hour fire resistive rating is permitted when constructed pursuant to sections R321.2, R321.2.1, R321.2.2, R321.2.3 and R321.2.4 for townhouses.

(Ord. 2007-07, Prior Ord. 2001-04)

Q. *Section R309.5*: Section R309.5 is amended by deletion thereof. (Ord. 2001-04)

R. *Section R315.1*: Section R.315.1 is amended by deletion of the second sentence of the first paragraph and replacing it with the following:

All required handrails shall be continuous the full length of the stairs with four or more risers from a point directly above the top riser of a flight to a point directly above the lowest riser of a flight. (Ord. 2001-04)

S. *Section R327*: Section R327 is amended by deletion thereof. (Ord. 2001-04)

6.06.040 Conflicts; Permits Previously Issued. This Chapter shall have priority over any other Codes of the Town which may be in conflict herewith. This Chapter shall not affect the construction of buildings commenced before October 17, 2001, and such buildings shall be completed under the Codes of the Town which existed as of the date of commencement of construction of such buildings; provided, however, that no buildings under construction prior to October 17, 2001 shall be altered without complying with this Chapter. (Ord. 2001-04)

6.06.050 Non-Assumption; Non-Waiver. The Town of Orchard City, its officials, employees and agents shall not be deemed to have assumed a duty of care where none otherwise existed by the performance of a service or an act of assistance for the benefit of any person under this Chapter. The adoption of this Code shall not give rise to a duty of care. The enforcement or failure to enforce this Chapter, or the fact that an inspection was conducted in the course of enforcing this Chapter, shall not give rise to a duty of care where none otherwise existed. Enactment of this Chapter shall not constitute a waiver or sovereign immunity by the Town of Orchard City, its officials, employees and agents. (Ord. 2001-04)

CHAPTER 6.07
INTERNATIONAL FUEL GAS CODE

Repealed (Ord. 2004-01)

CHAPTER 6.08
INTERNATIONAL MECHANICAL CODE

Sections:

- 6.08.010 Code Adopted; Purpose.
- 6.08.020 Copies of Code on File.
- 6.08.030 Amendments.
- 6.08.040 Conflicts; Permits Previously Issued.
- 6.08.050 Non-Assumption; Non-Waiver.

6.08.010 Code Adopted; Purpose. That a certain document being marked and designated as the *International Mechanical Code*, 2000 Edition, including Appendix A, Combustion Air Openings and Chimney Connector Pass-Throughs, be and is hereby adopted as the Mechanical Code of the Town of Orchard City, in the State of Colorado; for regulation the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the Town of Orchard City, and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of such *International Mechanical Code* are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 6.08.030. (Ord. 2001-06)

6.08.020 Copies of Code on File. Three (3) copies of said code have been and are now filed in the office of the Town Clerk of the Town of Orchard City. (Ord. 2001-06)

6.08.030 Amendments.

- A. *International Mechanical Code*, 2000 Edition, references to the 2000 International Energy Conservation Code shall hereafter be changed to reference the 2000 International Energy Conservation Code, and references to the International Plumbing Code shall hereafter be changed to reference the Uniform Plumbing Code. (Ord. 2001-06)
- B. *Section 101.1*: Insert: Orchard City, Delta County, Colorado. (Ord. 2001-06)
- C. *Section 106.5.2*: The Fee Schedule on file with the Town Clerk as the same may be amended from time to time. (Ord. 2001-06)
- D. *Section 106.5.3*: The Fee Refunds shall be as set forth in the Fee Schedule. (Ord. 2001-06)
- E. *Section 108.4*: The offense and penalty are as set forth in Section 1.16.010 of the Town Codes. In addition to the foregoing, if any building or structure is or is proposed to be erected, constructed, remodeled, used or maintained in violation of this part or of any provision of this Chapter, the Town Attorney may institute and appropriate action for injunctive relief, for mandamus or abatement to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, remodel, maintenance or use.

Each day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues shall be deemed a separate offense. (Ord. 2001-06)

F. *Section 108.5*: The fine shall be not less than \$50.00 and not more than \$1,000.00 for each offense. (Ord. 2001-06)

G. *Section 109*: Section 109 is amended to read as follows: (Ord. 2001-09)

109.1 Establishment. In order to determine the suitability of alternate materials and methods of construction and to provide reasonable interpretations of these Codes, there is hereby established Board of Appeals. This Board shall hear all appeals arising under the *International Mechanical Code*, as adopted and amended from time to time by the Board of Trustees of the Town of Orchard City. The Chief Building Official shall be an ex-officio member of and shall act as secretary to the Board of Appeals.

109.2 Appointment; Term of Office. The Board shall consist of three members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the Town of Orchard City. The Board of Appeals shall be appointed by the Town Board of Trustees and shall hold office at its pleasure.

109.3 Procedure. The Board of Appeals shall adopt rules and procedures for conducting business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Chief Building Official.

109.4 Meetings. The Board of Appeals shall meet within 30 days of the written appeal, hear evidence and argument if it deems appropriate. The first offer of business at any hearing of the Board of Appeals shall be to determine if it has jurisdiction to hear the appeal.

109.5 Appeals. Any appeal to the Board of Appeals shall be preceded by a written appeal to the Chief Building Official, who shall reply in writing. The decision of the Chief Building Official may be appealed to the Board of Appeals, but such appeal must be filed with the Town Clerk within ten days from the date of the decision of the Chief Building Official. The appeal shall consist of a Notice of Appeal together with a copy of the original written appeal to the Chief Building Official and a copy of the Chief Building Official's written decision. The Board of Appeals shall not hear appeals of life safety items or administrative provisions of the Code nor shall the Board of Appeals be empowered to waive requirements of the Code.

109.6 Decisions of the Board of Appeals. The Board of Appeals shall have jurisdiction to decide any appeals from the Chief Building Official if the decision of the Chief Building Official concerns suitability of alternate materials, methods of construction or a reasonable interpretation of on the Code. The Board of

Appeals shall render all decisions and findings in writing to the Chief Building Official with a duplicate copy to the appellant.

6.08.040 Conflicts; Permits Previously Issued. This Chapter shall have priority over any other Codes of the Town which may be in conflict herewith. This Chapter shall not affect the construction of buildings commenced before October 17, 2001, and such buildings shall be completed under the Codes of the Town which existed as of the date of commencement of construction of such buildings; provided, however, that no buildings under construction prior to October 17, 2001 shall be altered without complying with this Chapter. (Ord. 2001-06)

6.08.050 Non-Assumption; Non-Waiver. The Town of Orchard City, its officials, employees and agents shall not be deemed to have assumed a duty of care where none otherwise existed by the performance of a service or an act of assistance for the benefit of any person under this Chapter. The adoption of this Code shall not give rise to a duty of care. The enforcement or failure to enforce this Chapter, or the fact that an inspection was conducted in the course of enforcing this Chapter, shall not give rise to a duty of care where none otherwise existed. Enactment of this Chapter shall not constitute a waiver or sovereign immunity by the Town of Orchard City, its officials, employees and agents. (Ord. 2001-06)

CHAPTER 6.09
BOARD OF APPEALS

Sections:

- 6.09.010 Establishment.
- 6.09.020 Appointment; Term of Office.
- 6.09.030 Procedure.
- 6.09.040 Meetings.
- 6.09.050 Appeals.
- 6.09.060 Decisions of the Board of Appeals.

6.09.010 Establishment. In order to determine the suitability of alternate materials and methods of construction and to provide reasonable interpretations of these Codes, there is hereby established Board of Appeals. This Board shall hear all appeals arising under the *International Building Code*, *International Residential Code*, and the *International Mechanical Code*, as adopted and amended from time to time by the Board of Trustees of the Town of Orchard City. The Chief Building Official shall be an ex-officio member of and shall act as secretary to the Board of Appeals. (Ord. 2001-09)

6.09.020 Appointment; Term of Office. The Board shall consist of three members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the Town of Orchard City. The Board of Appeals shall be appointed by the Town Board of Trustees and shall hold office at its pleasure. (Ord. 2001-09)

6.09.030 Procedure. The Board of Appeals shall adopt rules and procedures for conducting business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Chief Building Official. (Ord. 2001-09)

6.09.040 Meetings. The Board of Appeals shall meet within 30 days of the written appeal, hear evidence and argument if it deems appropriate. The first offer of business at any hearing of the Board of Appeals shall be to determine if it has jurisdiction to hear the appeal. (Ord. 2001-09)

6.09.050 Appeals. Any appeal to the Board of Appeals shall be preceded by a written appeal to the Chief Building Official, who shall reply in writing. The decision of the Chief Building Official may be appealed to the Board of Appeals, but such appeal must be filed with the Town Clerk within ten days from the date of the decision of the Chief Building Official. The appeal shall consist of a Notice of Appeal together with a copy of the original written appeal to the Chief Building Official and a copy of the Chief Building Official's written decision. The Board of Appeals shall not hear appeals of life safety items or administrative provisions of the Code nor shall the Board of Appeals be empowered to waive requirements of the Code. (Ord. 2001-09)

6.09.060 Decisions of the Board of Appeals. The Board of Appeals shall have jurisdiction to decide any appeals from the Chief Building Official if the decision of the Chief Building Official concerns suitability of alternate materials, methods of construction or a reasonable interpretation of on the Code. The Board of Appeals shall render all decisions and findings in writing to the Chief Building Official with a duplicate copy to the appellant. (Ord. 2001-09)

CHAPTER 6.10
NATIONAL ELECTRIC CODE

Sections:

6.10.010 Code Adopted; Purpose.

6.10.020 Copies of Code on File.

6.10.010 Code Adopted; Purpose. That a certain document being marked and designated as the *National Electric Code*, 1999 Edition, be and is hereby adopted as the Electrical Code of the Town of Orchard City, in the State of Colorado; for regulation the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems in the Town of Orchard City. All permits, fees, and inspections for this Code are regulated by the State of Colorado. (Ord. 2001-07)

6.10.020 Copies of Code on File. Three (3) copies of said code have been and are now filed in the office of the Town Clerk of the Town of Orchard City. (Ord. 2001-07)

CHAPTER 6.11
UNIFORM PLUMBING CODE

Sections:

6.11.010 Code Adopted; Purpose.

6.11.020 Copies of Code on File.

6.11.010 Code Adopted; Purpose. That a certain document being marked and designated as the *Uniform Plumbing Code*, 2000 Edition, be and is hereby adopted as the Plumbing Code of the Town of Orchard City, in the State of Colorado; for regulation the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the Town of Orchard City. All permits, fees, and inspections for this Code are regulated by the State of Colorado. (Ord. 2001-08)

6.11.020 Copies of Code on File. Three (3) copies of said code have been and are now filed in the office of the Town Clerk of the Town of Orchard City. (Ord. 2001-08)