

TITLE 13  
BUILDING AND CONSTRUCTION

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CHAPTER 13.01  
GENERAL PROVISIONS

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13.01.010    Short Title. This Title may be cited for all purposes as the "Town of Collbran Building and Construction Code." (*Source: Ord. No. 140*)

13.01.020    Applicability of Codes. Within the Town of Collbran, where:

(a) A building or structure is built, this Title applies to the design and construction of said building or structure including plumbing, heating and electrical

installation of the building or structure;

(b) The whole or part of a building, structure, factory-built unit, manufactured home, or mobile home is moved, either into or from the Town of Collbran or from one property to another within the Town of Collbran, this Title applies to the building, structure, factory-built unit, manufactured home, or mobile home or part thereof moved and to any remaining part affected by the change, unless otherwise provided by law;

(c) The whole or part of a building, structure, factory-built unit, manufactured home, or mobile home is demolished, this Title applies to the demolition and to any remaining part affected by the change;

(d) A building, structure, factory-built unit, manufactured home, or mobile home is altered, this Title applies to the alteration and all parts of the building, structure, factory-built unit, manufactured home, or mobile home affected by the change;

(e) Repairs are made to a building, structure, factory-built unit, manufactured home, or mobile home, this Title applies to any such repair;

(f) The class of occupancy of the building or structure or part thereof is changed, this Title applies to all parts of the building or structure affected by the change.

13.01.030 Exceptions. (a) Otherwise applicable provisions of this Title shall not apply to any mobile home, manufactured home, or factory-built unit which conforms to the health and safety requirements of the Colorado State Board of Health, the Colorado State Fire Marshal, the Colorado Division of Housing, and/or the National Manufactured Housing Construction and Safety Standards Act of 1974;

(b) Provided, however, any factory-built unit, manufactured home, or mobile home referred to in subsection (a) of this Section shall comply with the provisions of Chapters 13.10 and 13.12. Additions, alterations or repairs to any mobile home, manufactured home, or factory-built unit shall comply with all provisions of this Title.

13.01.040 Severability of Code Provisions. If any section, sections, subsection or provision of this Title or any code adopted by reference in this Title, as adopted, or the application thereof to any person or circumstance is declared unconstitutional or otherwise invalid by any competent court, such validity shall not effect the other sections, subsections, provisions or applications of this Title or said Code adopted by reference if they can be given effect without the invalid section, sections, subsection, provision or application.

13.01.050 Prevailing Provisions. Where the requirements or conditions imposed by any provision of a code adopted by reference in this Title, or its appendices, differ from the requirements or conditions imposed by a provision of another law,

chapter, resolution or order having application in the Town of Collbran, the provision which is more restrictive shall govern.

13.01.060 Violations, Prosecution, Penalty. (a) Except as may otherwise be provided in this Title, any person, firm, or corporation violating any of the provisions of this Title shall be deemed guilty of a criminal offense and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Title is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand dollars (\$1000) or by imprisonment for not more than one (1) year, or by both such fine and imprisonment. Said offense shall be deemed to be one of "strict liability." Provided, however, only the Town of Collbran, by and through its Building Official, or his designee, shall be permitted to initiate the filing of a Complaint in the Collbran Municipal Court for violation of any of the provisions of this Title and the primary codes adopted by reference herein.

(b) In the event any building or structure is or is proposed to be erected, constructed, reconstructed, altered, remodeled, used, or maintained in violation of this Title or any primary code adopted by reference herein, the Town Attorney, upon request of the Building Official, in addition to other remedies provided by law, may institute an appropriate action for injunction, mandamus, or abatement to prevent, enjoin, abate, or remove such unlawful erection, construction, reconstruction, alteration, remodeling, maintenance, or use, in any court of competent jurisdiction.

CHAPTER 13.02  
DEFINITIONS

Sections:

13.02.010	Generally
13.02.020	Administrative Authority
13.02.030	Building Inspector or Official
13.02.040	Chief of the Fire Department
13.02.050	Factory-Built Unit
13.02.060	Health Officer
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13.02.080	Lot
13.02.090	Manufactured Home
13.02.100	Mobile Home
13.02.110	Road
13.02.120	Site
13.02.130	Town
13.02.140	Work

13.02.010 Generally. For the purpose of this Title, all words, terms and expressions contained herein shall be interpreted in accordance with the definitions set out in the uniform codes adopted by reference in this Title. (Source: Ord. No. 140)

13.02.020 Administrative Authority. "Administrative Authority" shall mean the Collbran Building Official, or his designee.

13.02.030 Building Inspector or Official. "Building Inspector or Official" means the Collbran Building Official or his regularly authorized deputy, or Mesa County Building Inspection Department personnel acting on behalf of the Town of Collbran pursuant to an intergovernmental agreement.

13.02.040 Chief of the Fire Department. "Chief of the Fire Department" means the head of the Collbran Volunteer Fire Department, or his regularly authorized deputy, or the Collbran Building Official.

13.02.050 Factory-Built Unit. "Factory-Built Unit" means any structure or component thereof, designed primarily for residential or commercial occupancy, either permanent or temporary, which is wholly or in substantial part made, fabricated, formed or assembled in a manufacturing facility for installation or assembly and installation, on

a permanent foundation at a building site and which carries a Colorado Division of Housing "Factory-Built Unit Certification."

13.02.060 Health Officer. "Health Officer" means the Town of Collbran Health Officer, or the Mesa County Health Officer, or a regularly authorized designee.

13.02.070 Jurisdiction. "Jurisdiction" means the corporate limits of the Town of Collbran, Colorado.

13.02.080 Lot. "Lot" means any parcel of land or portion thereof on record in the office of the Mesa County Assessor.

13.02.090 Manufactured Home. "Manufactured Home" means a single-family dwelling which is partially or entirely manufactured in a factory and designed for long term residential or non-residential use and transported to its occupancy site; and is not less than twenty-four feet (24') in width and thirty-six feet (36') in length; and is installed on an engineered permanent foundation; and has brick, wood, or chromatically equivalent exterior siding and a pitched roof; and is certified pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974," 42 U.S.C. 5401 *et seq.*, as amended, and bears such certification label.

13.02.100 Mobile Home. "Mobile Home" means a structure designed to be transported after fabrication and exceeding either eight feet (8') in body width or thirty-two feet (32') in body length, excluding towing gear and bumper. If such a structure is built on a chassis and designed to retain the chassis on which it was built, whether or not such structure is placed on a permanent foundation. Such a structure is suitable for human habitation on a year-round basis when provided with plumbing, heating, and electrical facilities, and is so designed to prevent occupancy for driving or sleeping purposes, and is fitted with the necessary appurtenances for permanent connection to a municipal water and sewage system.

13.02.110 Road. "Road" means any public or private access road, street, highway, easement or way platted and recorded or shown on any official map, whether or not such road is actually constructed.

13.02.120 Site. "Site" means any parcel or area of land having an area sufficient to satisfy the applicable provisions of the Collbran Municipal Code.

13.02.130 Town. "Town" means the incorporated area of the Town of Collbran which may be referred to in this Title as the regulated area.

13.02.140 Work. "Work" means the construction, demolition, alteration, repair, moving or change in the class of occupancy of any building, equipment or structure, and shall include the installation, construction, alteration or repair of any private or sub-

surface sewage disposal system, and the placement and use of a mobile home, manufactured home, and factory-built unit anywhere within the Town of Collbran.

**CHAPTER 13.03**  
**INTERNATIONAL BUILDING CODE**

13.03.010      Adoption by Reference.

(a) Pursuant to the power and authority conferred by Section 31-16-201, *et seq.*, C.R.S., there is adopted by reference thereto the *International Building Code*, 2012 Edition, together with the Appendices described below, promulgated by the International Code Council Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, to have the same force and effect as if set forth herein in every particular. The purpose of this code is to establish minimum regulations governing the conditions and maintenance of all property, buildings and structures within the Town; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures.

(b) The following Appendices of the International Building Code, 2012 Edition, are adopted:

Chapter C, Group U-Agricultural Buildings  
Chapter I, Patio Covers

No other Appendices are adopted.

13.03.020      Amendments. The International Building Code, 2012 Edition, is hereby amended as follows:

(a) Section 105.2. Section 105.2 is amended by the addition of the word Platforms to Section 105.2 Item 6.

(b) Section 109. Section 109 is amended by the addition of Subsection 109.7. No fees shall be required for a building permit obtained for Agricultural Buildings, as defined at Section 202. This agricultural building fee exemption does not include fees for electrical, mechanical and plumbing permits for said structures.

(c) Section 109.2. Section 109.2 is amended by the addition of Table 108-A, "Fee Schedule," for building permits and/or combinations of building, mechanical, plumbing, electrical, fuel gas piping and pool, hot tub and spa permits, a copy of which Table 108-A is on file and available for inspection at the Office of the Mesa County Building Department and at the Collbran Town Hall.

(d) Section 109.6. Section 109.6 is amended to establish a fee refund policy, by the addition of the following: Building permit fees may be refunded at the 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.

(e) Section 110. Section 110 is amended by addition of Subsection 110.7 to read as follows:

No inspections shall be required for a building permit obtained for Agricultural Buildings as defined at Section 202. However, this exemption is not an exception of the minimum building standards set forth in the International Building Code, nor to the other requirements for inspections for electrical, mechanical and plumbing.

(f) Section 113. Section 113 is amended by deletion thereof. The appeals process for the Town is set forth at Chapter 13.14 of the Collbran Municipal Code.

(g) Section 114.4. Section 114.4 is hereby deleted in its entirety and reenacted to read as follows:

**113.4. Violation Penalties.** Any person who violates a provision of the IBC or fails to comply with any of the requirements thereto shall be subject to the penalties prescribed at Section 13.03.040.

(h) Section 310.5.1. Section 310.5.1 amended by deleting “provided an automatic sprinkler system is installed in accordance with section 903.3.1.3 or with section 2904 of the International Residential Code”

(i) Section 310.6. Section 310.6 amended by adding at last paragraph “or shall comply with the International Residential Code.”

(j) Table 602. Table 602 is amended by the addition of footnote i. to E occupancies. “Footnote i. Group E Day Care occupancies that accommodate 12 or fewer persons shall have fire resistive ratings as required for IRC occupancies.”

(k) Section 1004. Section 1004, Table 1004.1.2 is amended to change the maximum floor area allowance per occupant of Agricultural Building from 300 Gross to 500 Gross.

(l) Section 3001.1. Section 3001.1 is amended to read as follows:

**3001.1 Scope.** This chapter governs the design, construction, installations, alterations, maintenance and repair of new and existing installations of elevators, dumbwaiters, escalators and moving walks, requiring permits therefore and providing procedures for the inspection and maintenance of such conveyances.

(m) Chapter 30. Chapter 30 concerning elevators, moving walks, escalators or dumbwaiters, is amended by adding four new sections and subsections to read as follows:

**SECTION 3009  
PERMITS & CERTIFICATES OF INSPECTION**

**3009.1 Permits Required.** It shall be unlawful to install any new elevator, moving walk, escalator or dumbwaiter or to make alterations to any existing elevator, dumbwaiter, escalator or moving walk, as defined in Part XII of ASME A17.1, without first having obtained a permit for such installations from the building official. Permits shall not be required for maintenance or minor alterations.

**3009.2 Certificates of Inspection Required.** It shall be unlawful to operate any elevator, dumbwaiter, escalator or moving walk without a current certificate of inspection issued by an approved inspection agency. Such certificates shall be issued upon payment of prescribed fees and a valid inspection report indicating that the conveyance is safe and that the inspection and tests have been performed in accordance with Part X of ASME A17.1. Certificates shall not be issued when the conveyance is posted as unsafe pursuant to Section 3012.  
Exception: Certificates of Inspection shall not be required for conveyances within a dwelling unit.

**3009.3 Applications for Permits.** Applications for a permit to install shall be made on forms provided by the building official, and the permit shall be issued to an owner or the owner's representative, upon payment of the permit fees specified in this section.

**3009.4 Applications for Certificates of Inspection.** Applications for an inspection and certificates of inspection shall be made to an approved inspection agency by the owner of an elevator, dumbwaiter, escalator or moving walk. Fees for inspections and certificates of inspection shall be determined by the approved inspection agency.

**3009.5 Fees.** A fee for each permit shall be paid to the building official as prescribed in the jurisdiction Permit Fee Schedule.

## **SECTION 3010 DESIGN**

**3010.1 Detailed requirements.** For detailed design, construction and installation requirements see Chapter 16 and the appropriate requirements for ASME A17.1.

## **SECTION 3011 REQUIREMENTS FOR OPERATION AND MAINTENANCE**

**3011.1 General.** The owner shall be responsible for the safe operation and maintenance of each elevator, dumbwaiter, escalator and moving walk installations and shall cause periodic inspections to be made on such conveyances as required by this section.

**3011.2 Periodic Inspection and Tests.** Routine and periodic inspections and tests shall be made as required by ASME A17.1.

**3011.3 Alterations, Repairs and Maintenance.** Alterations, repairs and maintenance shall be made as required by Part XII of ASME A17.1.

**3011.4 Inspection Costs.** All costs of such inspections shall be paid by the owner.

## **SECTION 3012 UNSAFE CONDITIONS**

**3012.1 Unsafe Conditions.** When an inspection reveals an unsafe condition of an elevator,



escalator, moving walk or dumbwaiter, the inspector shall immediately file with the owner and the building official a full and true report of inspection and unsafe condition. If the building official finds that the unsafe condition endangers human life, the building official shall cause to be placed on such conveyance, in a conspicuous place, a notice stating that such conveyance is unsafe. The owner shall see to it that such notice of unsafe condition is legibly maintained where placed by the building official. The building official shall also issue an order in writing to the owner requiring the repairs or alterations to be made to such conveyance that are necessary to render it safe and may order the operation thereof discontinued until the repairs or alterations are made or the unsafe conditions are removed. A posted notice of unsafe conditions shall be removed by the building official when satisfied that the unsafe conditions have been corrected.

(n) Section 3109.4. Section 3109.4 is amended by deletion thereof.

13.03.030 Copies on File and Available for Sale. At least one (1) copy of the International Building Code, 2012 Edition, and the adopted Appendices thereto, together with one copy of the Ordinance codified in this Chapter, shall be kept on file in the office of the Town Clerk or Building Official. Copies of said IBC and adopted appendices shall be available for sale to the public at a moderate price.

13.03.040 Penalties. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the Town or cause or permit the same to be done, contrary to or in violation of any of the provisions of the IBC.

Any person, firm or corporation violating any of the provisions of the IBC shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the IBC is committed, continued or permitted. Any offense under this Section shall be deemed one of "strict liability." Violation of the IBC shall constitute a Class A municipal offense.

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or any approval of any violation of the provisions of the IBC. No permit presuming to give authority to violate or cancel the provisions of the IBC shall be valid, except insofar as the work or use, which it authorized, is lawful.

The issuance or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations from being carried on thereunder when in violation of the IBC or any other ordinance or from revoking any certificates of approval when issued in error.

Section 3. Chapter 13.04 of the Collbran Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

**CHAPTER 13.04**  
**INTERNATIONAL PLUMBING CODE**

13.04.010 Adoption by Reference.

(a) Pursuant to the power and authority conferred by Section 31-16-201, *et seq.*, C.R.S., there is adopted by reference thereto the International Plumbing Code, 2012 Edition, with the Appendices described below, promulgated by the International Code Council Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795. The purpose and subject matter of this code is to regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the Town.

(b) The following Appendices of the International Plumbing Code, 2012 Edition, are hereby adopted.

Appendix B – Rates of Rain Fall for Various Cities

Appendix E – Sizing of Water Piping Systems

No other Appendices are adopted.

13.04.020      Amendments. The International Plumbing Code, 2012 Edition, is hereby amended as follows:

(a) Section 106.6. Section 106.6, “Fee Schedule,” is amended by the addition of Table 108-A Fee Schedule attached hereto and incorporated herein as Exhibit A, which shall be available for inspection at the Office of the Mesa County Building Department and at the Collbran Town Hall.

(b) Section 106. Section 106.5.6 is amended by deletion of the first paragraph.

(c) Section 108.4. Section 108.4 is hereby deleted in its entirety and reenacted to read as follows.

**108.4. Violation Penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof shall be subject to penalties as prescribed in Section 13.04.040

(d) Section 109: Section 109 is amended by deletion and replaced with the following:

**109. Appeals.** The Colorado State Plumbing Board serves as the Board of Appeals for the International Plumbing Code.

13.04.030      Copies on File and Available for Sale. At least one (1) copy of the International Plumbing Code, 2012 Edition, and the adopted Appendices thereto, together with one copy of the Ordinance codified in this Chapter, shall be kept on file in the office of the Town Clerk or Building Official. Copies of said IPC and adopted appendices shall be available for sale to the public at a moderate price.

13.04.040      Penalties. Any person, firm, or corporation violating any provisions of the IPC shall be deemed guilty of a Class A municipal offense. Each separate day or any portion thereof, during which any violation of the IPC occurs or continues, shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. Any municipal offense under the IPC shall be deemed one of “strict liability.”

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or any approval of, any violation of the provisions of the IPC. No permit presuming to give authority to violate or cancel the provisions of the IPC shall be valid, except insofar as the work or use, which it authorized, is lawful.

The issuance or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications, or from preventing construction operations from being carried on thereunder when in violation of the IPC or any other ordinance, or from revoking any certificate of approval when issued in error.

Section 4. Chapter 13.05 of the Collbran Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

### **CHAPTER 13.05 INTERNATIONAL MECHANICAL CODE**

#### 13.05.010      Adoption by Reference.

(a) Pursuant to the power and authority conferred by Section 31-16-201, *et seq.*, C.R.S., there is adopted by reference thereto the International Mechanical Code, 2012 Edition, promulgated by the International Code Council Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795. The purpose of this code is to regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the Town

(b) The fees to be exacted pursuant to the International Mechanical Code shall be as set forth by resolution of the Collbran Board of Trustees.

13.05.020      Amendments. The International Mechanical Code, 2012 Edition, is hereby amended as follows:

(a) Section 106.5.2. Section 106.5.2, “Fee Schedule,” is amended by the addition of Table 108-A Fee Schedule attached hereto and incorporated herein as Exhibit A, which shall be available for inspection at the Office of the Mesa County Building Department and at the Collbran Town Hall.

(b) Section 108.4. Section 108.4, “Violation Penalties,” is hereby deleted in its entirety and reenacted as follows.

**108.4. Violation Penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof shall be subject to penalties as prescribed in Section 13.05.040.

(c) Section 109. Section 109 is hereby deleted in its entirety and reenacted as follows.

**109. Appeals.** The appeals process for the Town is set forth at Chapter 13.14 of the Collbran Municipal Code.

13.05.030      Copies on File and Available for Sale. At least one (1) copy of the International Mechanical Code, 2012 Edition, and the adopted appendices thereto, together with one copy of the Ordinance codified in this Chapter, shall be kept on file in the office of the Town Clerk or Building Official. Copies of said IMC and adopted appendices shall be available for sale to the public at a moderate price.

13.05.040      Penalties. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, use or maintain any mechanical system or equipment or cause to or permit the same to be done in violation of the IMC, as adopted.

Any person, firm or corporation violating any of the provisions of the IMC, as adopted, shall be deemed guilty of a Class A municipal offense, and shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the IMC is committed, continued or permitted. Said offense shall be deemed one of “strict liability.”

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or any approval of any violation of the provisions of the IMC. No permit presuming to give authority to violate or cancel the provisions of the IMC shall be valid, except insofar as the work or use, which it authorized, is lawful.

The issuance or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations from being carried on thereunder when in violation of the IMC or any other ordinance or from revoking any certificates of approval when issued in error.

Section 5. Chapter 13.06 of the Collbran Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

**CHAPTER 13.06**  
**INTERNATIONAL FUEL GAS CODE**

13.06.010      Adoption by Reference

(a) Pursuant to the power and authority conferred by Section 31-16-201, *et seq.*, C.R.S., there is adopted by reference thereto the International Fuel Gas Code, 2012 Edition, with the Appendices described below, promulgated by the International Code Council Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795. The purpose and subject matter of this code is to establish the minimum regulations governing the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and the design and installation of gas systems and gas-fired appliances in the Town.

(b) The following Appendices of the International Fuel Gas Code, 2012 Edition, are hereby adopted.

Appendix A—Sizing and Capacities of the Gas Piping

Appendix B—Sizing of Vent Systems

Appendix C—Exit Terminals of Mechanical Draft and Direct-Venting Systems

No other Appendices are adopted.

13.06.020      Amendments

(a)      Section 106.6.2. Section 106.6.2, “Fee Schedule,” is amended by the addition of Table 108-A Fee Schedule attached hereto and incorporated herein as Exhibit A, which shall be available for inspection at the Office of the Mesa County Building Department and at the Collbran Town Hall.

(b)      Section 108.4. Section 108.4 is hereby deleted in its entirety and reenacted to read as follows:

**108.4. Violation Penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof shall be subject to penalties as prescribed in Section 13.06.040.

(c)      Section 109. Section 109 is hereby deleted in its entirety and reenacted to read as follows:

**109. Appeals.** The appeals process for the Town is set forth at Chapter 13.14 herein.

13.06.030      Copies on File and Available for Sale. At least one (1) copy of the International Fuel Gas Code, 2012 Edition, and the Appendices adopted thereto together with one (1) copy of the Ordinance codified in this Chapter, shall be kept on file in the office of the Town Clerk or Building Official. Copies of said IFGC and such Appendices shall be available for sale to the public at a moderate price.

13.06.040      Penalties. Any person, firm or corporation violating any of the provisions of the IFGC shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the IFGC is committed, continued or permitted. Any offense under this Section shall be deemed one of the “strict liability.” Violation of the IFGC shall constitute a Class A municipal offense.

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or any approval of any violation of the provisions of the IFGC. No permit presuming to give authority to violate or cancel the provisions of the IFGC shall be valid, except insofar as the work or use, which is authorized, is lawful.

The issuance or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations from being carried on thereunder when in violation of the IFGC or any other ordinance or from revoking any certificates of approval when issued in error.

Section 7. Chapter 13.07 of the Collbran Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

**CHAPTER 13.07**  
**INTERNATIONAL PROPERTY MAINTENANCE CODE**

13.07.010      Adoption by Reference. Pursuant to the power and authority conferred by Section 31-16-201, *et seq.*, C.R.S., there is adopted by reference thereto the International Property Maintenance Code, 2012 Edition, and the commentary and appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose and subject matter of this code is to regulate and govern the conditions of all property, buildings and structures by providing standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; the condemnation of buildings and structures unfit for human occupancy and use; and the demolition of existing structures; and by providing for the issuance of permits and collection of fees therefor.

13.07.020      Amendments. The International Property Maintenance Code, 2012 Edition, is hereby amended as follows:

(a)      Section 111. Section 111 is hereby deleted in its entirety and reenacted to read as follows:

**111. Appeals.** The appeals process for the Town is set forth at Chapter 13.14 herein.

(b)      Section 108.1.3. Section 108.1.3 is hereby amended by the deletion of the words “vermin or rat infested.”

(c)      Section 302 is hereby deleted in its entirety.

(d)      Section 303 is hereby deleted in its entirety.

(e)      Section 308 is hereby deleted in its entirety.

(f)      Section 309 is hereby deleted in its entirety.

13.07.030      Copies on File and Available for Sale. At least one (1) copy of the International Property Maintenance Code, 2012 Edition, together with one (1) copy of the Ordinance codified in this Chapter, shall be kept on file in the office of the Town Clerk or Building Official. Copies of said IPMC shall be available for sale to the public at a moderate price.

13.07.040      Penalties. Any person, firm or corporation violating any of the provisions of the IPMC shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the IPMC is committed, continued or permitted. Any offense under this Section shall be deemed one of the “strict liability.” Violation of the IPMC shall constitute a Class A municipal offense.

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or any approval of any violation of the provisions of IPMC. No permit presuming to give authority to violate or cancel the provisions of the IPMC shall be valid, except insofar as the work or use, which is authorized, is lawful.

The issuance or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations from being carried on thereunder when in violation of the IPMC or any other ordinance or from revoking any certificates of approval when issued in error.

Section 8. Chapter 13.08 of the Collbran Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

**CHAPTER 13.08  
INTERNATIONAL RESIDENTIAL CODE**

13.08.010      Adoption by Reference.

(a) Pursuant to the power and authority conferred by Section 31-16-201, *et seq.*, C.R.S., there is adopted by reference thereto the International Residential Code, 2012 edition, and the commentary and appendices thereto, promulgated by the International Code Council Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, to have the same force and effect as if set forth herein in every particular. The purpose and subject matter of this code is to regulate and govern the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories in height with separate means of egress in the Town.

(b) The following Appendices of the International Residential Code, 2012 Edition, are hereby adopted.

Appendix A—Sizing and Capacities of the Gas Piping

Appendix B—Sizing of Vent Systems Serving Appliances Equipped With Draft Hoods, Category 1 Appliances, and Appliances Listed For Use with Type B Vents

Appendix C—Exit Terminals of Mechanical Draft and Direct-Venting Systems

Appendix D—Recommended Procedures for Safety Inspections of Existing Appliance Installations

Appendix H—Patio Covers

Appendix Q—ICC International Residential Code Electrical Provisions/National Electrical Code Cross-Reference

No other Appendices are adopted.

13.08.020.      Amendments. The International Residential Code, 2012 Edition, is hereby amended as follows:

(a) Section R105.2. Section R105.2, Item 5, is amended to read: Sidewalks, Driveways and Platforms not more than 30 inches above adjacent grade and not over any basement or story below.

(b) Section R105.2. Section R105.2 is amended by the addition of the following new sub-sections.

**Building Item 11.** Re-siding of buildings regulated by this code.

**Building Item 12.** Re-roofing of buildings regulated by this code that do not exceed Limits of Section R907.3.

- (c) Section R105.3.1.1 is amended by deletion thereof.
- (d) Section R106.3.1. Section R106.3.1 is amended by deletion of the first sentence of the first paragraph. One set of construction documents so reviewed shall be retained by the Building Official.
- (e) Section R106.5. Section R106.5 is amended by deletion thereof.
- (f) Section R108.2. Section R108.2 is amended to reference the Table 108-A Fee Schedule attached hereto and incorporated herein as Exhibit A, which shall be available for inspection at the Office of the Mesa County Building Department and at the Collbran Town Hall.
- (g) Section R112. Section R 112 is amended by deletion thereof. The Board of Appeals established in Part 13 shall serve as the Board of Appeals.
- (h) Section 113.4 Section 113.4 is hereby deleted in its entirety and reenacted as follows:  
  
**113.4. Violation Penalties.** Any person who violates a provision of the IRC or fails to comply with the requirements thereto shall be subject to the penalties prescribed in Section 13.08.040.
- (i) Table R302.1. Table R302.1(1), "Exterior Walls," is amended by changing the following:  
  
Walls (not fire resistance rated) Minimum Fire Separation Distance = 3 feet  
Projections (fire resistance rated) Minimum Fire Separation Distance = 2 feet  
Projections (not fire resistance rated) Minimum Fire Separation Distance = 3 feet  
Openings (unlimited) Minimum Fire Separation Distance = 3 feet  
Openings, deleted 25% Maximum of Wall Area/0 Hours/3 feet  
Penetrations (all) Minimum Fire Separation Distance <3 feet, compliance with Section R302.4 and at 3 feet or greater, no requirements.
- (j) Section R302.2. For the purpose of this section, townhouse shall include two (2) or more attached units as defined in Section R202 R302.2 exception replace 1-hour with 2-hour
- (k) Section R303.1. Section R303.1, Exception 3 is amended by deletion and replacing with the following: Use of sunroom additions and patio covers, as defined in Section R202, shall be permitted for natural ventilation provided the space has adequate openings to the outside.
- (l) Section R309.1. Section R309.1 is amended by the deletion of the second paragraph.
- (m) Section R309.5. Section R309.5 is amended by deletion thereof.
- (n) Section R313. Section R313 is amended by the deletion thereof.



(o) Section R908. The IRC is amended to add Section R908, “Roof Covering Requirements in Wildfire Hazard Areas.”

**R908 Roof Covering Requirements in Wildfire Hazard Area**

**R908.1. Wildfire Hazard Areas defined.** Areas that have a wildfire hazard rate of medium or above (as shown on the Mesa County Wildfire Hazard Map).

**R908.2. Roof Covering.** Roof coverings for new buildings or structures or additions thereto or roof coverings utilized for re-roofing shall be Class A or B, tested in accordance with ASME E108 or UL 790 or fire-retardant treated shingles or shakes tread in accordance with AWWA C1.

**R908.3. Moved Buildings.** Any building or structure moved within or into any Wildfire Hazard Area shall be made to comply to all the requirements for new buildings in the Wildfire Hazard Area.

(p) Part IV-Energy Conservation, Chapter 11. Chapter 11 is hereby deleted in its entirety and reenacted to read, “See 2012 International Energy Conservation Code as adopted for energy code requirements.”

13.08.030 Copies on File and Available for Sale. At least one (1) copy of the International Residential Code, 2012 Edition, and the Appendices adopted thereto together with one (1) copy of the Ordinance codified in this Chapter, shall be kept on file in the office of the Town Clerk or Building Official. Copies of said IRC and such Appendices shall be available for sale to the public at a moderate price.

13.08.040 Penalties. Any person, firm or corporation violating any of the provisions of the IRC shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the IRC is committed, continued or permitted. Any offense under this Section shall be deemed one of the “strict liability.” Violation of the IRC shall constitute a Class A municipal offense.

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or any approval of any violation of the provisions of IRC. No permit presuming to give authority to violate or cancel the provisions of the IRC shall be valid, except insofar as the work or use, which is authorized, is lawful.

The issuance or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations from being carried on thereunder when in violation of the IRC or any other ordinance or from revoking any certificates of approval when issued in error.

Section 9. Chapter 13.09 of the Collbran Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

**CHAPTER 13.09**  
**INTERNATIONAL ENERGY CONSERVATION CODE**

13.09.010      Adoption by Reference. Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., there is adopted by reference thereto the International Energy Conservation Code, 2012 Edition, and the commentary and appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose and subject matter of this code is to regulate and govern energy-efficient building envelopes and installation of energy-efficient mechanical, lighting and power systems and provide for the issuance of permits and payment of fees therefor.

13.09.020      Amendments. The International Energy Conservation Code, 2012 Edition, is hereby amended as follows:

- (a)      Section 107. Section 107 is amended by deletion thereof.
- (b)      Section 108. Section 108 is amended by deletion thereof.
- (c)      Section 109. Section 109 is amended by deletion thereof.
- (d)      Section 402.5. Section 402.5 is amended by the deletion thereof.
- (e)      Section 403.2.2. Section 403.2.2 is amended by deletion thereof.
- (f)      Section 404. Section 404 is amended by deletion thereof.

13.09.030      Copies on File and Available for Sale. At least one (1) copy of the International Energy Conservation Code, 2012 Edition together with one (1) copy of the Ordinance codified in this Chapter, shall be kept on file in the office of the Town Clerk or Building Official. Copies of said IECC shall be available for sale to the public at a moderate price.

13.09.040      Penalties. Any person, firm or corporation violating any of the provisions of the IECC shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the IECC is committed, continued or permitted. Any offense under this Section shall be deemed one of the “strict liability.” Violation of the IECC shall constitute a Class A municipal offense.

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or any approval of any violation of the provisions of IECC. No permit presuming to give authority to violate or cancel the provisions of the IECC shall be valid, except insofar as the work or use, which is authorized, is lawful.

The issuance or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations from being carried on thereunder when in violation of the IECC or any other ordinance or from revoking any certificates of approval when issued in error.

Section 10. Chapter 095 of Title 13 of the Collbran Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

**CHAPTER 13.095  
NATIONAL ELECTRICAL CODE**

13.095.010 Adoption by Reference. Pursuant to the power and authority conferred by C.R.S. §31-16-20, *et seq.*, there is adopted by reference thereto the National Electric Code (NEC), 2011 Edition of the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, as a special reference resource material for specific items, and used with and for clarification of items in the IBC, IPC, IMC, IFGC, IPMC, IRC, and IECC and, as well as for all electrical wiring fixtures and appliances installed, altered, or repaired with the Town, or in connection with any building therein. It is not the intention of the Town to enforce the provisions or requirements of the NEC, but to recognize the authority of any Colorado state official who reviews matters covered in the NEC within the Town to do so. The purpose of the NEC is to provide guidance in being consistent with nationally recognized good practices for protecting the safety of life and property in electrical installations.

13.095.020 Copies on File and Available for Sale. At least one (1) copy of the National Electrical Code, 2011 Edition, together with one (1) copy of the Ordinance codified in this Chapter, shall be kept on file in the office of the Town Clerk or Building Official. Copies of said NEC shall be available for sale to the public at a moderate price.

13.095.030 Penalties. Any person, firm or corporation violating any of the provisions of the NEC shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the NEC is committed, continued or permitted. Any offense under this Section shall be deemed one of the “strict liability.” Violation of the NEC shall constitute a Class A municipal offense.

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or any approval of any violation of the provisions of the NEC. No permit presuming to give authority to violate or cancel the provisions of the NEC shall be valid, except insofar as the work or use, which is authorized, is lawful.

The issuance or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations from being carried on thereunder when in violation of the NEC or any other ordinance or from revoking any certificates of approval when issued in error.

CHAPTER 13.10  
ADMINISTRATION AND ENFORCEMENT

Sections:

- 13.10.010 Building Official -- Designated
- 13.10.020 Interpretation
- 13.10.030 Promulgation of Regulations
- 13.10.040 Building Official -- Powers and Duties
- 13.10.050 Responsibility of Owner
- 13.10.060 Prohibitions
- 13.10.070 Non-assumption, Non-waiver

13.10.010 Building Official -- Designated. The Board of Trustees shall designate a person to serve as the Town of Collbran Building Official. The Building Official is authorized and directed to enforce all provisions of this Title and the codes adopted by reference thereunder. The Town may contract with other persons or other governmental entities to perform inspections and other duties of the Building Official provided for in this Title and the codes adopted by reference thereunder. (*Source: Ord. No. 140*)

13.10.020 Interpretation. The Town Building Official shall be deemed the judge as to the proper interpretation of the rules and requirements of this Title and the codes adopted by reference thereunder pertaining to the construction, alteration, enlargement or improvement of buildings and structures regulated by this Title or the codes adopted by reference thereunder. Provided, however, the Building Official shall not be permitted to modify any substantive rules and regulations contained in this Title and the codes adopted by reference thereunder.

13.10.030 Promulgation of Regulations. The Town Building Official shall be authorized to promulgate from time to time additional regulations, design standards, tables, drawings, and guidelines not in conflict with the provisions of this Title and the codes adopted by reference thereunder.

13.10.040 Building Official -- Powers and Duties. (a) The Building Official is charged with the administration and enforcement of this Title and all codes adopted by

reference thereunder under the authority of the Board of Trustees.

(b) The Building Official or his designee shall have the power to:

(1) Enter any premises at any reasonable time for the purpose of administering this Title.

(2) Direct that tests of materials, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof be submitted at the expense of the owner, where such evidence or proof is necessary to determine whether the material, devices, construction or foundation meets the requirements of this Title. The records of such tests shall be kept available for inspection during the construction of the building or structure and for such a period thereafter as required by the Building Official.

(3) Direct by written notice, or by attaching a placard to the premises, the correction of any condition where, in the opinion of the Building Official, such a condition violates the provisions of this Title.

(4) Revoke a permit where there is a violation of the provisions of 13.12.060.

(5) Authorize the filing of a criminal complaint in the Collbran Municipal Court if he has probable cause to believe a violation of this Title or any code adopted by reference thereunder has been committed.

13.10.050 Responsibility of Owner. Neither the granting of a permit, nor the approval of the drawings and specifications, nor inspections made by the Building Official shall in any way relieve the Owner of such building or structure from full responsibility for carrying out all work in accordance with the requirements of this Title and the codes adopted by reference thereunder.

13.10.060 Prohibitions. (a) No person shall commence or continue any work in respect to any building, structure, factory-built housing unit, manufactured home, mobile home or equipment without first obtaining required permits from the Town of Collbran, as required by this Title and the codes adopted by referenced thereunder.

(b) No person shall occupy any new building, factory-built housing unit, manufactured home, or mobile home until sewage disposal facilities, meeting the minimum standards of the Colorado Department of Health and the Town of Collbran have been installed and have been approved, in writing, by the Town. No person shall occupy any building, factory-built housing unit, manufactured home, or mobile home

unless domestic water facilities have been installed and have been approved, in writing, by the Town of Collbran.

13.10.070 Non-Assumption, Non-Waiver. The Town of Collbran, its officials, employees, and agents thereof 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 Title. The adoption of the codes herein shall not give rise to a duty of care. The enforcement or failure to enforce this Title or the mere fact that an

inspection was conducted in the course of enforcing this Title shall not give rise to a duty of care where none otherwise existed. Enactment of this Title shall not constitute a waiver of official immunity, sovereign immunity, or governmental immunity by the Town of Collbran, its officer, employees, and agents.

CHAPTER 13.12  
PERMITS AND FEES

Sections:

- 13.12.010 Permits Required
- 13.12.020 Waiver of Permit Requirements
- 13.12.030 Issuance of Permits
- 13.12.040 Application -- Contents
- 13.12.050 Permits/Sign Board on Site
- 13.12.060 Permits -- General Conditions
- 13.12.070 Permit Fees -- General
- 13.12.080 Issuance of a Certificate of Occupancy

13.12.010 Permits Required. The Building Official, or his designee, shall promulgate a table that sets forth the projects which require permit(s), if any, and specifies the specific type of permit(s) required and the site inclusion requirements. It shall be the duty of the applicant for a proposed project which is not specifically set forth in said table to contact the Building Official for a determination of the type of permit(s) required, if any, and the site inclusion requirements. *(Source: Ord. No. 140)*

13.12.020 Waiver of Permit Requirements. The Building Official may waive any permit requirements contained within this Title or the codes adopted by reference thereunder only after a determination is made that the effect of such a waiver is minor and will not affect the health, safety and welfare of the citizens of the Town of Collbran.

13.12.030 Issuance of Permits. (a) The Building Official shall issue a permit where:

- (1) Application for a permit has been made in accordance with the provisions of this Section.
- (2) The proposed work set out in the application conforms to this Title and all other laws, regulations, resolutions or orders applicable within the Town of Collbran.
- (3) All construction drawings, applications, and permit fees have been submitted and approved, including those for plumbing, electrical, and mechanical portions of the project. A footing and foundation permit may be awarded prior to the reception of other permit information if adequate structural and site plan information has been provided.

- (b) The Building Official shall NOT issue a permit where:
- (1) The proposed work, as set forth in the application, or the proposed use of the building or structure when completed, does not comply with the subdivision, zoning, or land use provisions of the Collbran Municipal Code, or other applicable ordinances.
  - (2) The proposed site is located, all or in part, within any area determined by the Building Official to necessitate special building requirements as a result of potential avalanche, earth movement, floods, surface water, or other potentially hazardous conditions, or is located within an area of special flood hazard as designated pursuant to the Collbran Municipal Code, and any special permits required by said Chapter have not been obtained by the applicant. All special building requirements included in any such special permit shall be incorporated into the permit issued to the applicant under this Title.
  - (3) In the opinion of the Building Official, the results of the tests referred to in Section 13.10.040(b)(2) of this Title are not satisfactory.

13.12.040 Application -- Contents. An application for a permit issued under this Title shall:

- (a) Be made on the form prescribed by the Building Official.
- (b) Be signed by the applicant.
- (c) Be accompanied by the fee prescribed for the work to be undertaken.
- (d) State the intended use of the building or structure.
- (e) Include copies in duplicate of a plot plan and scale drawings and specifications of the work to be carried out as required by building codes adopted by reference by the Town of Collbran, and any other applicable regulations.

13.12.050 Permits/Sign Board on Site. (a) An address sign board shall be required at all building sites for new construction permitted through the Town of Collbran Building Official. The sign board shall provide a place to mount the permit card where it can be signed during various inspections. The Building Official may promulgate recommended dimensions for said sign board as a guideline only.

(b) The person to whom the permit is issued shall, during construction, post in a conspicuous place on the property in respect of which the permit was issued a copy of the building permit or a poster or placard approved by the Building Official in lieu



thereof.

(c) The person to whom the building permit is issued shall, during construction, keep a copy of the approved drawings and specifications referred to in Section 13.12.040(e) on the property in respect of which the permit was issued.

13.12.060 Permits -- General Conditions. Unless otherwise provided in the primary codes adopted by reference, every permit is issued upon the condition that:

(a) Construction shall be started within one hundred eighty (180) days from the date of the issuance of the permit;

(b) Construction shall not be discontinued or suspended for a period of more than one hundred eighty (180) days; and

(c) The exterior of any building shall be finished in durable, weather resistant materials prior to employment of particular use for which the building is intended.

13.12.070 Permit Fees -- General. (a) The estimated value of the work shall be reviewed by the Building Official and shall be based on the declared cost of materials and labor for each permit for each building or structure. The Building Official shall account for all fees paid under this Title for any building, mobile home placement, manufactured home placement, or factory-built unit placement. All fees collected shall be deposited in the Town's general fund, unless otherwise specified by the Board of Trustees.

(b) If the Building Official discovers any person undertaking work in violation of this Title, he shall notify the violator to cease such act or acts, and such violator shall pay for such applicable permit(s) twice the amount of the fee otherwise levied.

13.12.080 Issuance of a Certificate of Occupancy. In addition to the requirements for the issuance of a Certificate of Occupancy contained in the codes adopted by reference in this Title, no Certificate of Occupancy shall be issued until the following improvements, if required, have been installed in the development where the building or structure is to be located and have been approved by the Town Building Official:

- (a) Sidewalks and bikeways.
- (b) Signs.
- (c) Street paving with curb and gutter as required.
- (d) Street lighting.

- (e) Soil stabilization and revegetation measures.
- (f) All other public improvements required by a development permit or subdivision improvements agreement.
- (g) Land dedication, if required.
- (h) Landscaping, if required.

CHAPTER 13.14  
APPEALS

Sections:

- 13.14.010 Application for Appeal
- 13.14.020 Time for Appeal
- 13.14.030 Commission Action on Appeal
- 13.14.040 Hearings
- 13.14.050 Decision
- 13.14.060 Appeals from the Board

13.14.010 Application for Appeal. Any person aggrieved by a decision of the Building Official denying, issuing, or revoking a permit or in applying the provisions of this Title or any code adopted by reference thereunder to the construction, alteration, or repair of a structure, as herein defined, may appeal such decision to the Town Board of Trustees. (Source: Ord. No. 140)

13.14.020 Time for Appeal. An appeal shall be commenced within fifteen (15) days from the date of the decision appealed from by filing a written notice of appeal with the Mayor setting forth the decision appealed from and the grounds for said appeal.

13.14.030 Commission Action on Appeal. Upon receipt of a notice of appeal, the Mayor shall schedule said appeal for hearing within thirty (30) days. The Town Clerk shall thereupon mail written notice of the date, time, and place of the hearing to the Building Official and to the appellant.

13.14.040 Hearings. Hearings shall be public and shall permit the appellant to call witnesses, introduce evidence, examine and cross-examine witnesses, and otherwise provide the appellant with due process of law. The Board of Trustees may adopt reasonable rules and regulations for the conduct of hearings and thereafter such

rules and regulations shall govern the conduct of such hearings.

13.14.050 Decision. The Board shall issue its findings and decision thereon in writing no later than thirty (30) days after the conclusion of the hearing. The Town Clerk shall mail copies of the findings and decision to the Building Official and the appellant.

13.14.060 Appeals from the Board. Any decision issued by the Board of Trustees on an appeal filed under this Chapter shall be final. Any further appeal from the decision of the Board shall be made to the District Court, as provided by law.