

**CITY OF WOODLAND PARK, COLORADO  
ORDINANCE NO. 1446, SERIES 2023**

AN ORDINANCE AMENDING CHAPTER 15.02 OF THE MUNICIPAL CODE OF THE CITY OF WOODLAND PARK BY ADOPTING BY REFERENCE THE PIKES PEAK REGIONAL BUILDING CODE, 2023 EDITION, WHICH ADOPTED BY REFERENCE CERTAIN SECONDARY CODES, AS AMENDED, INCLUDING THE 2021 INTERNATIONAL BUILDING CODE (IBC), THE 2021 INTERNATIONAL RESIDENTIAL CODE (IRC); THE 2021 INTERNATIONAL MECHANICAL CODE (IMC); THE 2021 INTERNATIONAL FUEL GAS CODE (IFGC); THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE (IECC); THE 2021 INTERNATIONAL EXISTING BUILDING CODE (IEBC); THE 2021 INTERNATIONAL POOL AND SPA CODE (ISPS); AND CERTAIN STATE ADOPTED CODES RELATED TO ELECTRICAL, PLUMBING, AND CONVEYANCES.

WHEREAS, pursuant to the Inter-governmental Agreement (IGA) between the City of Woodland Park and Pikes Peak Regional Building Department (PPRBD), approved by City Council on November 7, 2018, PPRBD provides certain building department services to the City of Woodland Park; and

WHEREAS, pursuant to Ordinance 1321, Series 2018, the City Council for the City of Woodland Park adopted, by reference, the Pikes Peak Regional Building Code, 2017 Edition (the "2017 RBC Edition"); and

WHEREAS, pursuant to Ordinance 1395, Series 2021, the City Council for the City of Woodland Park adopted certain amendments to the 2017 RBC Edition by reference, and amended certain other provisions of Title 15 of the Municipal Code of the City of Woodland Park; and

WHEREAS, the Board of Review of PPRBD has approved the Pikes Peak Regional Building Code, 2023 Edition ("2023 RBC Edition") to include: adoption by reference with amendments, where allowed by the State of Colorado, of the 2021 International Building Code (IBC), the 2021 International Residential Code (IRC), the 2021 International Mechanical Code (IMC), the 2021 International Fuel Gas Code (IFGC), the 2021 International Energy Conservation Code (IECC) with amendments, the 2021 International Existing Building Code (IEBC), the 2021 International Pool and Spa Code (ISPS), Elevator and Escalator Safety Codes (current editions, as adopted by the State of Colorado) ASME A17.1, ASME A18.1, and ASME A17.3; and

WHEREAS, the City Council of Woodland Park finds it to be in the best interest of the citizens to amend Chapter 15.02 of the Woodland Park Municipal Code by adopting, by reference, the 2023 RBC Edition.

NOW, THEREFORE, THE CITY OF WOODLAND PARK, COLORADO, ORDAINS:

**Section 1. Adoption of the 2023 RBC Edition.** The 2023 RBC Edition is hereby adopted by reference and accordingly §15.02.010 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

**15.02.010 Adoption.** The Pikes Peak Regional Building Code, ~~2017~~**2023** Edition, promulgated and published by ~~the Pikes Peak Regional Building Department Commission~~, 2880 International Circle, Colorado Springs, Colorado, 80910, ~~exclusive~~**inclusive** of Appendices ~~A-IA and B~~, and ~~as amended in 2015~~ is hereby adopted by reference as set out in this codification with, however, the amendments set forth in this chapter.

**Section 2. Appeal Procedures.** Section RBC101.7 of the 2023 RBC Edition is deleted in its entirety, replaced, and accordingly §15.02.020 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

**15.02.020 RBC101.7 Appeal procedures. Section RBC101.7 is repealed in its entirety and reference shall be made to section 15.01.030 for filing procedures.**

**Section 3. Penalties and Violations.** Section RBC101.8 of the 2023 RBC Edition is deleted in its entirety, replaced, and accordingly a new §15.02.030 of the Municipal Code of the City of Woodland Park is hereby adopted to read as follows:

**15.12.030 RBC101.8 Penalties and Violations.** Section RBC101.8 is repealed in its entirety and reenacted to provide:

**101.8.1 Penalties for violations.** Any violation of any portion of this chapter is hereby declared to be unlawful and punishable as set forth below.

**101.8.2 Violation – Injunction and other remedies.**

1. It is unlawful to erect, construct, reconstruct, alter, maintain, or use any building or structure in a manner that results in a violation of any regulation in, or of any provisions of, this chapter, or any amendment thereof, enacted or adopted by the city council. Any person (entity included) violating any such regulation, provision, or amendment thereof, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in jail for not more than ten days, or by both such fine and imprisonment. Each day during which such illegal erection, construction, reconstruction, alteration, maintenance, or use continues shall be deemed a separate offense.
2. Nothing in this chapter shall be construed to prohibit the use of any building or structure in violation of an otherwise applicable building code where the use complies with any building code that was in effect at the time the building or structure was erected, constructed, reconstructed, or altered.

3. Whenever a building inspector or fire chief authorized pursuant to city ordinance or police officer, including code enforcement officer, has personal knowledge of any violation of the requirements of this chapter, the building inspector shall give written notice to the violator to correct the violation within fifteen days after the date of the notice. Where the violator fails to correct the violation within the ten-day period, the police officer, including the code enforcement officer, may issue a summons and complaint to the violator, stating the nature of the violation with sufficient particularity to give notice of the charge to the violator. The summons and complaint shall require that the violator appear in municipal court at a definite time and place stated therein to answer and defend the charge(s).
4. One copy of the summons and complaint shall be served upon the violator by the police officer in the manner provided by law for the service of a criminal summons. One copy each shall be retained by the police officer and the building inspector or fire chief, and one copy shall be transmitted to the municipal court clerk.
5. It is the responsibility of the city attorney to enforce the provisions of this section.
6. In case any building or structure is, or is proposed to be, erected, constructed, reconstructed, altered, maintained, or used in violation of any regulation or provision of this chapter, or amendment thereto, enacted or adopted by the city council, the city attorney, in addition to other remedies provided by law, may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful erection, construction, reconstruction, alteration, maintenance, or use.

### **101.8.3 Civil penalties for building violations.**

1. It is unlawful to erect, construct, reconstruct, alter, maintain, or use any building, structure, or land in violation of this chapter. In addition to any penalties imposed pursuant to this section, any person (entity included) violating any provision of this chapter may be subject to the imposition, by order of the municipal court, of a civil penalty in an amount of not less than five hundred dollars nor more than one thousand dollars. It is within the discretion of the city attorney to determine whether to pursue the civil penalties set forth in this section, the remedies set forth

in section 101.8.1 above, or both. Each day after the issuance of the order of the municipal court during which such unlawful activity continues shall be deemed a separate violation and shall in accordance with the subsequent provisions of this section, be the subject of a continuing penalty in an amount not to exceed one hundred dollars for each such day. Until paid, any civil penalty ordered by the municipal court and assessed under this section shall, as of recording, be a lien against the property on which the violation has been found to exist. In case the assessment is not paid within thirty days, it may be certified by the city clerk to the county treasurer, who shall collect the assessment, together with a ten percent penalty for the cost of collection, in the same manner as other taxes are collected. The laws of this state for assessment and collection of general taxes, including the laws for the sale and redemption of property for taxes, shall apply to the collection of assessments pursuant to this chapter. Any lien placed against the property pursuant to this chapter shall be recorded with the Clerk and Recorder of Teller County.

2. In the event any building or structure is erected, constructed, reconstructed, altered, maintained, or used in violation of this chapter, the city attorney, in addition to other remedies provided by law, may commence a civil action in municipal court seeking the imposition of a civil penalty in accordance with the provisions of this section.
3. A building inspector or fire chief designated by ordinance or resolution of the city council shall, upon personal information and belief that a violation of this chapter has occurred, give written notice to the violator to correct the violation within fifteen days after the date of the notice. If the violator fails to correct the violation within the ten-day period or within any extension period granted by the building inspector, the building inspector, a police officer, including the code enforcement officer, or the city attorney may issue a summons and complaint to the violator stating the nature of the violation with sufficient particularity to give notice of the charge to the violator.
4. One copy of the summons and complaint issued pursuant to paragraph three (3) of this section shall be served upon the violator in the manner provided by law for the service of a municipal court civil summons and complaint in accordance with the Colorado Municipal Court Rules of Procedure. The summons and complaint shall also be filed with the clerk of the municipal court and thereafter the action shall proceed in

accordance with the Colorado Municipal Court Rules of Procedure.

5. If the municipal court finds, by a preponderance of the evidence, that a violation of this section has occurred, the court shall order the violator to pay a civil penalty in an amount allowed pursuant to this chapter. The penalty shall be payable immediately by the violator to the city treasurer. In the event that the alleged violation has been cured or otherwise removed and the violator has notified the building inspector or fire chief of the cure or removal at least five business days prior to the appearance date in the summons, then the city attorney shall so inform the court and request that the action be dismissed without fine or appearance of the defendant.
6. Upon the filing with the court of a receipt issued by the city treasurer showing payment in full of a civil penalty assessed pursuant to this section and upon the filing of an affidavit of the building inspector or fire chief that the violation has been cured, removed, or corrected, the court shall dismiss the action and issue a satisfaction in full of the judgment so entered. The court may also dismiss the action upon a motion of the city attorney indicating that the matter has been otherwise resolved.
7. If a receipt showing full payment of the civil penalty or the affidavit or the motion by the city attorney required by this section is not filed, the action shall continue, and the court shall retain jurisdiction to impose an additional penalty against the violator in the amount specified in this chapter. The additional penalty shall be imposed by the court upon motion filed by the city and proof that the violation has not been cured, removed, or corrected. Thereafter, the action shall continue until the filing with the court of a receipt issued by the city treasurer showing payment in full of the civil penalty and any additional penalties so assessed and the filing of an affidavit of the building inspector or fire chief that the violation has been cured, removed, or corrected, or until a motion by the city attorney to dismiss the action is granted by the court.
8. In addition to all other provision of this section 101.8.3, the building official may impose an administrative fine in an amount of up to one thousand dollars (\$1,000.00) on any person or entity engaged in any construction consulting work or construction work covered by the building code within the City who engages in this work in violation of any provisions of Chapter 15.02 of

the Municipal Code. Appeals of this action may be made as provided for in Chapter 15.01 of the Municipal Code.

**Section 4. RBC103.2 Deputy Plumbing Inspector.** Section RBC103.2 of the 2023 RBC Edition is adopted in its entirety without any amendments. Accordingly §15.02.040 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

**15.02.040 RBC103.2 Act as a deputy plumbing inspector.**  
Section RBC103.2 is amended by deleting the phrase “is hereby confirmed as the Deputy Plumbing Inspector for the County Board of Health, and is.”  
**Section RBC103.2 is adopted in its entirety.**

**Section 5. RBC108.2 Schedule of Permit Fees.** Section RBC108.2 of the 2023 RBC Edition is amended, and accordingly §15.02.050 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

**15.02.050 ~~RBC103.12 Authority to impose a fine.~~ Section RBC103.12 is repealed in its entirety.**  
**RBC108.2 Schedule of permit fees.**  
**Section RBC108.2 is amended and modified by adding the following to read: “City council establishes Appendix B: Building Permit Fee Schedule of the building code as the adopted fee schedule.”**

**Section 6. RBC111 Board of Review established.** Section RBC111 of the 2023 RBC Edition is amended, and accordingly §15.02.060 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

**15.02.060 RBC111 Board of Review established. Section RBC111 is hereby amended, as follows:**

**Section RBC111.1 BOARD OF REVIEW ESTABLISHED.**  
**Delete and replace with the following:**

**RBC111.1 BOARD OF REVIEW ESTABLISHED. The Board of Review for the City of Woodland Park shall be established in accordance with Chapter 15.01 of the Municipal Code.**

**Section RBC111.2 AUTHORITY AND RESPONSIBILITY OF BOARD OF REVIEW. Delete in its entirety.**

**Section 111.3 ADVISORY COMMITTEES; PURPOSE. Delete in its entirety.**

**Section 111.4.1 Technical Committee. Delete in its entirety.**

**Section 111.7 FIRE BOARD OF APPEALS. Delete in its entirety.**

**Section 7.** RBC105.2.1 Temporary signs. Section RBC105.2.1, subsection 23, of the 2023 RBC Edition is amended, and accordingly §15.02.070 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

**15.02.070 ~~RBC105.2.5~~RBC105.2.1 Temporary Signs.** Section RBC105.2 is amended by the addition of the following sentence: “For purposes of this Section RBC105.2, Temporary signs shall have the definition consistent with Section 18.48.020 of the Municipal Code and shall mean signs related to the development, sale, or rental of real property”.

**Section RBC105.2.1 Construction and Installations. Building: 23. Add the following after the first sentence: “Temporary signs shall have the definition consistent with Section 18.48.020 of the Municipal Code of the City of Woodland Park and shall mean signs related to the development, construction, sale, or rental of real property”.**

**Section 8.** RBC105.3 Application for permits. Section RBC105.3 of the 2023 RBC Edition is adopted in its entirety without any amendments. Accordingly §15.02.080 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

**15.02.080 RBC105.3 Application for permits.** Section RBC105.3 is amended to read: “To obtain a permit, the applicant shall first file an application in writing on a form furnished by the City of Woodland Park.” **Section RBC105.3 is adopted in its entirety.**

**Section 9.** Section 15.02.090 of the Municipal Code. §15.02.090 of the Municipal Code of the City of Woodland Park is deleted in its entirety:

**~~15.02.090 — RBC109.2.1 — Building — Inspections.~~** Section RBC109.2.1, Subsection 6.1.1. is enacted to read: **6.1.1 Roof dry in (asphalt roof).** After a minimum width of 72” ice and water shield barrier is installed from a heated vertical wall and prior to installation of shingles.

**Section 10.** RBC302.4.42.1 Ice barriers. Section RBC302.4.42.1 of the 2023 RBC Edition is amended, and accordingly §15.02.091 of the Municipal Code of the City of Woodland Park is hereby added to read as follows:

**15.02.091 RBC302.4.42.1 Ice barriers.**

**RBC302.4.42.1 Ice barriers.** Insert a new Section as follows:

**RBC302.4.42.1 Section 1507.1.2 Ice barriers.** Delete and replace with the following:

**1507.1.2. Ice barriers.** An ice barrier shall be installed for asphalt shingles, metal roof shingles, mineral-surfaced roll roofing, slate and slate-type shingles, wood shingles, and wood shakes. The ice barrier shall consist of a self-adhering polymer modified bitumen sheet complying with ASTM D1970, and shall be used in place of normal underlayment and extend from the lowest edges of all roof surfaces to a point not less than 72 inches (1,854 mm) inside the exterior wall line of the building.

Exception: Detached accessory structures that do not contain conditioned floor area.

**Section 11. RBC302.4.42.2 Valley lining.** Section RBC302.4.42.2 of the 2023 RBC Edition is amended, and accordingly §15.02.092 of the Municipal Code of the City of Woodland Park is hereby added to read as follows:

**15.02.092 RBC302.4.42.2 Valley lining.**

**Section RBC302.4.42.2 Valley lining.** Insert a new Section as follows:

**RBC302.4.42.2 Section 1507.1.3 Valley lining.** Valley linings shall be of a self-adhering polymer modified bitumen sheet complying with ASTM D1970, shall extend the full length of the valley, and shall extend not less than 18 inches (457 mm) from the centerline each way.

**Section 12. RBC303.4.67.1 Ice barriers.** Section RBC303.4.67.1 of the 2023 RBC Edition is amended, and accordingly §15.02.093 of the Municipal Code of the City of Woodland Park is hereby added to read as follows:

**15.02.093 RBC303.4.67.1 Ice barriers.**

**Section RBC303.4.67.1 Ice barriers.** Insert a new Section as follows:

**RBC303.4.67.1 Section R905.1.2 Ice barriers.** Delete and replace with the following:

**R905.1.2. Ice barriers.** An ice barrier shall be installed for asphalt shingles, metal roof shingles, mineral-surfaced roll roofing, slate and slate-type shingles, wood shingles, and wood shakes. The ice barrier shall consist of a self-adhering polymer modified bitumen sheet complying with ASTM D1970, and shall be used in place of normal underlayment and extend from the lowest edges of all roof surfaces to a point not less than 72 inches (1,854 mm) inside the exterior wall line of the building.



Exception: Detached accessory structures that do not contain conditioned floor area.

**Section 13.** RBC303.4.67.2 Valley lining. Section RBC303.4.67.2 of the 2023 RBC Edition is amended, and accordingly §15.02.094 of the Municipal Code of the City of Woodland Park is hereby added to read as follows:

**15.02.094 RBC302.4.67.2 Valley lining.**

**Section RBC302.4.67.2 Valley lining.** Insert a new Section as follows:

**RBC302.4.67.2 Section 1507.1.3 Valley lining.** Valley linings shall be of a self-adhering polymer modified bitumen sheet complying with ASTM D1970, shall extend the full length of the valley, and shall extend not less than 18 inches (457 mm) from the centerline each way.

**Section 14.** RBC302.4.53 Section 1612.3 Establishment of flood hazard areas. Section RBC302.4.53 of the 2023 RBC Edition, Section 1612.3, is deleted in its entirety, replaced, and accordingly §15.02.110 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

**15.02.110 RBC302.4.4053 Section 1612.3 Establishment of flood hazard areas.**

~~Section~~~~section~~ RBC302.4.4053 Section 1612.3 is repealed and reenacted to provide:

**RBC302.4.53 Establishment of flood hazard areas.** Buildings and structures constructed in whole or in part in flood hazard area (as defined by Title 20 of the Municipal Code) shall comply with Title 20 of the Municipal Code.

**Section 15** RBC303.4.31 Section R322 Flood resistant construction. Section RBC303.4.31 of the 2023 RBC Edition, Section R322, is deleted in its entirety, replaced, and accordingly §15.02.120 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

**15.02.120 RBC303.4.2931 Section R322 Flood resistant construction**

Section RBC303.4.2931 Section R322 is repealed and reenacted to provide:

**RBC303.4.31 Section R322.1 General.** Buildings and structures constructed in whole or in part in flood hazard area (as defined by Title 20 of the Municipal Code) shall comply with Title 20 of the Municipal Code. ~~and the applicable Sections of RBC313 Floodplain Code.~~

**Section 16. RBC304 Mechanical Code.** Section RBC304 of the 2023 RBC Edition is adopted in its entirety without any amendments. Accordingly §15.02.130 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

**15.02.130 RBC304 Mechanical Code.** ~~Section RBC103.2 is amended by deleting the phrase “is hereby confirmed as the Deputy Plumbing Inspector for the County Board of Health, and is.”~~ **Section RBC304 is adopted in its entirety.**

**Section 17. RBC308 Energy Conservation Code.** Section RBC308 of the 2023 RBC Edition is adopted in its entirety without any amendments. Accordingly §15.02.155 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

**15.02.155 RBC308 Energy Conservation Code.** ~~The 2015 IECC and RBC308 shall be amended as follows:~~

A. ~~Delete Fenestration U Factor 0.32 from Climate Zone 5 B per Table R402.1.2 and replace with 0.35.~~

B. ~~Delete IECC Section R403.5.4 regarding the drain water heat recovery units.~~ **Section RBC308 is adopted in its entirety.**

**Section 18. Section RBC309.10.3.3 Private utilities.** Section RBC309.10.3.3 of the 2023 RBC Edition is amended, and accordingly a new §15.02.156 of the Municipal Code of the City of Woodland Park is adopted to read as follows:

**15.02.156 RBC309.10.3.3 Private Utilities.**

**Section RBC309.10.3.3 Private Utilities.** Delete and replace with the following:

**RBC309.10.3.3 Private Utilities.** All units connected to private sewage disposal systems shall comply with the requirements of Teller County Public Health and Environment.

**Section 19. RBC312 Enumeration Code.** Section RBC312 of the 2023 RBC Edition is deleted in its entirety, replaced, and accordingly §15.02.160 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

**15.02.160 RBC312 Enumeration Code.**

~~Section RBC312.3 Authority, Section RBC312.4 General Regulations for Assignment of Numeric Addresses, Section RBC312.5 Regulations for Residential Uses, Section RBC312.6 Regulations for Commercial and Industrial Uses, and Section RBC312.7 Numeric Address Change are repealed in their entirety. **Section RBC312 Enumeration Code is deleted in its entirety and replaced with the following:**~~

**RBC312.1 Assignment of numeric address. Assignment of numeric addresses shall comply with the policies and procedures established by the City of Woodland Park, as amended.**

**Section 20. RBC313 Floodplain Code.** Section RBC313 of the 2023 RBC Edition is deleted in its entirety, replaced, and accordingly §15.02.170 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

#### **15.02.170 RBC313 Floodplain Code.**

~~Sections RBC313.3 through RBC313.21 are repealed in their entirety and only the following sections are adopted herein by reference: Section RBC313.1 Short Title; RBC313.2 Statutory Authorization; RBD313.18 Anchoring; and RBC313.18.3 Construction Materials and Methods. **Section RBC313. Floodplain Code is deleted in its entirety and replaced with the following:**~~

**RBC313.1 General. Buildings and structures constructed in whole or in part in flood hazard area (as defined by Title 20 of the Municipal Code) shall comply with Title 20 of the Municipal Code.**

**Section 21. RBC112 Dangerous Building Code.** Section RBC112 of the 2023 RBC Edition is amended, and accordingly §15.02.180 of the Municipal Code of the City of Woodland Park is hereby amended to read as follows:

#### **15.02.180 RBC112 Dangerous Building Code.**

Section RBC112.4.10 and RBC112.4.11 is enacted to provide:

~~RBC112.4.110 Board of Review. All references to the Board of Review shall be replaced with Woodland Park Board of Review.~~

~~RBC112.4.111 Teller County Clerk and Recorder. All references to County Clerk and Recorder of El Paso County shall be replaced with County Clerk and Recorder of Teller County. **All references to the Board of Appeals shall be replaced with the City of Woodland Park Board of Review.**~~

**Section 22. Penalty Provisions.** The following penalty provisions are set forth in this Ordinance in compliance with C.R.S. § 31-16-204 and are adopted as set forth below:

The 2023 RBC Edition is subject to the following penalty provisions:

1. Any person violating the Building Code<sup>1</sup>, or any provisions of the Pikes Peak Regional Building Code, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than five hundred dollars (\$500.00), or imprisoned not more than ninety (90) calendar days in the city or county jail, or both. A separate offense shall be deemed committed for each and every calendar day during which any illegal erection, construction, reconstruction, alteration, maintenance, or use continues. In case any building or structure is, or is proposed to be, erected, constructed, reconstructed, altered or remodeled, used or maintained in violation of the Pikes Peak Regional Building Code or of any provision of the Building Code, the City Attorney or the Department's attorney, as applicable, in addition to other remedies provided by law, may institute an appropriate action for injunction, mandamus, or abatement to prevent, enjoin, abate, or remove any unlawful erection, construction, reconstruction, alterations, remodeling, maintenance, or use. *See*, RBC101.8.
2. The Building Official may impose an administrative fine in an amount of up to one thousand dollars (\$1,000.00) on any person (entity included) engaged in any construction consulting work or construction work covered by the Pikes Peak Regional Building Code. Appeals to this action may be made as provided for elsewhere in the Pikes Peak Regional Building Code. *See*, RBC103.12.
3. The Building Official shall have authority to record a certificate of alleged noncompliance in the public records of the County of the Jurisdiction where a property is located thirty (30) calendar days after notice of noncompliance is posted on the premises or sent by registered mail or by certified mail, postage prepaid, return receipt requested, addressed to the record owner as such concerns any work done by any person, which work allegedly fails to comply with the final inspection requirements of the

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<sup>1</sup> As referenced throughout the Pikes Peak Regional Building Code, 2023 Edition, "Building Code" means either the Commercial Building Code or the Residential Building Code, as applicable, in accordance with Chapter 3 of the Pikes Peak Regional Building Code, 2023 Edition.

Pikes Peak Regional Building Code. Service is perfected under this Section at the earliest of the date of posting; the date the record owner receives the notice of non-compliance; the date shown on the return receipt, if signed on behalf of the record owner; or five (5) days after mailing. This Section does not prescribe the only means, or necessarily the required means, of serving a person in the State of Colorado. When the person has made appropriate corrections so that the work becomes compliant with the Pikes Peak Regional Building Code, the Building Official may record a release of the certificate of alleged non-compliance. *See*, RBC103.13.

4. All work performed on an emergency basis, as determined by the Building Official, to maintain an existing service or to maintain an existing installation, building, or structure, where the maintenance is necessary to protect life or property, shall not be subject to penalty if application for any required permits is made within seventy-two (72) hours after commencement of the emergency work. *See*, RBC105.2.3.
5. The Building Official may, in writing, suspend or revoke a permit issued under the provisions of the Pikes Peak Regional Building Code whenever the permit has been issued in error or on the basis of incorrect information supplied, or in violation of any other provisions of this Code. *See*, RBC105.10.4.
6. Any person who refuses, without lawful excuse, to attend any hearing or to produce material evidence in the person's possession or under the person's control, as required by any subpoena served upon the person as provided for herein, shall be guilty of a misdemeanor. *See*, RBC112.3.8.3.
7. The Jurisdiction's Engineer shall keep an itemized account of the expenses incurred by the Jurisdiction in the repair or demolition of any building or structure done pursuant to the provisions of Section RBC112.4.1.2 Item 3 of the Pikes Peak Regional Building Code. Upon the completion of the work of repair or demolition, the Jurisdiction's Engineer shall prepare and file with the Jurisdiction's Clerk a report specifying the work done, the itemized and total fees and cost of the work, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitled to notice pursuant to Section RBC112.2.5 of the Pikes Peak Regional Building Code. Upon receipt of this report, the Jurisdiction's Clerk shall fix a time, date, and place for hearing the report, and any protests or objections thereto. The

Clerk shall cause notice of the hearing to be posted upon the property involved, published once in a newspaper of general circulation in the Jurisdiction, and served by registered mail or by certified mail, postage prepaid, addressed to the owner of the property as the owner's name and address appears on the assessment roll of the County Assessor, if it so appears or is known to the Clerk. The notice shall be given at least ten (10) calendar days prior to the date set for hearing, and shall specify the day, hour, and place when the governing body of the Jurisdiction will hear and pass upon the Engineer's report, together with any objections or protests that may be filed as hereinafter provided by any person interested in or affected by the proposed charge. *See*, RBC112.5.1.

8. The Jurisdiction may thereupon order that the charge be made a personal obligation of the owner, or assess the charge against the property involved, or both. *See*, RBC112.5.4.
9. If the Jurisdiction orders that the charge be a personal obligation of the owner, it shall direct the Jurisdiction's attorney to collect the same on behalf of the Jurisdiction by use of all appropriate legal remedies. *See*, RBC112.5.4.1.
10. If the Jurisdiction orders that the charge be assessed against the property, it shall confirm the assessment roll, and thereafter this assessment shall constitute a special assessment against and a lien upon the property and shall be collected in the same manner as other special assessments of the Jurisdiction. *See*, RBC112.5.4.2.
11. Eligible persons who are determined to have a marginal income such that they cannot pay an assessment or personal obligation levied under this Section, either against the property on which they reside or against themselves personally, may be afforded relief as hereinafter provided.
  1. Within thirty (30) calendar days after the assessment or the personal obligation is ordered by the Jurisdiction, an application for relief shall be filed with the Jurisdiction's Clerk.
  2. The governing body of the Jurisdiction, or a hardship committee, as designated and authorized by the governing body of the Jurisdiction, shall review the application for the requested relief. To determine the applicant's eligibility, the reviewing body shall use criteria established or adopted in

the Jurisdiction's code, ordinances, rules, or regulations, except that ownership of real property need not be required.

3. If it is determined that the applicant is eligible and that any person would probably default on the assessment or personal obligation, the reviewing body may authorize the execution with the applicant of an installment note for the payment of the assessment or personal obligation. The note shall be secured by a deed of trust, or if not available, by some other security reasonably available or appropriate. If no security is reasonably available or appropriate, then none may be required. The installment note shall provide that the owner shall make monthly payments to the Jurisdiction's Treasurer; that the payments shall not be less than five dollars (\$5.00) and shall be sufficient to repay the amount within a period of not more than twenty-five (25) years; that interest shall be charged at a rate of three percent (3%) per annum on the unpaid balance; that the entire outstanding balance shall become due and payable upon the death of the obligor or the sale or transfer of the property; that if at any time the Jurisdiction determines that the obligor is financially able to pay the outstanding balance, or that the obligor has willfully misrepresented the obligor's financial condition on the obligor's application, it may upon sixty (60) calendar days' notice declare the entire balance due and payable. *See*, RBC112.5.4.3.
12. Immediately upon its being placed on the assessment roll, the assessment shall be deemed to be complete, the several amounts assessed shall be payable, and the assessment shall be a lien against the property assessed. The lien shall be subordinate to all existing special assessment liens previously imposed upon and recorded against the same property and shall be priority or superpriority, as applicable, to all other liens except for State, County, and municipal taxes with which it shall be upon a parity. The lien shall continue until the assessment and all interest due and payable thereon are paid in full. *See*, RBC112.5.6.1.
13. Any assessments remaining unpaid after thirty (30) calendar days from the date of recording on the assessment roll shall become delinquent and shall bear interest at the rate of one percent (1%) per month from and after this date. *See*, RBC112.5.6.2.
14. The amount of the assessment shall be collected at the same time and in the same manner as general taxes are collected; and shall

be subjected to the same penalties and procedures and sale in case of delinquency as provided for general municipal taxes. All laws applicable to the levy, collection, and enforcement of general municipal taxes shall be applicable to the assessment. If the Jurisdiction has determined that the assessment shall be paid in installments, each installment and any interest thereon shall be collected in the same manner as general and municipal taxes in successive years. If any installment is delinquent, the amount thereof is subject to the same penalties and procedures for sale as provided for general municipal taxes. *See*, RBC112.5.8.

15. No person or entity convicted or found by a court or an administrative agency or authority having competent jurisdiction of a felony, or for civil or criminal fraud, constructive or actual, or for civil or criminal theft, for work related to any license or registration issued by Pikes Peak Regional Building Department, or for work related to the building trades in any jurisdiction, shall be granted a license or registration, or serve as an examinee for a contractor in Pikes Peak Regional Building Department's jurisdiction. *See*, RBC201.6.6.
16. Each policy of insurance shall contain an endorsement to the effect that the insurance carrier shall notify Pikes Peak Regional Building Department at least ten (10) calendar days in advance of the effective date of any reduction or cancellation of the policy. The lapse, cancellation, or reduction of insurance shall be cause for automatic suspension of the license or registration until the required coverage is timely reinstated. *See*, RBC201.7.2.
17. Failure to renew a license within this (45) calendar day period after the expiration date of the license or registration will require payment of a penalty at one-half (1/2) of the license or registration fee if renewed within ninety (90) days of the expiration date. After (90) days to (135) days, the penalty will be equal to the license or registration fee. After (135) days up to (180) days, the penalty will be equal to twice the license or registration fee. All requests for renewal(s) after (180) days from the expiration date shall require payment of all fees accrued, re-application, examination, evaluation by the respective Advisory Committee, and approval by the Board of Review of Pikes Peak Regional Building Department, as applicable. *See*, RBC201.10.4.
18. The following actions shall be considered punishable:



1. Willfully violating any provisions of the Pikes Peak Regional Building Code including any codes which are adopted by reference.
  2. Failure to comply with any lawful order of the Building Official or of any other authorized representative employed by Pikes Peak Regional Building Department pertaining to the administration of the Pikes Peak Regional Building Code and the codes which have been adopted by reference.
  3. Using a contractor's license or registration to obtain permits required under the Pikes Peak Regional Building Code for work that will not be performed by or supervised by the contractor.
  4. Misrepresentation by an applicant of a material fact when applying for a contractor's license or registration.
  5. Failure to obtain a proper permit for any work for which a permit is required by virtue of the Pikes Peak Regional Building Code.
  6. Commitment of any act of willful and wanton negligence in the conduct of the contractor's or other person's specific trade or business on work done by the contractor or other person that is regulated by the provisions of the Pikes Peak Regional Building Code.
  7. Ordinary negligence of the contractor or other person, evidenced by letters of reprimand and/or incident reports received by the contractor within a three (3) year time period that are, in the judgment of the Board of Review of Pikes Peak Regional Building Department, sufficient in number and severity to warrant revocation or suspension of the contractor's license or registration. *See, RBC201.11.3.*
19. A license or registration, or the right of an examinee of the contractor to serve as a contractor or as an examinee of a contractor, shall automatically be suspended or revoked by the Building Official as follows:
1. Registrations within this jurisdiction shall be automatically revoked or suspended upon revocation, suspension or refusal to renew any required Colorado State license.
  2. Any license or registration within this jurisdiction shall be

automatically suspended upon lapse, cancellation, or reduction of insurance coverage below that required by section RBC201.7 of the Pikes Peak Regional Building Code. This suspension shall remain in effect until proof of the reinstatement of the required coverage is presented to Pikes Peak Regional Building Department. Failure to present this proof within twelve (12) months from the date of the lapse, cancellation, or reduction shall result in automatic revocation of the license or registration.

3. Conviction or a finding by a court or administrative agency or authority having competent jurisdiction of the contractor and/or its examinee(s), for a felony, or for civil or criminal fraud, constructive or actual, or for civil or criminal theft, for work related to any license or registration under the authority of the Pikes Peak Regional Building Code, or for work related to the building trades in any jurisdiction, shall result in automatic revocation of the license or registration and revocation of the right of the examinee and all authorized persons of the contractor to serve as a contractor or examinee for this or another contractor after notification by the Board of Review of Pikes Peak Regional Building Department and exhaustion of due process rights, if any, in accordance with Colorado law. The notification shall be served personally or posted by registered or by certified mail, return receipt requested, to the last known mailing address. *See, RBC201.11.4.*

#### 20. Voluntary Suspension.

1. The Board of Review of Pikes Peak Regional Building Department may suspend licenses or registrations upon the voluntary written request for this action by the contractor. These suspensions shall not exceed a period of twelve (12) months unless a notarized annual certification from an employer is furnished to Pikes Peak Regional Building Department indicating that the contractor is engaged in an active capacity in the field of building codes and construction.
2. While under voluntary suspension, the contractor need not carry insurance, but shall be responsible for all license or registration fees normally due.
3. The voluntary suspension shall be automatically lifted at any point during the twelve (12) month period under the following conditions:

3.1. Written request is made to the Board of Review of Pikes Peak Regional Building Department by the contractor.

3.2. Proof of insurance is provided in accordance with section RBC201.7 of the Pikes Peak Regional Building Code.

4. In the event the contractor does not terminate the voluntary suspension within the twelve (12) month period as provided in item 3 above, or furnish proof of active engagement in the construction field and building codes, as provided in item 1 above, in order to obtain a new license or registration, the contractor must then meet all requirements of sections RBC201.5 and RBC201.6 of the Pikes Peak Regional Building Code. *See*, RBC201.11.5.

21. The Building Official shall have the authority to require compliance with the requirements of SECTION RBC312 of the Pikes Peak Regional Building Code. It shall be the responsibility of the property owner(s) to meet or cause to be met all applicable requirements. Upon due notification of noncompliance and failing to meet or cause to be met all applicable requirements, the property owner(s) shall be responsible for any and all incurred expenditures on the part of the Jurisdiction(s) or any authorized agency in the enforcement of and compliance with applicable requirements. *See*, RBC312.3.8.

22. Refer to local Jurisdiction's penalties for noncompliance, as stated within the Jurisdiction's ordinances or regulations. *See*, RBC313.10.

23. The following provisions of Appendix B:

**R. Investigation Fee: Work Without a Permit.**

**Investigation.** Whenever any work for which a permit is required by this Code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

**Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to twice the amount of the permit fee that would be required by this Code if a permit was issued. The payment of such an investigation fee shall not exempt any person from compliance with any provisions of this Code nor from any prescribed by law.

Equal to two times the Permit Fee

**S. Re-Inspection Fees:**

A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is requested is not complete, when corrections required by a previous inspection have not been made, or when an additional inspection is required for alterations made after completion of initial inspection.

This is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as controlling the practice of requesting inspections before the job is ready for such an inspection or re-inspection.

Re-inspection fees may be assessed for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Building Official.

In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until such fees have been paid.

\$50.00 for 1<sup>st</sup> incident  
\$100.00 for 2<sup>nd</sup> incident  
\$200.00 for 3<sup>rd</sup> incident  
Plus 2 workday inspection delay

**Section 23. Conflicts.** If any conflicts exist between the 2023 RBC Edition adopted herein and the Municipal Code of the City of Woodland Park or the Woodland Park Engineering Specifications, the latter shall take precedence.

**Section 24. Savings Clause.** Should any article, section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the balance of this Ordinance.

**Section 25. Effective Date.** This Ordinance shall be in full force and effect from and after its publication as required by law.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING PUBLIC HEARING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

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The Honorable Mayor Hilary LeBarre

ATTEST: \_\_\_\_\_  
City Clerk Suzanne Leclercq