

ORDINANCE NO. 452

AN ORDINANCE AMENDING ORDINANCE NO. 324, SECTION 2, BEING A PORTION OF THE MUNICIPAL CODE OF THE TOWN OF BERTHOUD AND ADOPTING THE 1976 UNIFORM BUILDING CODE.

WHEREAS, the Board of Trustees of the Town of Berthoud has determined that it is necessary and expedient that certain sections of the Municipal Code of the Town of Berthoud be revised and amended and that new additions of certain Secondary Codes therein be adopted by reference by the Board of Trustees of the Town of Berthoud;

NOW, THEREFOR, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1.:

Adoption. Pursuant to title 31, article 16, part 2, Colorado Revised Statutes 1973, as amended, there is hereby adopted as the Building Code of the Town of Berthoud, by reference thereto, the Uniform Building Code, 1976 Edition, published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted codes includes comprehensive provisions and standards regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings and structures for the purpose of protecting public health, safety, and general welfare.

Section 2.:

Code Copies. At least three (3) copies of the Uniform Building Code, 1976 Edition, and at least three (3) copies of the Uniform Building Code Standards, 1976 Edition, of the International Conference of Building Officials, all certified to be true copies, have been and are now on file in the office of the Town Clerk, and may be inspected by any interested person between the hours of 8:00 A.M. to 12:00 Noon and 1:00 P.M. to 5:00 P.M., Monday through Friday, holidays excepted. The "Building Code" as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Section 3.:

Penalties.

(a) The following penalty clause as contained in the Uniform Building Code is herewith set forth in full and adopted:

"Section 205. 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 city, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Code.

"Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, 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 Code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than \$300.00 or by imprisonment for not more than 90 days, or by both such fine and imprisonment."

(b) Any violation of any provision of this Ordinance shall be punishable by a fine not exceeding three hundred dollars (\$300.00) or imprisonment for a term not exceeding ninety (90) days or by both such fine and imprisonment.

Section 4:

Savings Clause. If any part, section, subsection, sentence, clause, or phrase of this Ordinance or of the Building Code adopted hereby is for any reason held to be invalid, such decisions shall not affect the validity of the remaining sections of this Ordinance or of said Building Code; the Board of Trustees hereby declares that it would have passed this Ordinance and adopted said Building Code in each part, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 5:

Repeal. Any or all Ordinances or parts of Ordinances of the Town of Berthoud, in conflict or inconsistent herewith are hereby repealed, provided, however, that the repeal of any Ordinance or parts of Ordinances of the Town of Berthoud shall not revive any other section of any Ordinance or Ordinances heretofore repealed or superseded. Ordinance number 324, Section 2, is hereby specifically repealed in its entirety.

Section 6:

Effective Date. The Board of Trustees of the Town of Berthoud here-with finds, determines and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

This Ordinance was introduced, read, and a public hearing set for September 26, 1978, by the Board of Trustees of the Town of Berthoud at its meeting held August 22, 1978. After the public hearing, this Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 26th day of September 1978.

TOWN OF BERTHOUD:

ATTEST:


Richard Berthoud
Mayor


Carol A. Mays
Town Clerk

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