

## **TOWN OF BERTHOUD**

### **ORDINANCE NO. 1315**

**AN ORDINANCE AMENDING CHAPTER 11, OF THE MUNICIPAL CODE OF THE TOWN OF BERTHOUD FOR THE PURPOSES OF ADOPTING THE 2021 INTERNATIONAL BUILDING CODE BY REFERENCE WITH AMENDMENTS, THE 2021 INTERNATIONAL RESIDENTIAL CODE BY REFERENCE WITH AMENDMENTS, AND THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE BY REFERENCE WITH AMENDMENTS.**

WHEREAS, it is deemed to be in the interest of the public health, safety and general welfare to adopt the 2021 International Building Code by reference with amendments, the 2021 International Residential Code by reference with amendments, and the 2021 International Property Maintenance Code by reference with amendments; said amendments tailored to accommodate particular circumstances and requirements of the Town; and

WHEREAS, Town staff has conducted an outreach program, working with the regulated construction industry and building professionals in the development of these provisions; and

WHEREAS, the Board of Trustees, after proper notice, has held a public hearing on this Ordinance providing for the adoption of said codes pursuant to C.R.S. § 31-16-203; and

WHEREAS, the 2021 International Building Code by reference with amendments, the 2021 International Residential Code by reference with amendments, and the 2021 International Property Maintenance Code by reference with amendments have been submitted to the Board of Trustees in writing and the Board of Trustees has determined that such codes and amendments thereto should be adopted as herein set forth.

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

#### Section 1. Codes Adopted by Reference.

Pursuant to parts 1 and 2 of article 16 of title 31, C.R.S., there are hereby adopted by reference: The International Building Code, 2021 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478 as amended hereby ("IBC"); The International Residential Code, 2021 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478 as amended hereby ("IRC"); and The International Property Maintenance Code, 2021 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478 as amended hereby; provided that any penalty provisions are expressly set out in Appendix A. The subject matter of the codes adopted herein relate primarily to the conditions and maintenance of all property, buildings, and structures within the Town. The purpose of this Ordinance and the codes adopted herein is to provide consistent regulations for all property, buildings, and structures within the Town. Three (3) copies of the codes adopted herein are now filed in the office of the Clerk of the Town of Berthoud, Colorado, and may be inspected during regular business hours.

Section 2. Section 11.1 of the Berthoud Municipal Code is hereby repealed, and the 2021 International Building Code is adopted by reference with amendments as set forth in Appendix A as the new Section 11.1.

Section 3. Section 11.2 of the Berthoud Municipal Code is hereby repealed, and the 2021 International Residential Code is adopted by reference with amendments as set forth in Appendix A as the new Section 11.2.

Section 4. The 2021 International Property Maintenance Code is hereby adopted by reference with amendments as set forth in Appendix A as the new Section 11.20.

Section 5. If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

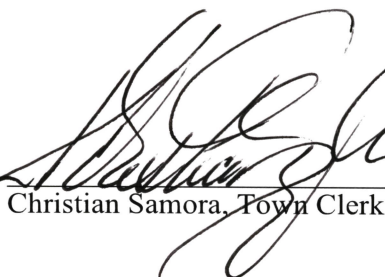
Section 6. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.


Section 7. The repeal or modification of any provision of the Municipal Code of the Town of Berthoud by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 8. This Ordinance is necessary for health, safety and welfare of the residents of the Town of Berthoud.

Section 9. The Provisions of this Ordinance shall take effect thirty days after publication as required by law, and shall apply to all lighting plans, development, and construction permitted after such date.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL  
this 14th day of February 2023.

  
Christian Samora, Town Clerk

  
William Karspeck, Mayor

