

**RESOLUTION
NO. 21 - 22**

**THE BOARD OF COUNTY COMMISSIONERS
OF HUERFANO COUNTY, COLORADO**

**A RESOLUTION ADOPTING THE HUERFANO COUNTY BUILDING
REGULATIONS AND REPEALING RESOLUTIONS 18-77 AND 19-22**

WHEREAS, C.R.S. § 30-28-107 authorizes the Board of County Commissioners to establish any such office that in its judgement may be required for the efficient management of the business and concerns of the county; and,

WHEREAS, C.R.S. § 30-28-206, as amended, authorizes the Board of County Commissioners to establish a Board of Review with certain qualifications and powers enumerated therein and subject to such regulations as the Board of County Commissioners may adopt; and,

WHEREAS, the Board of County Commissioners has determined that the establishment of certain boards and committees are necessary to help protect the best interests of the County's inhabitants and to promote the health, safety, prosperity, security, and general welfare of the County and,

WHEREAS, the Board of County Commissioners has determined new regulations are needed to govern the processes and procedures of the Huerfano County Building Office within the Land Use Department and as such desires the repeal and replacement of Resolutions 18-77 and 19-12 and,

WHEREAS, the Board of County Commissioners desires the creation of a Building Authority and a Board of Review for the administration and enforcement of the Building Codes adopted by Huerfano County and,

WHEREAS, the Board of County Commissioners believes that it is in the best interests of the residents of Huerfano County that regulations governing the construction trades be coordinated across the County and,

WHEREAS, the City of Walsenburg and the Town of La Veta are welcome to utilize these regulations, in whole or in part, as well as the Boards created herein by the adoption of an appropriate legislative instrument and the execution of an Intergovernmental Agreement with the County.

NOW, THEREFORE, BE IT RESOLVED by the Huerfano County Board of County Commissioners of Huerfano County, Colorado that Resolutions 18-77 and 19-12 are hereby repealed and the attached "Huerfano County Building Regulations" are hereby adopted with immediate effect.

INTRODUCED, READ, APPROVED AND ADOPTED on this 3rd day of AUGUST 2021.



**BOARD OF COUNTY COMMISSIONERS
OF HUERFANO COUNTY, COLORADO**

DocuSigned by:
Gerald Cisneros
BY _____
Gerald A. Cisneros, Chairman

DocuSigned by:
John Galusha

John Galusha, Commissioner

DocuSigned by:
Arica Andreatta

Arica Andreatta, Commissioner

ATTEST:

DocuSigned by:
Nancy Cruz

County Clerk and Recorder and
Ex-Officio Clerk to said Board

Huerfano County Building Regulations

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Huerfano County Building Regulations

Section 1.00 Introduction

Section 1.01 Purpose

- .01 This policy establishes standards and procedures for regional coordination of building and construction within Huerfano County. Upon adoption by the Board of County Commissioners these regulations will take effect within Unincorporated Huerfano County
- .02 These regulations are written to allow the City of Walsenburg and the Town of La Veta to utilize the policies within their respective jurisdictions, should they choose. It is not necessary for either to adopt these regulations for them to take effect in the Unincorporated portion of the County.

Section 1.02 Definitions

- .01 The following general terms and phrases shall be defined as stated below unless otherwise specifically defined within a regulation. These definitions may be amended periodically.
 - (a) *Administrative authority, responsible official, Building Official, Chief Inspector*, or other similar term used in any major code or minor code shall be construed to mean the Building Official or the Building Official's authorized representative where the context so requires or the source so indicates.
 - (b) *Authority* means the Huerfano County Building Authority, and all applicable duties.
 - (c) *Board* means the Huerfano County Board of Review and all applicable duties including in the role of the Mechanical Board of Review and the Building Board of Review established by the Policy.
 - (d) *Building Official* means the Building Official appointed by the Appointing Jurisdiction or the Building Official's authorized representative.
 - (e) *Chief Inspector* means the person designated by the Appointing Jurisdiction as the Chief Inspector for each of the major codes.
 - (f) *Construction Business* means engaging in, undertaking or offering to undertake the performance of construction work.
 - (g) *Construction work* means and includes any and all work or services performed or to be performed in the building, constructing, altering, renovating, modifying, repairing, moving, wrecking or demolishing to any building or structure.
 - (h) *Contractor* means any person who contracts to provide material and/or labor for a job which requires a building permit from any jurisdiction in Huerfano County.
 - (i) *County* means the Board of County Commissioners of the County of Huerfano, Colorado or their representatives or assigns.
 - (j) *Department* means the Huerfano County Land Use Department, including the component offices such as Planning and Building.
 - (k) *Deputy, assistant, authorized representative* or other similar term used or any major code or minor code shall be construed to mean the authorized representative of the Building Official where the context so requires.

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- (l) *Licensed Journeyman* means a skilled worker who has successfully completed an official apprenticeship qualification in a building trade or craft. Journeymen are considered competent and authorized to work in that field as a fully qualified employee. They earn their license by education, supervised experience and examination. Although journeymen have completed a trade certificate and are allowed to work as employees, they may not yet work as self-employed master craftsmen.
- (m) *Major codes* mean the applicable building codes as adopted with amendments.
- (n) *Minor or secondary codes* means any other building code which is adopted by Huerfano County by reference, directly or indirectly, in whole or in part by ordinance or by express provisions of a major code.
- (o) *Person* means either a single human being eighteen (18) years of age or older or a representative of an organization.
- (p) *Policy* means this document, the Huerfano County Building Regulations, as adopted and amended.
- (q) *Organization* means a corporation, trust, partnership or association, two (2) or more persons having a joint or common interest, or any other legal or commercial entity.
- (r) *Staff* means any employee of the Huerfano County Land Use Department, including but not limited to administrative assistants, plans examiners, building officials, building inspectors, code enforcement, and the Land Use director.
- (s) *Supporting authority, governing body, jurisdictional authority, appointing jurisdiction* or other similar term used in this Policy or any major code or minor code shall be construed to mean Huerfano County and any jurisdiction that elects to adopt this policy where the context so requires or the source so indicates.

Section 2.00 Huerfano County Building Authority

Section 2.01 Creation and Organization

- .01 There is hereby established an Advisory Board under the authority of CRS §30-11-107, which shall be known as the Huerfano County Building Authority, hereinafter "Authority".
- .02 The Authority shall be composed of no less than 3 members and no more than 7 members. Upon creation of the new Authority, one member shall be appointed for an initial term of one year, one member appointed an initial term of two years and one member for an initial term of three years. Following the initial terms, each member shall be appointed to terms of three years.
- .03 Any member may be removed with or without cause by the appointing jurisdiction. Any member shall be removed if such member has 2 unexcused absences in a calendar year. An excused absence as determined by the Chair or the Vice Chair, in the Chair's absence, constitutes an absence that is beyond a member's control, including medical appointments. In the event of the removal, resignation, or death of any member, the appointing jurisdiction(s) shall promptly appoint a successor member to fill the unexpired term of such member.
- .04 All members appointed to the Authority will serve without compensation.

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.05 All members appointed to the Authority will be determined by the appointing jurisdiction(s) to be experienced in building construction or a closely related field. Examples of such qualifications include, but are not limited to:

- (a) Colorado Licensed Professional Structural Engineer
- (b) A person who holds a degree in Architecture
- (c) Colorado Licensed Realtor or Colorado Licensed Real Estate Broker
- (d) Colorado Licensed Professional Mechanical Engineer
- (e) Colorado Licensed Appraiser
- (f) Experienced Property Insurance Specialist
- (g) Colorado Licensed Home Inspector
- (h) Attorney with Real Estate Contract Experience
- (i) A Master Plumber or Electrician
- (j) A Retired Contractor

.06 Employees of the appointing jurisdiction(s) shall not be eligible to serve as members of the Authority.

.07 The Authority shall elect one of its members as Chair annually. The Chair shall preside at all meetings of the Authority. The Authority shall elect, in the same manner and for the same term, one of its members as vice-chairperson who shall act as chairperson during the absence of the chairperson.

Section 2.02 Meetings of the Authority

.01 The Authority shall hold regularly scheduled meetings and at the last meeting of a calendar year the set the schedule of meetings for the forthcoming year.

.02 All meetings shall be open to the public and an agenda of items to be considered by the Authority shall be made available to the public at least one working day prior to the meeting. The Authority may call special meetings to review, discuss, recommend or take action on matters that may periodically come to its attention.

.03 A majority vote of the voting members of the Authority is required for a recommendation, decision or determination. A roll call vote shall be recorded in the minutes of the meeting. Approved minutes of the Authority meetings shall be available within a reasonable time after any official meeting of the Authority.

.04 Any person(s) wishing to have a transcript of the proceedings may have a court recorder present at their own expense. Electronic recordings may be purchased but will not be transcribed.

- (a) Half plus one of all filled seats will constitute a quorum and such a quorum is required for the purpose of conducting the Authority's business.

Section 2.03 Powers and Duties of the Authority

The Authority shall have the Powers and Duties as established in this Section 2.03.

.01 The members of the Authority shall be familiar with all uniform codes, international codes, model codes, and local ordinances adopted by the county regarding the residential and commercial building industry.

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- .02 The Authority shall hear any appeals of orders, decisions or determinations made by the Staff relative to Contractor Licensing or the application and interpretation of this Code.
- .03 The Authority shall hear any complaints against contractors, whether originating from Staff or the public, and after a public hearing, issue a determination and if needed issue a warning, suspension, or revocation of the contractor's license or building permit.
- .04 The Authority shall advise participating jurisdictions, including the Huerfano County Board of County Commissioners regarding the licensure of contractors and tradesmen, including but not limited to A, B, or C general contractors, mechanical contractors, specialty contractors, and mobile home contracting businesses.
- .05 The Authority shall set experience requirements for contractors by resolution of the Authority and without the approval of the participating jurisdictions.
- .06 The Authority shall review and either Approve, Conditionally Approve, or Deny applications for the following:
 - (a) to use alternative building methods
 - (b) for a Certificate of Occupancy to be issued after the lapse or expiration of a building permit
 - (c) for a Certificate of Occupancy to be issued when the inspection record is incomplete.
 - (d) to convert a non-residential structure into a residential structure

Section 2.04 Procedures of the Authority

- .01 At public hearings conducted by the Authority, any party at interest shall be allowed to present evidence and to cross-examine witnesses. A party at interest for this purpose shall be defined to include:
 - (a) an applicant or duly appointed representative(s) of an applicant,
 - (b) a party issuing a complaint or their duly appointed representative(s),
 - (c) any party that a complaint has been issued against or their duly appointed representative(s),
 - (d) owners of and tenants on property adjacent to the site(s) under discussion including the site under discussion,
 - (e) members of the Authority and the Governing Boards of participating Jurisdictions, as well as the officers, agents, or representatives of said boards.
- .02 Public hearings before the Authority shall be conducted by the Chair of the Authority or another competent person selected by the Chair to act as Hearing Officer. At the discretion of the Hearing Officer, evidence and other testimony may be accepted from persons present at the hearing who are not parties at interest, as defined above.
- .03 The Hearing Officer may, at their discretion, limit the presentation of evidence and cross-examination in order to prevent repetitive, redundant or superfluous evidence or cross-examination.
- .04 All public hearings before the Authority, if tabled, postponed or continued, must be so designated and announced to continue at a date and time certain.
- .05 Whenever the Authority decides to table review, discussion or action on an agenda item before the Authority, it may do so without further notice to the affected parties. The matter tabled shall be rescheduled within thirty (30) days from the date of the meeting at which it was heard unless the

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Authority receives written consent from the applicant to extend the time period. If an applicant or duly appointed representative is not present, the Authority may decide on its own initiative to continue a proposal or other agenda item.

- .06 Applicants or Complainants and Respondents appearing at a public hearing before the Authority shall be notified in writing within ten (10) working days after the Authority takes action or makes a recommendation of the action taken or recommendation made and any comments or special conditions recommended by the Authority.

Section 3.00 Huerfano County Board of Review

Section 3.01 Creation and Organization

- .01 There is hereby created a Board of Review under CRS §30-28-206, which shall be known as the Huerfano County Board of Review.
- .02 The Board of Review shall be composed of five members. Pursuant to the above referenced statute the members shall be appointed for terms of five years and arranged so that the terms of at least one member will expire each year.
- .03 The appointing jurisdiction may also appoint associate members to the Board of Review. In the event that any regular voting member is temporarily unable to act owing to absence from the County, illness, conflict of interest in a case, or other cause, their place may be taken during such temporary disability by an associate member designated for that purpose.
- .04 Any member may be removed with or without cause by the appointing jurisdiction(s). Any member shall be removed if such member has 2 unexcused absences in a calendar year. An excused absence constitutes an absence that is beyond a member's control, including medical appointments. In the event of the removal, resignation, or death of any member, the appointing jurisdiction shall promptly appoint a successor member to fill the unexpired term of such member.
- .05 All members appointed to the Board of Review will serve without compensation.
- .06 All members appointed to the Board of Review will be determined by the appointing authority to be experienced in building construction. Examples of such qualifications include, but are not limited to:
 - (a) Colorado Licensed Professional Structural Engineer
 - (b) Colorado Licensed Professional Mechanical Engineer
 - (c) Experienced Property Insurance Specialist
 - (d) Colorado Licensed Home Inspector
 - (e) A Master Plumber or Electrician
 - (f) A Retired Contractor
- .07 Employees of the appointing jurisdiction shall not be eligible to serve as members of the Board of Review.
- .08 No more than two members of the Building Authority may be members of the Board of Review.
- .09 The Board of Review shall elect one of its members as Chair annually. The Chair shall preside at all meetings of the Board of Review. The Board of Review shall elect, in the same manner and for the same term, one of its members as Vice-Chair who shall act as Chair during the absence of the Chair.

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Section 3.02 Meetings of the Board

- .01 The Board of Review shall meet as often as may be necessary for the proper performance of its duties. The Board shall be empowered to adopt reasonable rules and regulations for conducting its meetings and affairs.
- .02 A quorum of the Board shall consist of a majority of all of its members, but votes to overturn decisions of the building official or Building Authority require the concurrence of two-thirds of members seated.
- .03 All meetings shall be open to the public and an agenda of items to be considered by the Authority shall be made available to the public at least one working day prior to the meeting.
- .04 All votes shall be conducted by roll call vote and recorded in the minutes of the meeting. Approved Minutes of Board meetings shall be a matter of public record within a reasonable time after any official meeting of the Board.
- .05 Any person(s) wishing to have a transcript of the proceedings may have a court recorder present at their own expense. Electronic recordings of the meeting may be purchased but will not be transcribed

Section 3.03 Powers and Duties of the Board

- .01 Any person aggrieved by any ruling, decision, interpretation, or order of the Building Official shall have the right to appeal to the Board of Review by filing a written appeal with the building official within ten (10) days from the date of the ruling, decision, interpretation, or order. If such a notice is filed, the Board of Review shall set a time and place for a hearing, and by certified mail notify the party filing the appeal. The hearing shall be open to the public and all interested persons shall be heard. The Board of Review may modify or reverse any appealed ruling, decision, interpretation or order. The Board of Review may permit variance from the strict terms and provisions of the applicable Code if such variance can be made without increasing the hazards to health or safety of persons or property and when the granting of such variance will not violate the intent and purposes of such Code. Mere inconvenience to the applicant shall not be grounds for the granting of such variance.
- .02 To hear and decide appeals when it is alleged by the appellant(s) that there is or has been an error in any interpretation, order, requirement, decision, denial or refusal made by the Huerfano County Building Authority.
- .03 As provided for in the major and minor codes adopted by the appointing jurisdiction the Board of Review, in appropriate cases and subject to appropriate principles, standards, rules, conditions, and safeguards set forth in the building code, may make special exceptions to the terms of the building code in harmony with their general purpose and intent.
- .04 To formulate suggested amendments to the building code for the consideration of the participating jurisdictions.
- .05 To review and decide upon such other matters relating to building codes and related processes as may be specifically referred to the Board of Review by other provisions of County regulations or by appointing jurisdiction(s), the Huerfano County Building Authority, a Building Official, or the County Zoning Enforcement Officer.
- .06 To recommend for adoption by the appointing jurisdiction substantive rules and regulations based on the provisions of the adopted building codes. In no case, however, shall these rules become effective

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unless a public hearing thereon has been conducted by the Board of Review. Notice of the hearing, stating its date, time and place and where the text of the proposed substantive rules and regulations may be inspected, shall be given in the same manner as provided in the initial adoption of the code.

Section 3.04 Appeals from Actions by the Board of Review

.01 Any further appeal from decisions made by the Board of Review shall be made to the courts.

Section 4.00 Member Jurisdictions

Section 4.01 Responsibilities Thereof

- .01 Huerfano County has created this policy with the intent that other jurisdictions within Huerfano County might utilize this policy to standardize the regulation of the building trades within Huerfano County.
- .02 In order for a jurisdiction to utilize this policy, they must ratify this policy by an appropriate instrument and enter into an Intergovernmental Agreement with Huerfano County.
- .03 Each member jurisdiction shall be responsible for appointing its own building official or contracting for that service with either another jurisdiction or entity.
- .04 Each member jurisdiction shall be responsible for adopting its own building codes.
- .05 The Huerfano County Building Office within the Land Use Department shall be responsible for administrative management of the Huerfano County Building Authority and Board of Review.
- .06 Appointments shall be made with the mutual consent of the member jurisdictions. Unless otherwise specified in an IGA, when a vacancy occurs any member may nominate a person to fill that vacancy. That nomination shall be forwarded to the other member jurisdictions for their concurrence or rejection. All members must concur on the appointment.
- .07 The above rule also applies to removal of appointed members of either the Authority or the Board of Review, with the exception that removals for cause only require the concurrence of a majority of participating jurisdictions.
- .08 The process for amending this policy shall begin with the County Commissioners unless otherwise specified in an IGA.
- .09 A jurisdiction may withdraw from use of this policy with at least 3 months' notice to be effective as of the close of business December 31st unless otherwise specified in an IGA.
- .10 Withdrawal of any jurisdiction does not affect these regulations.

Section 5.00 Licensing Administration

Section 5.01 Building contractors

- .01 For the purpose of providing for the regulation and licensing of building contractors, building contractors are divided into classes as follows:
 - (a) Building Contractor-A (General Unlimited). The holder of this license is authorized to construct, alter or repair any type or size of structure permitted by the International Building Code, as adopted by the County.

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- (b) Building Contractor-B (General Limited). The holder of this license is authorized to construct, alter or repair any structure covered by the International Building Code except buildings requiring type I or II fire construction, or buildings in occupancy groups A-1, A-2, A-3 with an occupant load of three hundred (300) or more, E or I as defined in the International Building Code, as adopted by the County.
- (c) Building Contractor-C (Home Builder). The holder of this license is authorized to construct, alter or repair buildings of three (3) stories or fewer in R-3 and U occupancies as defined in the International Residential Code, as adopted by the County.
- (d) Building Contractor-D (Specialty). A holder of this license is authorized only to perform construction work in the trade or particular kind of construction work specified in the specialty license and such other work as may be incidental thereto, but such holder shall not contract to do any work other than that specified in such license. Nothing in this Policy shall prohibit the issuance of one (1) or more specialty licenses for different trades or particular kinds of work to the same person provided, however, that such person shall be first duly examined and qualified by the Building Official as to each trade or particular kind of construction work.
- (e) Apprentices. Apprentices or trainees employed to assist a licensed building contractor need not be licensed, provided such apprentice or trainee performs such work under the supervision of the contractor or an employee of the contractor qualified to perform such work. A licensed contractor who employs any apprentice or trainee shall be responsible for the work performed by such apprentice or trainee.

Section 5.02 Mechanical contractors

- .01 It shall be unlawful for any person to perform mechanical work or engage in the business of a mechanical contractor within the member jurisdictions of this Policy without a mechanical contractor's license issued by the Department.
- .02 It shall be unlawful for any person not currently licensed by the Huerfano County Building Authority to engage in the trade or business of a master mechanical contractor, journeyman sheet metal worker, or refrigeration technician within the member jurisdictions of this Policy if such work requires licensing by this Policy.
- .03 It shall be unlawful for any person issued a license to refuse to exhibit proof of such license to the Building Official or any inspector upon the request of the Building Official or his or her designee.
- .04 Any person may work as a sheet metal, heating, venting, or air conditioning or refrigeration apprentice for a licensed journeyman, but shall not do any work for which a license is required except under the supervision of a licensed journeyman. Supervision requires the licensed journeyman to be present at the work site to supervise the apprentice at such site. Any mechanical contractor, master or journeyman who is the supervisor or employer of any mechanical apprentice shall be responsible for the work performed by such apprentice.
- .05 To provide for the regulation and licensing of mechanical contractors and persons performing mechanical work, such persons shall be divided into classes as follows:

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- (a) Mechanical Contractor-A (HVAC-Refrigeration and Gas). The holder of this license is authorized to the holder thereof to perform any work in the heating, ventilation, air conditioning, refrigeration and gas fields.
- (b) Mechanical Contractor-C (Limited). The holder of this license is authorized to perform any one (1) of or any combination of four (4) of the following trades: gas piping, heating, ventilating, air conditioning or refrigeration work in any structure.
- (c) Journeyman Sheet Metal Worker. A person certified by the Mechanical Board of Appeals, after examination, may be licensed as a journeyman sheet metal worker and shall be authorized to engage in and perform sheet metal work under any permit issued to a mechanical contractor.
- (d) Apprentice. An apprentice is a person being trained and is not authorized to do any installation, service, repair or layout unless under the direct supervision of a licensed master or journeyman.

Section 5.03 Licenses required

.01 Except as specifically otherwise provided in this Policy:

- (a) It shall be unlawful for any person to perform construction work or to engage in the construction business within the member jurisdiction without first having received the appropriate license or registration from the Huerfano County Building Authority.
- (b) It shall be unlawful for any person to hire, employ, contract with or engage another person to perform any construction work unless the person so hired, employed, contracted with or engaged to perform construction work shall be licensed or registered as provided in this Policy.
- (c) It shall be unlawful for any person who for hire or gain of any kind, shall hold himself or herself out to or contract with any other person to do any act for which a license or registration is required by this Policy shall be presumed to be engaged in the construction business or in the performance of construction work.

Section 5.04 Applications for contractor licensing

.01 Any person who desires to be licensed or registered to engage in the construction business or to perform construction work, for whom a license or registration is required by this Policy or any major code or minor code shall apply on application forms furnished by the Department. The completed application form shall include the name of the applicant, the applicant's home and business addresses and a brief resume of the applicant's education, training and experience or such other information as may be reasonably required by the Authority. It is the responsibility of Staff to issue the Contractor's Licenses.

Section 5.05 Investigation of applicant by Staff

.01 Staff shall examine the applicant and investigate or cause to be investigated the character, training, experience and financial responsibility of the applicant for the license and the organization for which such applicant is employed if such organization is responsible for the work performed by the applicant. A license shall not be issued if the applicant fails to provide proof of a passing score for the requisite examination, if any, or if the application and other evidence before Staff indicates the applicant lacks

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experience, training or financial responsibility and such deficiency indicates in the judgment of the Staff a danger to the public health, safety or welfare, or indicates the applicant is not qualified or capable to engage in the construction business or to perform the construction work for which the applicant seeks a license (Appendix A). In examining applicants, the Staff may utilize examinations adopted or approved by the International Code Council, Inc. Staff may, at their discretion, forward the application to the appropriate board of review for a determination.

- .02 No permit shall be issued to any unlicensed or unregistered person engaged in the construction business, or to any licensed or registered person who is delinquent in paying the annual license or registration fee, who has failed to comply with a provisional order, whose license or registration is suspended or revoked, who is in any manner indebted to the Department or whose insurance has expired.
- .03 A contractor may appeal the denial of a license application to the Huerfano County Building Authority by filing a written appeal with the Huerfano County Building Office within ten (10) days from the date of the denial. If such a notice is filed, the appropriate Board of Review shall set a time and place for a hearing, and by certified mail or personal service notify the party filing the appeal. The hearing shall be open to the public and all interested persons shall be heard. The concurring vote of a super majority vote by the Board of review shall affirm, modify, or reverse any appealed ruling, decision, interpretation or order. The Board of Review may permit a variance from the strict terms and provisions of the applicable policy if such variance can be made without increasing the hazards to health or safety of persons or property and when the granting of such variance will not violate the intent and purposes of such Code. Mere inconvenience to the applicant shall not be grounds for the granting of such a variance.

Section 5.06 Insurance requirements

- .01 Before any license or registration shall be issued to engage in the construction business or to perform construction work, an applicant shall file with the Building Department a certificate of Commercial General Liability insurance with personal injury and property damage limits at a combined single limit of not less than two hundred fifty thousand dollars (\$250,000) per occurrence and five hundred thousand dollars (\$500,000) aggregate. Products and completed operations are not required to be part of this policy. In addition, before any such license or registration is issued, the applicant shall file proof that the applicant has obtained Workers' Compensation Insurance, or a State Registered Waiver as required by and in accordance with the laws of the State.
- .02 The Huerfano County Building Authority can increase these limits or add additional requirements as they deem necessary.
- .03 Such insurance certificates shall include the policy numbers, the name of the applicant, the effective and expiration dates, the limits of such policies and a description of coverage by the insurance carrier. The appropriate jurisdiction's building department shall be listed as the certificate holder.

Section 5.07 Application Requirements for Renewals and New Applications

- .01 Contractor License Application Form, to be provided by the Department and available in the offices thereof or online

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- .02 Application fees as enumerated in Section 9 of these regulations
- .03 Copies of any other current licenses held.
- .04 Copy of ICC Certification, which is required for A, B or C type licenses, and D Type Roofing and Mechanical licenses. Renewals must submit proof of continuing education.
- .05 Copy of current State issued Driver's License or Photo ID of the Primary Applicant or Business Agent
- .06 Certificate of Liability Insurance:
 - (a) Certificate holder shall be Huerfano County
 - (b) Coverage must meet the minimum Colorado State statutory requirements.
 - (c) Certificate must show the insured as the legal business entity's name, and must include assumed name as DBA (if applicable).
- .07 Proof of Liability Insurance will be verified when applying for a building permit in any participating jurisdiction. Insurance must pertain to the work for which you are requesting a permit, and the Certificate must show current coverage.

Section 5.08 Currently Licensed Contractors and Policy Changes

- .01 Any contractors currently licensed in unincorporated Huerfano County and other member jurisdictions on the effective date of this Policy shall not be required to reapply, but will still need to follow renewal procedure set forth herein. The same shall apply for any changes or revisions to this Policy.
- .02 Any revisions to this Section shall be effective with Contractor renewals.
- .03 As enumerated in Section 2.03.4 of these regulations the Authority may recommend changes to licensing requirements to the participating jurisdictions. Any such recommendation must be submitted to the jurisdictions no later than October 1st and must be ratified by the participating jurisdictions no later than November 15th, so that proper notice may be given to contractors.
- .04 As enumerated in Section 2.03.5 of these regulations the Authority may, by resolution and at their sole discretion, adopt requirements for contractor experience to obtain a license. Such resolution must be adopted before November 15th so that proper notice may be given to contractors.

Section 5.09 Revocation or suspension of a contractor's license; causes; hearing

- .01 The Building Official may suspend a license for any of the following infractions until the infraction has been satisfactorily corrected or a decision of an appeal of the suspension to the Authority has been made.
- .02 Any license or registration issued pursuant to this Policy may be revoked or suspended by the Building Official or Building Authority, after notice and hearing, for any of the following causes:
 - (a) Abandonment of a contract without legal justification.
 - (b) Failure to obtain required permits.
 - (c) Diversion or misapplication of funds or property received to perform or complete a contract or for a specified purpose in the performance or completion of a contract; application or use of such funds for any other contract, obligation or purpose; or the failure, neglect or refusal to use such funds or property to perform or complete such contract.

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- (d) Substantial departure from, or disregard of plans or specifications in any material respect, without consent of the owner or the owner's duly authorized representative.
 - (e) Disregard or violation of applicable major codes or minor codes.
 - (f) Failure to comply with any lawful order of the Building Official or a Chief Inspector.
 - (g) Failure to keep records for a period of one (1) year after completion of each separate contract, showing all receipts and disbursements of the licensee or registrant in all transactions as a contractor, and to produce the same for examination by the Board when required.
 - (h) Fraud or misrepresentation of a material fact by applicant in obtaining a license or registration.
 - (i) Committing any willful or fraudulent act by the licensee or registrant as a contractor.
 - (j) Using a license or registration to obtain permits for another reason.
 - (k) Carelessness or negligence in providing reasonable safety measures to protect workers or the public.
 - (l) Canceling or not renewing required insurance coverage: provided; however, that such license or registration shall only be suspended for this cause, and shall be reinstated upon refilling proof of insurance as approved by the Building Official.
 - (m) Being convicted of a felony relating to performing construction contract.
 - (n) Failing to timely pay any indebtedness or obligation owed to the Department; provided, however, that such license or registration shall only be suspended for this cause and shall be reinstated upon payment of such debt or obligation.
 - (o) Failing to notify the Department of a change of address and/or telephone number, provided however, that such license or registration shall only be suspended for this cause and shall be reinstated upon notification of said new address and/or telephone number.
- .03 Three (3) violations of this Subsection may cause the Building Authority to review the license for further disciplinary action.
- .04 Upon receiving a Notice of Infraction, the recipient has the following options:
- (a) Acknowledge the infractions and commit to satisfactorily correcting the issue in a time frame acceptable by the building official, or
 - (b) Appeal the Notice of Infraction to the Building Authority.
- .05 Upon receiving a notice of appeal, Staff will forward all necessary information to the Building Authority, which, upon receipt of the information, the Authority shall convene the hearing within 10 working days.
- .06 Notice of hearing for revocation of a license or registration shall be given in writing, setting forth specifically the causes or grounds of the complaint and the time and place of the hearing. Such notice may be served personally on the licensee or registrant or may be sent by first class mail, postage prepaid, to the licensee's or registrant's address shown on the records of the Department, at least five (5) days before the hearing.
- .07 If the Building Authority finds against the registrant or licensee, the Authority in its sole discretion may immediately revoke, or decline to renew the license or registration. If the license or registration is to be revoked, another such license or registration shall not be issued to such person within a period no less than 6 months and not to exceed twenty-four (24) months after the effective date of revocation.

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- .08 Within twenty-eight (28) days after any decision or order of the Authority, the Building Official, licensee or registrant or any person who is aggrieved by such decision or order may appeal to the Board of Review. Only after appeal to the Board of Review may the aggrieved party seek review pursuant to Rule 106 (a)(4) of the Colorado Rules of Civil Procedure in the District Court for the County. Review shall not be extended further than to determine whether the Board exceeded its jurisdiction or abused its discretion.

Section 5.10 License and registration; nontransferable.

- .01 All license or registration issued under this Policy shall expire on December 31 of the current year. If at least one (1) year to lapses between renewals, the applicant is required to submit a new application.
- .02 No license or registration issued under this Policy shall be transferable. It shall be unlawful for any licensee or registrant to transfer or attempt to transfer such license or registration or to allow it to be used, directly or indirectly, by another person. The license or registration of any organization shall remain in effect only during the time the person who was examined therefore remains a full-time active employee of such licensee or registrant. Whenever the examinee, that is, the person who was examined for such license or registration, ceases to be a full-time active employee of the licensee or registrant, such person shall immediately notify in writing, the Building Official. Failure to timely notify the Building Official shall be grounds to suspend or revoke the license or registration.

Section 6.00 Building Permit Regulations

Section 6.01 Introduction

- .01 This Section establishes procedures, requirements and other provisions relating to the construction, alteration, occupancy and use of buildings and other structures in unincorporated Huerfano County, and it establishes a permitting system for the issuance of building permits and related issuances.

Section 6.02 General Provisions

- .01 It shall be unlawful to erect, construct, reconstruct, alter or remodel any building, structure or improvements of land within the unincorporated territory of Huerfano County, except as allowed for within Section R105 of the International Residential Code and Section 105 of the of the International Building Code, as have been adopted by Huerfano County.
- .02 The County Building Inspector shall approve and issue building permits only if upon review of an application and submittal materials and upon site inspection, as required, the proposed building, structure, foundation or improvements are in full compliance with and not in conflict with or in violation of:
 - (a) All applicable policies, requirements and other provisions contained within these Regulations.
 - (b) The specifications and other provisions of all current Building, Plumbing, Fire and Mechanical codes adopted by the Board of County Commissioners or other governmental organizations authorized to adopt related laws, rules and regulations pertaining to Huerfano County.

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- (c) All other such specifications and codes as are adopted in future by the Board of County Commissioners.
- .03 In the event of conflicts and inconsistencies between the provisions, requirements and specifications contained within these Regulations and with the provisions, requirements and specifications contained within any major and minor code or the amendments and supplements of such a code adopted by Huerfano County, the more restrictive provision, requirement or provisions shall apply. In the event of dispute or question concerning which are the more restrictive provisions, requirements or specifications, any discrepancies shall be resolved by the Board of Review.
- .04 The County Building Inspector and other such authorized representatives, including its employees and consultants of Huerfano County, as the Board of County Commissioners may appoint, are hereby authorized and empowered to conduct such on-site inspections and tours of sites and facilities and to enter upon and inspect any proposed or actual building or construction site to inspect said site and the construction or maintenance of any improvements, structures or uses thereon to ensure compliance with the provisions of these Regulations and all applicable County codes, stipulations and conditions that Huerfano County has placed on the design, construction and maintenance of such improvements, structures or uses.
- .05 All prior resolutions and regulations and portions of prior resolutions and regulations adopted by the Board of County Commissioners and inconsistent with the requirements, procedures and other provisions of these Regulations are hereby repealed to the extent of such inconsistencies only. The repeal of any of these resolutions or regulations or parts thereof does not revive any other regulation or resolution or portion thereof, and such repeals shall not affect or prevent the prosecution or punishment of any person for the violation of any resolution hereby repealed for an offense committed prior to the repeal.

Section 6.03 Certificates of Occupancy

- .01 No building constructed after April 1, 2000 shall be used for human occupancy without the issuance of a Certificate of Occupancy by the Building Official.
- .02 Such Certificate of Occupancy shall be issued within ten (10) working days of the time of notification to the Building Official that the structure, building or land improvements are completed and the structure(s) ready for occupancy, provided that the structure, building or land improvements meet the requirements of Section 6.05, Adequate Water, Sewage Disposal System Requirements for Building Permits and Certificates of Occupancy.
- .03 Certificates of Occupancy shall be issued only for buildings or other structures that comply with all the provisions of these Regulations and with all building, plumbing, mechanical, fire and other codes currently adopted.
- .04 Buildings and other structures failing to meet these requirements shall be denied a Certificate of Occupancy.
- .05 A copy of all Certificates of Occupancy shall be filed in the office of the Building Official and shall be available for examination by the public.

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Section 6.04 Building Permit Application and Processing Requirements

- .01 Applications for building permits shall be made to the County Building Inspector on forms provided by Huerfano County. Such applications for a building permit shall include, but not necessarily be limited to:
 - (a) drawings to scale or complete design plans showing, at a minimum, plot plan and location, floor plan and the height and size of all proposed buildings, and
 - (b) the location and dimensions of all fences, signs, parking and loading and related land improvements. Such applications for building permits shall also comply with all code provisions, as provided in the Huerfano County Subdivision Regulations, and any appropriate resolutions, rules or regulations that apply to required submittal materials for building permit applications.
- .02 The Building Official or Zoning Enforcement Officer may, at their discretion, add such additional submittal requirements as are reasonably necessary to process permit applications.

Section 6.05 Adequate Water, Sewage Disposal Systems and Certificates of Occupancy Requirements

- .01 All occupied dwellings, structures and all other buildings that the Building Inspector determines need an adequate supply of water shall provide proof of water in order to obtain a building permit.
- .02 If the building is proposed to be supplied water from a central water provider delivered by water lines, proof of water shall consist of a letter of availability or tap receipt from the provider. If the building is proposed to be supplied water from a bulk water provider by way of hauling water to the property, proof of water shall consist of a letter of availability or tap receipt from the provider. Furthermore, the applicant for any development approved to be served by a bulk water provider must sign a waiver acknowledging: "Huerfano County provides no assurance or representation that the use of bulk water and a cistern will be an approved or acceptable long-term source of potable water. There is no guarantee that bulk water will always be available for sale and Huerfano County has no authority or jurisdiction whatsoever over water suppliers or their decision to sell water in bulk to the general public." If the building is proposed to be supplied water by a domestic well, the minimum of one gallon per minute is required, as certified by a pump test conducted by a licensed well driller, pump installer, professional engineer or geologist who has constructed, serviced, or tested the well.
- .03 No building permit shall be issued to any person to construct, alter or remodel a habitable building or other structure which is not to be serviced by a sewage treatment works until a permit for an individual sewage disposal system (ISDS) has been issued by the regional health authority or other authorizing agent, as provided for by Section 25-10-111, Colorado Revised Statutes.
- .04 No Certificate of Occupancy shall be issued to any person for the use or occupancy of a building which is not serviced by a sewage treatment works until, a) a final inspection of the individual sewage disposal system (ISDS) has been conducted, b) the installation has received the approval of the regional health authority or other authorizing agent, and c) a final permit has been issued by the regional health authority or other authorizing agent, as provided for by Section 25-10-111, Colorado Revised Statutes.

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Section 6.06 Building Permits for Large Lot Dwellings

- .01 See the Huerfano County Subdivision Regulations, Section 2.04.4 of the Huerfano County Land Use Regulations, Large Lot Subdivisions, for the access and easement requirements established as a precondition for the granting of building permits for dwellings and other structures located on lots and tracts of land of thirty-five (35) or more acres, but less than one hundred sixty (160) acres in size.

Section 7.00 Code Administration

Section 7.01 Adoption of Building Codes

- .01 All jurisdictions agree that to the extent possible each will adopt building and construction Codes as nearly identical as possible, and to that end each jurisdiction will meet and confer with one another and seek recommendations from the Board of Review before amending or adopting all applicable Codes.

Section 7.02 Roles and Responsibilities

.01 Building Official

- (a) The Building Official is hereby authorized, empowered and directed to interpret and enforce all provisions of this Policy and each major code or minor code.
- (b) Permits issued for the construction work authorize the construction work to be performed pursuant to the requirements of this Policy and do not create any right or vest any property interest in the person to whom the permit is issued (the "Permittee") or the owner of the property upon which the construction work is to be performed (the "Owner"). Upon receipt of written notice to the Building Official signed by the Owner, or the general contractor if the Permittee is a subcontractor, that the Permittee has been discharged from further performance of the construction work, or has abandoned the construction work, the Building Official shall cancel the permit and notify the permittee in writing by first class mail addressed to the Permittee at the Permittee's address appearing on the permit, that the permit has been cancelled.

.02 Chief Inspector

- (a) The Building Official or the Building Official's authorized representative shall be the Chief Inspector of all applicable building codes. The Building Official may designate a Chief Inspector of each major code. The Chief Inspector's interpretation under such code shall be final unless appealed to the Board.

.03 Plans Examiner

- (a) Under the general supervision of the Building Official, the incumbent in this classification is responsible for reviewing all proposed building plans for compliance with state and local building and zoning ordinances and construction codes. The Building Plans Examiner works with builders, owners, architects, engineers and the staff of his/her Building Department in obtaining compliance with all codes. This position differs from that of the Assistant Building Inspector in

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that the Building Plans Examiner does not issue permits and is not primarily responsible for field inspection of construction. Supervision may be exercised over a small technical staff.

Section 7.03 Reports and records.

- .01 The Building Official shall keep complete records of all licenses, permits, inspections, re-inspections, fees and other monies collected and other official actions performed under the Policy.
- .02 The County Building Official or the County Building Official's duly authorized representative shall act as secretary to the Authority and Board of Review and keep an accurate and permanent record of all proceedings before the Authority and Boards of Review.

Section 7.04 Owner obtained permits.

- .01 The record owner of a single-family dwelling or manufactured home, including the usual accessory buildings and quarters used exclusively for living purposes, may perform construction work on such dwelling or manufactured home without a license provided the dwelling or manufactured home upon which the work is to be performed will be occupied by the owner as the owner's principal place of residence, and a permit is issued for such work.
- .02 No building permit shall be issued to an owner to construct a new single-family dwelling or manufactured home more often than once every thirty-six (36) months after the date of the Certificate of Occupancy.

Section 7.05 Alternative Building Methods and Materials

- .01 If the materials and/or methods to be used in the construction of a building are not listed in the adopted codes, it is considered an alternative building method. The entire structure must be engineered and stamped by a Colorado Licensed Engineer.
- .02 Applications to use alternative building method must be submitted to the building official and approved by the Building Authority.

Section 7.06 Manufactured structures.

- .01 The installation of factory-built structures shall comply with all applicable zoning laws and regulations and all provisions of the Building Code, except that plans for the Manufactured Housing Units are not required when either of the following items are provided to the Building Official.
 - (a) A data compliance sheet for HUD-approved manufactured housing units.
 - (b) A copy of the Colorado approved label (seal) with the legible factory-built certification number.
- .02 A Colorado Division of Housing approval label (seal) must be permanently affixed to each factory-built structure.
- .03 The National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USCA, Section 5401 to 5426 and the Colorado Housing Act of 1980 as amended, Title 24, Article 32, Part 7, C.R.S. preempt the Building Code in relation to manufactured structures and therefore the Building Official

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does not inspect them. However, the Building Official shall inspect the foundation, installation of utilities and the installation of the factory-built structures to the foundation.

- .04 The following notices shall be given to all persons applying for any permit relating to manufactured homes and factory-built structures from any agency of the member jurisdictions:
 - (a) "In accordance with Federal and Colorado law, this manufactured structure has not been inspected by the Huerfano County Building Department and may or may not meet requirements of the Huerfano County Building Codes."
 - (b) "It shall be the obligation of the permit applicant to forward this notice to the owner of the manufactured home or factory-built structure."
- .05 The notice set forth in above shall be permanently installed in a visible location by the permit applicant adjacent to the data plate required by the Federal Act or in the furnace closet on manufactured structures.

Section 8.00 Enforcement, Violation, Penalties, and Non-Liability

Section 8.01 General Provisions

- .01 It shall be unlawful for any person, firm or corporation to knowingly violate, disobey, omit, neglect, refuse or fail to comply with or resist the enforcement of any provision of this Policy.
- .02 It shall be unlawful for any person, firm or corporation to refuse or fail to timely comply with any order issued by the Building Official or other designated representative pursuant to the provisions of this Policy.
- .03 It shall be unlawful for any person, firm or corporation to knowingly make any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to any requirement of this Policy.
- .04 Any license or registration issued pursuant to the provisions of this Policy may be suspended or revoked by the Authority or Board of Review for (1) any of the reasons stated in Section 5.08 or (2) any material violation of the terms of such license or registration or the applicable requirements.
- .05 In the event any owner or occupant of premises within the member jurisdictions refuses entry to the Building Official or any inspector or if any premises are locked and the Building Official or any inspector is unable to obtain permission of the owner or occupant to enter, the County Court is authorized to issue an inspection or search warrant authorizing such entry in accordance with the procedures set forth in the Colorado Court Rules, and/or pull the permit immediately.
- .06 In the event any person, firm or corporation within the member jurisdictions, or any licensed contractor, fails or refuses to comply with any provision of this Policy, or any license issued, the Building Official may revoke the permit immediately and/or initiate an action for injunctive relief in any court of competent jurisdiction to compel compliance with said Policy or license.
- .07 The enforcement remedies set forth in herein are cumulative, and the exercise of any one (1) or more of them is not dependent upon the exercise of any other remedy, and the exercise of any one (1) or more of them does not constitute any bar or limitation to the exercise of any other.

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Section 8.02 Enforcement Authority

- .01 The authority, procedures and powers of the County Building Official designated by resolution of the Huerfano County Board of County Commissioners to enforce the edition of the International Building Code adopted by Huerfano County at any given time shall be as specified in Article 28, Title 30, Colorado Revised Statutes.
- .02 The authority, powers and procedures of the County Attorney or his or her designee to act in regard to the enforcement of these Regulations, other Huerfano County building related resolutions and regulations, and the edition of the International Building Code adopted by Huerfano County at any given time shall as specified in Article 28, Title 30, Colorado Revised Statutes.
- .03 All other authority, processes and procedures regarding the enforcement, violation and penalties of these Regulations, other Huerfano County building related resolutions and regulations and the edition of the International Building Code adopted by Huerfano County at any given time shall be as specified in Article 28, Title 30, Colorado Revised Statutes.
- .04 Nothing herein shall limit the enforcement of authority of the County, or any participating jurisdiction, via the Courts

Section 8.03 Residential Conversions

- .01 Notwithstanding anything in this Policy or in any major or secondary code adopted by reference, the conversion of any building or structure into a residential use community, including condominiums, cooperatives and townhomes, shall be treated as a change of occupancy.
- .02 Before any temporary or regular certificate of occupancy for any newly converted residential unit may be issued, the Building Official shall require that the building and the converted unit be made to substantially conform to the requirements of all major and secondary codes adopted in this Policy.
- .03 Before a certificate of occupancy may be issued, the building and each unit shall each be inspected and be determined to substantially comply with the Fire Code.

Section 9.00 Fee Schedule

Section 9.01 Building Permit Fee

- .01 Fees for Building Permits will be set by resolution of the jurisdiction.

Section 9.02 Building Inspection Fees

- .01 Fees for Building Inspections and re-inspections will be set by resolution of the jurisdiction.

Section 9.03 Contractor Licensing Fees

- .01 New application fee. A non-refundable Application Fee of \$100.00 is required at the time of submission.
- .02 Renewal fee. A non-refundable Renewal Fee of \$25.00 is required when a license is renewed. After the 90-day renewal grace period has expired renewals must pay the full new application fee.
- .03 License Fee: \$100 per jurisdiction

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- (a) Credit Card payments are subject to a payment processing fee.
- (b) Checks should be made payable to Huerfano County Treasurer.

Section 9.04 Plan Review

- .01 The fee for in-house plan review of a residential structure will be 10% of the total building permit fee.
- .02 The fee for in-house plan review of a commercial structure will be 50% of the total building permit fee.
- .03 The fee for third party plan review will be cost plus 5%.

Section 9.05 Addressing and Certificates of Occupancy

- .01 The fee for the first assignment of a new address is \$150.00.
- .02 The fee for address verification or change is \$50.00 for each occurrence.
- .03 The fee for issuing a Certificate of Occupancy is \$150.00.

Section 9.06 Fee Waivers

- .01 Fees for the first assignment of an address and issuing a Certificate of Occupancy will be waived if the structure is completed within a two-year period.
- .02 For the purpose of this provision completion is defined as having passed all required inspections, including the Final Inspection, and having submitted all documentation required to obtain a Certificate of Occupancy.

Section 10.00 Amendments, Effective Date, Termination, and Validity

Section 10.01 Amendments

- .01 The Policies, Procedures and Regulations contained herein may be amended from time to time by the Board of County Commissioners of Huerfano County. Changes by other member jurisdictions must be agreed to by the Huerfano County Board of County Commissioners prior to becoming effective.

Section 10.02 Effective Date

- .01 The Policies, Procedures, and Regulations contained herein shall become effective immediately upon approval by the Huerfano County Board of County Commissioners, and shall be implemented as soon thereafter as is reasonable and practicable.
- .02 No provision herein contained shall constitute a repeal or be deemed to repeal any ordinance or resolution duly adopted by the County; nor shall the provisions herein prohibit or preclude the County from exercising their separate legislative or quasi-judicial powers relating to the matters covered by the Policies, Procedures and/or Regulations contained herein, or the enforcement of any Ordinance or Resolution relating to same.

Section 10.03 Term and Termination

- .01 This Policy shall be in force and effect upon adoption, and shall continue in full force and effect from year to year thereafter unless terminated by the Huerfano County Board of County Commissioners.

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Section 10.04 Policy Validity

- .01 If any article, section, paragraph, sentence, clause, or phrase of these Policies, Procedures and/or Regulations is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of these Policies, Procedures and/or Regulations. The Board of County Commissioners hereby declares that it would have adopted these Policies, Procedures, and Regulations and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.