

**Huerfano County Land Use  
401 Main Street, Suite 304  
Walsenburg, Colorado 81089  
719-738-1220, Ext. 117**



## **Staff Report Regarding: BP 17-145 (formally BP 16-151) Chris Morales**

**Prepared for HCBA Meeting April 14, 2023**

**Reason for Being on the Agenda:** Original building permit was issued on October 5, 2016. A second building permit 17-145 was issued on September 12, 2017. Building is still being constructed.

### **Key Considerations:**

1. Continue to allow Chris Morales to build with building permit 17-145 with physical onsite inspections done a minimum of 180 days to show improvements. As well as continue to make \$50.00 annual payments until the build is done. (It is suggested that perhaps a timeline should be considered by the HCBA.)
2. Don't allow Chris Morales to continue with building permit 17-145. Resubmit building plans and re-apply for a new building permit and pay for a new building permit.

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**Background:** The first building permit 16-151 was issued on October 5<sup>th</sup> 2016. (For whatever reason there was no plan review fee issued.) A new permit 17-145 was issued on September 12, 2017.

**Currently:** Chris Morales still has his last building permit 17-145 with no inspection requests except for the ones that were done by the request of the Huerfano County Building Inspector. Otherwise he has provided pictures and questions as he has been building. Keep in mind we have had to go back and look for emails and permits that were done prior to Ryan and Cheri being the building inspectors.

#### **Huerfano County Building Regulations:**

1. **[A]105.1.1 Annual permit.** Instead of an individual *permit* for each *alteration* to an already *approved* electrical, gas, mechanical or plumbing installation, the *building official* is authorized to issue an annual *permit* upon application therefor to any person, firm or corporation regularly employing one or more qualified tradepersons in the building, structure or on the premises owned or operated by the applicant for the *permit*. (2015 I.R.C)
2. **[A]105.3.2 Time limitation of application.**  
An application for a *permit* for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a *permit* has been issued; except that the *building official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated. (2015 I.R.C)
3. **[A]105.4 Validity of permit.**  
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The issuance or granting of a *permit* shall not be construed to be a *permit* for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. *Permits* presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a *permit* based on *construction documents* and other data shall not prevent the *building official* from requiring the correction of errors in the *construction documents* and other data. The *building official* is authorized to

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prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction. (2015 I.R.C)

**4. [A]105.5Expiration.**

Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. (2015 I.R.C)

**5. [A]105.6Suspension or revocation.**

The *building official* is authorized to suspend or revoke a *permit* issued under the provisions of this code wherever the *permit* is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code. (2015 I.R.C.)

**6. [A]104.6Right of entry.**

Where it is necessary to make an inspection to enforce the provisions of this code, or where the *building official* has reasonable cause to believe that there exists in a structure or upon a premises a condition that is contrary to or in violation of this code that makes the structure or premises unsafe, dangerous or hazardous, the *building official* is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the *building official* shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the *building official* shall have recourse to the remedies provided by law to secure entry.