

**TOWN OF DE BEQUE ORDINANCE NO. 551**

**SERIES 2025**

AN ORDINANCE REVISING TITLE 12 OF THE TOWN OF DE BEQUE MUNICIPAL CODE ADOPTING AND AMENDING THE 2024 INTERNATIONAL BUILDING CODE, THE CURRENT COLORADO PLUMBING AND FUEL GAS CODE, THE 2024 INTERNATIONAL MECHANICAL CODE, THE 2024 INTERNATIONAL EXISTING BUILDING CODE, THE 2024 INTERNATIONAL RESIDENTIAL CODE, THE CURRENT NATIONAL ELECTRICAL CODE, THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, AND THE CURRENT COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE AND THE DELETION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE.

The following describes the intent and purpose of this Ordinance:

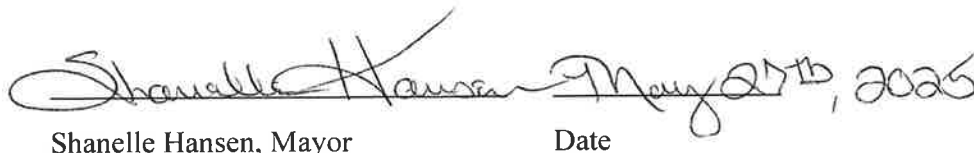
- a) The Town of De Beque (the Town) possesses the authority to amend the Municipal Code from time to time in order to preserve the health, safety, and welfare of the citizens of the Town.
- b) Pursuant to Colorado Revised Statute Section 30- 28- 201 *et seq.*, the Board of Trustees has the power to adopt a building code that will be enforced within the Town's boundaries.
- c) Title 12 of the Municipal Code currently reflects the 2018 building codes, which are outdated and do not ensure the health, safety, and welfare of the Town is preserved.
- d) The Board of Trustees has reviewed the proposed revision to Title 12, which reflects more current building codes, removes ancillary provisions within Title 12, and creates a comprehensive document that can be properly followed and enforced.
- e) The Board of Trustees determines that it is in the interest of the public's health, safety and welfare that the Town's Municipal Code Title 12 is amended and updated.

**Therefore**, the Town of De Beque Municipal Code is amended to read as follows:

Exhibit 1: Title 12

Approved by the Board of Trustees this 27th day of May, 2025. This Ordinance shall take effect thirty (30) days from the date of publication.

TOWN OF DE BEQUE BOARD OF TRUSTEES:

 Shanelle Hansen, Mayor

Date

ATTEST:

Lisa M. Rogers  
Lisa Rogers, Town Clerk

05/27/25

Date



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Title 12

BUILDINGS AND CONSTRUCTION

Chapters:

- 12.04 General Provisions
- 12.08 Definitions
- 12.12 International Building Code
- 12.14 International Plumbing Code
- 12.16 International Mechanical Code
- 12.18 International Fuel Gas Code
- 12.21 International Existing Building Code
- 12.22 International Residential Code
- 12.24 International Energy Conservation Code
- 12.28 National Electric Code
- 12.32 Administration and Enforcement
- 12.36 Permits and Fees
- 12.40 Appeals
- 12.44 Mobile Homes

Chapter 12.04

GENERAL PROVISIONS

Sections:

- 12.04.010 Short Title.
- 12.04.020 Applicability.
- 12.04.030 Exceptions.
- 12.04.050 Prevailing Provisions.
- 12.04.060 Violation--Penalty.

12.04.010 Short Title. This Title may be cited for all purposes as the “Town of De Beque Building and Construction Code.” (Ord. 183 §1(part), 1991; Ord. 226 (part), 1995).

12.04.020 Applicability. Within the Town where:

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A. A building or structure is built, this Title applies to the design and construction of said building or structure including plumbing, heating and electrical installation of the building or structure;

B. The whole or part of a building, structure, factory-built unit, manufactured home or mobile home is moved, either into or from the Town or from one property to another within the Town, this Title applies to the building, structure, factory-built unit, manufactured home, or mobile home or part thereof moved and to any remaining part affected by the change, unless otherwise provided by law;

C. The whole or part of a building, structure, factory-built unit, manufactured home or mobile home is demolished, this Title applies to the demolition and to any remaining part affected by the change;

D. A building, structure, factory-built unit, manufactured home or mobile home is altered, this Title applies to the alteration and all parts of the building, structure, factory-built unit, manufactured home or mobile home affected by the change;

E. Repairs are made to a building, structure, factory-built unit, manufactured home or mobile home, this Title applies to any such repair;

F. The class of occupancy of the building or structure or part thereof is changed, this Title applies to all parts of the building or structure affected by the change.

(Ord. 183 §(part), 1991; Ord. 226 (part), 1995; Ord. 243 §3, 1996).

12.04.030 Exceptions. A. Otherwise applicable provisions of this Title shall not apply to any mobile home, manufactured home or factory-built unit which conforms to the health and safety requirements of the Colorado State Board of Health, the Colorado State Fire Marshal, the Colorado Division of Housing, and/or the National Manufactured Housing Construction and Safety Standards Act of 1974;

B. Provided, however, any factory-built unit, manufactured home or mobile home referred to in subsection (A) of this Section shall comply with the provisions of Chapters 12.32 and 12.36. Additions, alterations or repairs to any mobile home, manufactured home or factory-built unit shall comply with all provisions of this Title.

(Ord. 183 §1(part), 1991; Ord. 226 (part), 1995).

12.04.050 Prevailing Provisions. Where the requirements or conditions imposed by any provision of a code adopted by reference in this Title, or its appendices, differ from the requirements or conditions imposed by a provision of another law, ordinance, resolution or order having application in the Town, the provision which is more restrictive shall govern. (Ord. 183 §1(part),

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1991; Amended Ord. 226 (part), 1995).

12.04.060 Violation--Penalty. A. Except as may otherwise be provided in this Title, any person, firm or corporation violating any provisions of this Title 12 shall be deemed guilty of a Class B municipal offense. Each separate day or any portion thereof, during which any violation of this Title continues, shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. Any municipal offense under this Title shall be deemed one of “strict liability.” Provided, however, only the Town, by and through the Administrative Authority shall be permitted to file a complaint in the De Beque Municipal Court for violation of any of the provisions of this Title and the primary codes adopted by reference herein.

B. In the event any building or structure is or is proposed to be erected, constructed, reconstructed, altered, remodeled, used or maintained in violation of this Title or any primary code adopted by reference herein, the Town Attorney, in addition to other remedies provided by law, may institute an appropriate action for injunction, mandamus or abatement to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, remodeling, maintenance or use, in any court of competent jurisdiction.

(Ord. 183 §1(part), 1991); (Ord. 226 (part), 1995); (Amended Ord. 271 §3 (part), 2002); (Ord. 473 §2, 2016)

## Chapter 12.08

### DEFINITIONS

#### Sections:

12.08.010 Definitions. For the purpose of this Title, all words, terms and expressions contained herein shall be interpreted in accordance with the definitions set out in the uniform codes adopted by reference in this Title.

“Administrative authority” means the De Beque Building Official, Town Manager, or the designee of either, including a De Beque Marshal or Deputy Marshal.

“Building Inspector or Official” means the De Beque Building Official or his regularly authorized deputy.

“Chief of the Fire Department” means the head of the De Beque Fire Protection District, or his regularly authorized deputy, or the De Beque Building Official.

“Factory-built unit” means any structure or component thereof, designed primarily for residential or commercial occupancy, either permanent or temporary, which is wholly or in substantial part made, fabricated, formed or assembled in a manufacturing facility for installation or assembly and installation, on a permanent foundation at a building site and which carries a Colorado Division of Housing “Factory-Built Unit Certification.”

“Health officer” means the Town health officer, or the Mesa County health officer, or a regularly authorized designee.

“Jurisdiction” means the corporate limits of the Town of De Beque, Colorado.

“Lot” means any parcel of land or portion thereof on record in the office of the Mesa County Assessor.

“Manufactured home” means a single-family dwelling which is partially or entirely manufactured in a factory and designed for long-term residential or nonresidential use and transported to its occupancy site; and is not less than twenty-four feet (24') in width and thirty-six feet (36') in length; and is installed on an engineered permanent foundation; and has brick, wood or chromatically equivalent exterior siding and a pitched roof; and is certified pursuant to the “National Manufactured Housing Construction and Safety Standards Act of 1974,” 42 U.S.C. 5401 *et seq.*, as amended, and bears such certification label.

“Mobile home” means a structure designed to be transported after fabrication and exceeding

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either eight feet (8') in a body width or thirty-two feet (32') in body length, excluding towing gear and bumper. If such a structure is built on a chassis and designed to retain the chassis on which it was built, whether or not such structure is placed on a permanent foundation. Such a structure is suitable for human habitation on a year-round basis when provided with plumbing, heating and electrical facilities, and is so designed to prevent occupancy for driving or sleeping purposes, and is fitted with the necessary appurtenances for permanent connection to a municipal water and sewage system.

“Road” means any public or private access road, street, highway, easement or way platted and recorded or shown on any official map, whether or not such road is actually constructed.

“Site” means any parcel or area of land having an area sufficient to satisfy the applicable provisions of the De Beque Municipal Code.

“Town” means the incorporated area of the Town of De Beque which may be referred to in this Title as the regulated area.

“Work” means the construction, demolition, alteration, repair, moving or change in the class of occupancy of any building, equipment or structure, and shall include the installation, construction, alteration or repair of any private or sub-surface sewage disposal system, and the placement and use of a mobile home, manufactured home and factory-built unit anywhere within the Town.

(Ord. 183 §1 (part), 1991; Amended Ord. 226 (part), 1995) (Ord. 473 §2, 2016)

## Chapter 12.12

### INTERNATIONAL BUILDING CODE

#### Sections:

- 12.12.010 Adopted by Reference.
- 12.12.020 Amendments.
- 12.12.030 Copies on File and Available for Sale.
- 12.12.040 Penalties.

12.12.010 Adopted by Reference. (A) Pursuant to the power and authority conferred by the laws of the State of Colorado, there is adopted by reference thereto, the International Building Code, 2024 Edition, together with the Chapters of the Appendix as set forth below, promulgated by the International Code Council, Inc., (hereinafter “IBC” or “International Building Code”). The purpose of the IBC is to provide minimum standards to safeguard life and limb, health, property and the public welfare by regulating and controlling various matters including, but not limited to, the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the Town.

B. The following Chapters of the Appendix of the International Building Code, 2024 Edition, are adopted:

- a. Chapter C, Group U- Agriculture Building
- b. Chapter I, Patio Covers
- c. Chapter P, Sleeping Lofts
- d. Chapter J, Grading
- e. No other chapters of the Appendix of the IBC are adopted

12.12.020 Amendments. The International Building Code is hereby amended as follows:

- A. Section 101.4.4 **Property maintenance** is amended by deletion of this section in its entirety.
- B. Section 105.1 **Required** is amended by the addition of the sentence: “Each separate building, structure, pool, retaining wall, etc. shall require a separate permit.”
- C. Section 105: Section 105.2 **Work exempt from permit** is amended to read:
  - “1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area is no greater than 200 square feet.

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- “6. Sidewalks, driveways and platforms not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
- “11. Swings and other playground equipment, located outside, of all occupancies covered by this code

D. Section 105.2 **Work exempt from permit** is amended by the addition of the following new items:

- “14. Plastic covered crop production shelters where access to public is prohibited.”
- “15. Shade fabric structures 400 square feet or less.”
- “16. Storage containers for short-term utilization on properties with a dwelling(s) or active construction sites with valid permits, subject to all applicable requirements of the local jurisdiction and annual review by the Building Official.”

E. Section 105.6 **Suspension or revocation** is amended by the addition of the sentence to read: “The Building Official may suspend or revoke a permit when a Stop Work Notice is issued in writing by another governing federal, state or local authorities in violation of any ordinance or regulation under their authority.”

F. Section 109.2 **Schedule of permit fees** is amended by the addition of Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in the Mesa Building Inspection Office).

G. Section 109.6 **Refunds** is amended by the addition of the following: “Building permit fees may be refunded at the rate of 85% of the building permit fee, provided that the project for which the permit was issued has not commenced and/or inspections have not been conducted. No refunds will be made after work has commenced or after 180 days of issuance.”

H. Subsection 109.7 **Fees for agriculture buildings** is amended by the addition of Subsection 109.7 to read: “No fees shall be required for a building permit obtained for Agriculture Buildings defined as buildings or structures used for the sole purpose of providing shelter for agricultural implements, farm products, livestock or poultry, that is not a place of employment or open to the public. This agriculture building fee exemption does not include fees for electrical, mechanical and plumbing permits for said structures.”

I. Subsection 110.7 **Inspections for agriculture buildings** is amended by addition of Subsection 110.7 to read as follows: “No inspections shall be required for a building

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permit obtained for Agriculture Buildings defined as buildings or structures used for the sole purpose of providing shelter for agricultural implements, farm products, livestock or poultry, that is not a place of employment or open to the public. However, this exemption is not an exception of the minimum building standards set forth in the International Building Code, or to the other requirements for inspections for electrical, mechanical and plumbing.”

- J. Section 111.2 **Certificate issued** is amended by deletion of: “or other laws that are enforced by the department” and replaced with: “or other codes referenced in this ordinance.”
- K. Section 111.3 **Temporary occupancy** is amended by addition of the following: “Such temporary occupancy shall be limited to the provisions of this code or any other code referenced in this ordinance.”
- L. Section 113 **Board of Appeals** is deleted in its entirety and replaced with: “The Mesa County Board of Appeals shall serve as the Board of Appeals for the Town of De Beque.”
- M. Section 114.4 **Violation penalties** is deleted in its entirety and replaced with: “Any person who violates a provision of the code or fails to comply with any of the requirements thereof shall be subject to the penalties prescribed in Title 12 of the De Beque Municipal Code.”
- N. Section 116.1 **Unsafe Conditions** is amended by adding a paragraph to read: “The building official may cause the premises to be closed up and secured through any available public agency or contractor arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource. The building official may condemn unsafe structures.”
- O. Section 305.2.3 **“Twelve” or fewer children in a dwelling unit** is amended by deleting “Five” and replacing it with “Twelve.”
- P. Section 308.2.4 **Five or fewer persons receiving custodial care** is amended by deleting the following: “provided an automatic sprinkler system is installed in accordance with section 903.3.1.3 or with section 2904 of the International Residential Code.”
- Q. Section 310.4.1 **Care facilities within a dwelling** is amended by deleting the following: “provided an automatic sprinkler system is installed in accordance with section 903.3.1.3

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or with section 2904 of the International Residential Code.”

- R. Section 310.6 Residential Group R-5 is amended by the addition of Section 310.6 to read as follows: “Residential Group R-5. Residential Group R-5 occupancy shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment. This occupancy requires that all persons residing within shall, without any assistance, be capable of responding to an emergency situation to complete building evacuation. Such occupancy shall comply with the International Residential Code. This group shall include, but not limited to, the following:

Congregate living facilities (nontransient) with 16 or fewer occupants, for whom supervision is provided on a 24-hour basis within the building, structure or portion thereof”

- S. Table 1004.5 **Maximum floor area allowances per occupant** is amended to change the maximum floor area allowance per occupant of Agriculture Building from “300 Gross” to “500 Gross.”
- T. Chapter 30 **Elevators and conveying systems** is amended by the addition of four new sections, Sections 3009 – 3012, and subsections to read as follows:

## SECTION 3010 PERMITS & CERTIFICATES OF INSPECTION

**3010.1 Permits Required.** It shall be unlawful to install any new elevator, moving walk, escalator or dumbwaiter or to make alterations to any existing elevator, dumbwaiter or moving walk, as defined in ASME A17.1, without first having obtained a permit for such installations from the building official. Permits shall not be required for maintenance or minor alterations.

**3010.2 Certificates of Inspection Required.** It shall be unlawful to operate any elevator, dumbwaiter, escalator or moving walk without a current certificate of inspection issued by an approved inspection agency. Such certificates shall be issued upon payment of prescribed fees and a valid inspection report indicating that the conveyance is safe and that the inspection and tests have been performed in accordance with ASME A17.1. Certificates shall not be issued when the conveyance is posted as unsafe pursuant to Section 3013.

**3010.3 Applications for Permits.** Applications for a permit to install shall be made on forms provided by the building official, and the permit shall be issued to an owner or the owner’s

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representative, upon payment of the permit fees specified in this section.

**3010.4 Applications for Certificates of Inspection.** Applications for an inspection and certificates of inspection shall be made to an approved inspection agency by the owner of an elevator, dumbwaiter, escalator or moving walk. Fees for inspections and certificates of inspection shall be determined by the approved inspection agency.

**3010.5 Fees.** A fee for each permit shall be paid to the building official as prescribed in the jurisdiction's Permit Fee Schedule.

## **SECTION 3011 DESIGN**

**3011.1 Detailed Requirements.** For detailed design, construction and installation requirements see Chapter 16 and the appropriate requirements for ASME A17.1.

## **SECTION 3012 REQUIREMENTS FOR OPERATION AND MAINTENANCE**

**3012.1 General.** The owner shall be responsible for the safe operation and maintenance of each elevator, dumbwaiter, escalator and moving walk installations and shall cause periodic inspections to be made on such conveyances as required by this section.

**3012.2 Periodic Inspection and Tests.** Routine and periodic inspections and tests shall be made as required by ASME A17.1.

**3012.3 Alterations, Repairs and Maintenance.** Alterations, repairs and maintenance shall be made as required by ASME A17.1.

**3011.4 Inspection Costs.** All costs of such inspections shall be paid by the owner.

## **SECTION 3013 UNSAFE CONDITIONS**

**3013.1 Unsafe Conditions.** When an inspection reveals an unsafe condition of an elevator, escalator, moving walk or dumbwaiter, the inspector shall immediately file with the owner and the building official a full and true report of inspection and unsafe conditions. If the building official finds that the unsafe condition endangers human life, the building official shall cause to be placed on such conveyance, in a conspicuous place, a notice stating that such conveyance is unsafe. The owner shall see to it that such notice of unsafe condition is legibly maintained where placed by the building official. The building official shall also issue an order in writing to the owner requiring the repairs or alterations to be made to such conveyance that are necessary to render it safe and may order the operation thereof discontinued until the repairs or alterations are made or the unsafe conditions are

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removed. A posted notice of unsafe conditions shall be removed by the building official when satisfied that the unsafe conditions have been corrected.

- U. The language of Section 3109.1 **General** is deleted and replaced with the following:  
“Swimming pools, spas and hot tub barriers shall comply with section 305 of the International Swimming Pool and Spa Code.”

12.12.040 Penalties. 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 Town or cause or permit the same to be done, contrary to or in violation of any of the provisions of the IBC.

Any person, firm or corporation violating any of the provisions of the IBC 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 the IBC is committed, continued or permitted. Any offense under this Section shall be deemed one of “strict liability.” Violation of the IBC shall be a Class A municipal offense.

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or any approval of, any violation of the provisions of the IBC. No permit presuming to give authority to violate or cancel the provisions of the IBC shall be valid, except insofar as the work or use, which it authorized, is lawful.

The issuance or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations from being carried on thereunder when in violation of the IBC or any other ordinance or from revoking any certificates of approval when issued in error.

(Ord. 256 §1(part), 2001) (Entire Chapter repealed & reenacted Ord. 423 § 4, 2012)  
(Entire Chapter repealed & reenacted Ord. 496 § 3, 2018).

## Chapter 12.14

### INTERNATIONAL PLUMBING CODE

#### Sections:

- 12.14.010 Adopted by Reference.
- 12.14.020 Amendments.
- 12.14.030 Copies on File and Available for Sale.
- 12.14.040 Penalties.

12.14.010 Adopted by Reference. A. Pursuant to the power and authority conferred by the laws of the State of Colorado, there is adopted by reference thereto, the International Plumbing Code and applicable chapters of the International Residential Code published by the International Code Council and as amended and currently adopted by the State of Colorado Plumbing Board pursuant to Title 12, Article 155 C.R.S., together with amendments set forth below (hereinafter “IPC” or “International Plumbing Code”). The purpose of the IPC is to protect the safety of residents of the Town by prescribing minimum standards for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, additions to, use and maintenance of plumbing systems within the Town.

12.14.020 Amendments. The International Plumbing Code is hereby amended to read as follows:

- A. Section 108.2 **Schedule of Permit Fees** is amended by the addition of Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in the Mesa Building Inspection Office).
- B. The language of Section 108.6 **Refunds** is deleted in its entirety and replaced with the following: “Building permit fees may be refunded at the rate of 85% of the building permit fee, provided that the project for which the permit was issued has not commenced and/or

inspections have not been conducted. No refunds will be made after work has commenced or after 180 days of issuance.”

- C. The language of Section 112 **Means of appeal** is deleted in its entirety and replaced with the following: “The Colorado State Plumbing Board serves as the Board of Appeals for the International Plumbing Code.”

12.14.040 Penalties. Any person, firm, or corporation violating any provisions of the IPC commits a Class A municipal offense. Each separate day or any portion thereof, during which any violation of the IPC occurs or continues, shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. Any municipal offense under the IPC shall be deemed one of “strict liability.”

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or any approval of, any violation of the provisions of the IPC. No permit presuming to give authority to violate or cancel the provisions of the IPC shall be valid, except insofar as the work or use, which it authorized, is lawful.

The issuance or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications, or from preventing construction operations from being carried on thereunder when in violation of the IPC or any other ordinance, or from revoking any certificate of approval when issued in error.

(Ord. 256 §2 (part), 2001) (Entire Chapter repealed & reenacted Ord. 423 § 5, 2012)  
(Entire Chapter repealed & reenacted Ord. 496 § 3, 2018).

## Chapter 12.16

### INTERNATIONAL MECHANICAL CODE

#### Sections:

12.16.010	Adopted by Reference.
12.16.020	Amendments.
12.16.030	Copies on File and Available for Sale.
12.16.040	Penalties.

12.16.010 Adopted by Reference. Pursuant to the power and authority conferred by the laws of the State of Colorado, there is adopted by reference thereto, and subject to the amendments set forth below, the International Mechanical Code, 2024 Edition, promulgated by the International Code Council, Inc, (hereinafter “IMC” or “International Mechanical Code”). The purpose of this Code is to regulate the design, construction, quality of materials, erection, installation, alteration, location, relocation, replacement, additions to, use and maintenance of mechanical systems within the Town of De Beque.

12.16.020 Amendments. The International Mechanical Code is hereby amended as follows:

- A. Section 108.2 **Schedule of Permit Fees** is amended by the addition of Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in the Mesa Building Inspection Office).
- B. The language of Section 108.63 **Refunds** is deleted in its entirety and replaced with the following: “Building permit fees may be refunded at the rate of 85% of the building permit fee, provided that the project for which the permit was issued has not commenced and/or inspections have not been conducted. No refunds will be made after work has commenced or after 180 days of issuance.”
- C. The language of Section 112 **Means of appeal** is deleted in its entirety and replaced with the following: “The Board of Appeals established by Mesa County shall serve as the Board of Appeals.”
- D. The language of Section 114.4 **Violation penalties** is deleted in its entirety and replaced with the following: “Any person who violates a provision of this code or fails to comply with any of the requirements thereof shall be subject to the penalties as prescribed in Part 16 of this Ordinance.”

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12.16.040 Penalties. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, use or maintain any mechanical system or equipment or cause to or permit the same to be done in violation of the IMC, as adopted.

Any person, firm or corporation violating any of the provisions of the IMC, as adopted, commits a Class A municipal offense, and 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 the IMC is committed, continued or permitted. Said offense shall be deemed one of “strict liability.”

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or any approval of any violation of the provisions of the IMC. No permit presuming to give authority to violate or cancel the provisions of the IMC shall be valid, except insofar as the work or use, which it authorized, is lawful.

The issuance or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations from being carried on thereunder when in violation of the IMC or any other ordinance or from revoking any certificates of approval when issued in error.

(Ord. 256 §3 (part), 2001) (Amended Ord. 258 §111(part), 2001) (Entire Chapter repealed and reenacted Ord. 423 § 6, 2012) (Entire Chapter repealed and reenacted Ord. 496 § 3, 2018).

## Chapter 12.18

### INTERNATIONAL FUEL GAS CODE

#### Sections:

- 12.18.010 Adopted by Reference.
- 12.18.020 Amendments.
- 12.18.030 Copies on File and Available for Sale.
- 12.18.040 Penalties.

12.18.010 Adopted by Reference. A. Pursuant to the power and authority conferred by the laws of the State of Colorado, there is adopted by reference thereto, and subject to the amendments set forth in this Chapter, the International Fuel Gas Code and applicable chapters of the International Residential Code published by the International Code Council and as currently amended and adopted by the State of Colorado Plumbing Board pursuant to Title 12, Article 155 C.R.S., together with amendments set forth below (hereinafter “IFGC” or “International Fuel Gas Code”). The purpose of the IFGC is to protect the safety of residents of the Town by prescribing minimum standards for the installation and maintenance of gas and fuel burning appliances and related piping within the Town of De Beque.

12.18.020 Amendments. The International Fuel Gas Code is hereby amended as follows:

- A. Section 108.2 **Schedule of permit fees** is amended by the addition of Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in the Mesa Building Inspection Office). The language of Section 108.6 **Refunds** is deleted in its entirety and replaced with the following: “Building permit fees may be refunded at the rate of 85% of the building permit fee, provided that the project for which the permit was issued has not commenced and/or inspections have not been conducted. No refunds will be made after work has commenced or after 180 days of issuance.”

12.18.040 Penalties. Any person, firm or corporation violating any provisions of the IFGC commits a Class A municipal offense. Each separate day or any portion thereof, during which any violation of the IFGC occurs or continues, shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. Any municipal offense under the IFGC shall be deemed one of “strict liability.”

The issuing of or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of the provisions of the IFGC. No permit presuming to give authority to violate or cancel the provisions of the IFGC shall be valid, except in so far as the work or use, which it authorized, is lawful.

The issuance of or granting of a permit or approval of plan shall not prevent the administrative authority from thereafter requiring the corrections of errors in said plans and specifications, or from preventing construction operations being carried on thereunder when in violation of the IFGC, or any other ordinance or from revoking any certificate of approval when issued in error.

(Ord. 256 §4(part), 2001) (Amended Ord. 258 §112(part), 2001) (Entire Chapter repealed & reenacted Ord. 423 § 7, 2012) (Entire Chapter repealed and reenacted Ord. 496 § 3, 2018).

## Chapter 12.21

### INTERNATIONAL EXISTING BUILDING CODE

#### Sections:

- 12.21.010 Adopted by Reference.
- 12.21.020 Amendments.
- 12.21.030 Copies on File and Available for Sale.
- 12.21.040 Penalties.

12.21.010 Adopted by Reference. Pursuant to the power and authority conferred by the laws of the State of Colorado, there is hereby adopted by referenced thereto, and subject to the amendments set forth in this Chapter, the International Existing Building Code, 2024 Edition, promulgated by the International Code Council, Inc., (hereinafter “IEBC” or “International Existing Building Code”). The purpose of the IEBC is to regulate the design, construction, quality of materials, erection, installation, alteration, location, relocation, replacement, addition to, use and maintenance of existing buildings within the Town of De Beque

12.21.020 Amendments. The International Existing Building Code is hereby amended as follows:

- A. Section 108.2 **Schedule of permit fees** is amended by the addition of Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in the Mesa Building Inspection Office).
- B. Section 108.6 **Refunds** is amended by the deletion of this section in its entirety and replaced with the following: “Building permit fees may be refunded at the rate of 85% of the building permit fee provided the project for which the permit was issued has not commenced and/or inspections have not been conducted. No refunds will be made after work has commenced or after 180 days of issuance.”
- C. The language of Section 112 **Board of appeals** is deleted in its entirety and replaced with the following: “The Board of Appeals created by Mesa County shall serve as the Board of Appeals for the Town of De Beque.”
- D. The language of Section 113.4 **Violations** is deleted in its entirety and replaced with the following: “Any person who violates a provision of the code or fails to comply with any of the requirements thereof shall be subject to the penalties set forth in Title 12 of the De Beque Municipal Code.”

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- E. The language of Section R115 **Unsafe buildings and equipment** is deleted in its entirety and replaced with the following: “As amended in section 116 of the 2024 International Building Code.”

12.21.040 Penalties. Any person, firm or corporation violating any of the provisions of the IEBC commits a Class A municipal offense. Each separate day or any portion thereof, during which any violation of the IEBC occurs or continues, shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. Any municipal offense under the IEBC shall be deemed one of “strict liability.”

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of the provisions of the IRC. No permit presuming to give authority to violate or cancel the provisions of the IEBC shall be valid, except insofar as the work or use, which it authorized, is lawful.

The issuance of or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications, or from preventing construction operations being carried on thereunder when in violation of the IRC or any other ordinance, or from revoking any certificate of approval when issued in error.

(Ord. 496 § 3, 2018).

## Chapter 12.22

### INTERNATIONAL RESIDENTIAL CODE

#### Sections:

- 12.22.010 Adopted by Reference.
- 12.22.020 Amendments.
- 12.22.030 Copies on File and Available for Sale.
- 12.22.10 Penalties.

12.22.010 Adopted by Reference. A. Pursuant to the power and authority conferred by the laws of the State of Colorado, there is hereby adopted by referenced thereto, the International Residential Code, 2024 Edition, together with the amendments set forth below and Chapters of the Appendix as set forth below, promulgated by the International Code Council, Inc., (hereinafter “IRC” or “International Residential Code”). The purpose of the IRC is to regulate the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, additions to, use or maintenance of one and two-family dwellings and townhouses not more than three (3) stories in height within the Town of De Beque

B. The following chapters of the Appendix of the International Residential Code, 2018 Edition, are adopted:

1. Appendix BB, Tiny Houses
2. Appendix BF, Patio Covers
3. Appendix BO, Existing Buildings and Structures
4. Appendix CB, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances and Appliances Listed for Use with Type B Vents
5. Appendix CC, Recommended Procedure for Safety Inspection of an Existing Appliance Installation
6. No other Appendix chapters of the IRC are adopted

12.22.020 Amendments. The International Residential Code, is hereby amended to read as follows:

- A. Section R101.2 **Scope** is amended by moving Owner-occupied lodging houses with five or fewer guestrooms from exception to scope.
- B. Section R101.2 **Scope** is amended by moving a care facility with five or fewer persons receiving custodial care within a dwelling unit from exception to scope.
- C. Section R101.2 **Scope** is amended by moving a care facility with five or fewer persons

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receiving care that are within a dwelling unit from exception to scope.

- D. Section 101.2 **Scope** is amended by the addition to scope: “Child Care Facilities as permitted under HB21-1222, but not to exceed 12 Children.”
- E. Section 101.2 **Scope** is amended by the addition to scope: “Residential Group R-5, as defined in the IBC.”
- F. Section 102.6 **Existing structures** is amended by deletion of: “International Property Maintenance Code.”
- G. Section R104.2.3.1 **Flood hazard areas** is amended by the deletion of this section in its entirety and replaced with the following: “No permit will be issued without review and approval from the local jurisdiction floodplain administrator.”
- H. Section R104.3.1 **Determination of substantially improved or substantially damaged existing buildings in flood hazard areas** is amended by the deletion of this section in its entirety and replaced with the following: “No permit will be issued without review and approval from the jurisdiction floodplain administrator.”
- I. Section R105.1 **Required** is amended by the addition of the sentence: “Each separate building, structure, pool, retaining wall, etc. shall require a separate permit.”
- J. Section R105.2 **Work exempt from permit** is amended to read:
  - 1. “5. Sidewalks, Driveways and Platforms not more than 30 inches above the adjacent grade and not over any basement or story below.”
  - 2. “7. Temporary (removable) prefabricated swimming pools installed for a maximum of 180 days per year.”
  - 3. “8. Swings, playhouses and other playground equipment.”
  - 4. “10. Decks that are not more than 30 inches above grade at any point.”
- K. Section 105.2 **Work exempt from permit** is amended by the addition of the following new items:
  - 1. “11. Re-siding of buildings regulated by this code.”
  - 2. “12. Roof recover of buildings regulated by this code that do not exceed Limits of Section R908.4 and 908.4.1”
  - 3. “13. Plastic covered crop production shelters where access to the public is

prohibited.”

- L. Section R106.1.4 **Buildings in flood hazard areas** is amended by the deletion of this section in its entirety and replaced with the following: “The local jurisdiction floodplain administrator will be responsible for adherence to applicable regulations under their authority. A final verification and approval from the floodplain administrator will be given prior to issuance of a Certificate of Occupancy or Final approval, whichever is applicable.”
- M. Section R106.3.1 **Construction documents** is amended by deletion of the second sentence of the first paragraph: “One set of construction documents so reviewed shall be retained by the Building Official.”
- N. Section R106.5 **Retention of construction documents** is amended by deletion of this section in its entirety.
- O. Section R108.2 **Schedule of permit fees** is amended by the addition of Exhibit A Mesa County Building Department Fee Schedule. (Copy of Exhibit A Mesa County Building Department Fee Schedule, is on file in the Mesa Building Inspection Office).
- P. Section R108.5 **Refunds** is amended by the deletion of this section in its entirety and replaced with the following: “Building permit fees may be refunded at the rate of 85% of the building permit fee provided the project for which the permit was issued has not commenced and/or inspections have not been conducted. No refunds will be made after work has commenced or after 180 days of issuance.”
- Q. Section R108.7 **Fees for agriculture buildings** is amended by the addition of Subsection R108.7 to read: “No fees shall be required for a building permit obtained for Agriculture Buildings defined as buildings or structures used for the sole purpose of providing shelter for agricultural implements, farm products, livestock or poultry, that is not a place of employment or open to the public. This agriculture building fee exemption does not include fees for electrical, mechanical and plumbing permits for said structures.”
- R. Section R109.5 **Inspections for agriculture buildings** is amended by addition of Subsection R109.5 to read as follows: “No inspections shall be required for a building permit obtained for Agriculture Buildings defined as buildings or structures used for the sole purpose of providing shelter for agricultural implements, farm products,

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livestock or poultry, that is not a place of employment or open to the public. However, this exemption is not an exception of the minimum building standards set forth in the International Building Code, or to the other requirements for inspections for electrical, mechanical and plumbing.”

- S. Section R110.2 **Certificate issued** is amended by deletion of: “or other laws that are enforced by the department” and replaced with: “or other codes referenced in this ordinance.”
- T. Section R110.3 **Temporary occupancy** is amended by addition of the following: “Such temporary occupancy shall be limited to the provisions of this code or other codes referenced in this ordinance.”
- U. Section R112 **Board of appeals** is amended by deletion of this section in its entirety and replaced with: “The Mesa County Board of Appeals shall serve as the Board of Appeals for the Town of De Beque.”
- V. Section R113.4 **Violation penalties** is amended by deletion of the section in its entirety and replaced with the following: “Any person who violates a provision of this code or fails to comply with any of the requirements thereof shall be subject to the penalties as prescribed in this Title 12.”
- W. Section R115 **Unsafe structures and equipment** is amended by addition to read: “As amended in section 116 of the 2024 International Building Code.”
- X. Section R202 **Definitions** is amended to read:
  - 1. “Dwelling. Any building that contains one or two dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes. Dwelling is not defined as a building that is used, intended, or designed to be separated as individually owned properties. See definition of townhouse.”
  - 2. “Townhouse. A building that contains two or more attached townhouse units.”
- Y. Section R302 (1) **Exterior walls** is amended by changing the following:
  - 1. “Walls (not fire resistance rated) Minimum Fire Separation Distance = 3 feet”
  - 2. “Projections (not fire resistance rated) Minimum Fire Separation Distance = 2 feet”
  - 3. “Openings (unlimited) Minimum Fire Separation Distance = 3 feet”

4. "Openings, deleted 25% Maximum of Wall Area/ 0 Hours/ 3 feet"
  5. "Penetrations (all) Minimum Fire Separation Distance < 3 feet, compliance with Section R302.4 and at 3 feet or greater, no requirements."
- Z. Section R302.2 **Townhouses** is amended for the purpose of this section to read: "Townhouse shall include two (2) or more attached townhouse units as defined in Section R202."
- AA. Section R302.3 **Two-family dwellings** is amended for the purpose of this section to read: "Two-family dwelling does not include buildings that are used, intended, or designed to be separated as individually owned properties. See definition of townhouse."
- BB. Section R306 **Flood-resistant construction** is amended by deletion of this section in its entirety and delegating authority to the local jurisdiction floodplain administrator.
- CC. Section R309.1 **Townhouse automatic sprinkler systems** is amended by deletion of this section and replaced with the following: "An automatic sprinkler system shall be installed in townhouses that contain more than four townhouse units. Exception: An automatic sprinkler system shall not be required where additions or alterations are made to existing townhouses that do not have an automatic sprinkler system installed."
- DD. Section R309.2 **Automatic fire sprinkler systems** is amended by the deletion of "shall be installed" and replaced with "may be installed".
- EE. Section R317.1 **Floor surface** is amended by the deletion of the second paragraph.
- FF. Section R317.5 **Fire sprinklers** is amended by deletion of this section in its entirety.
- GG. Section R319.1 **Emergency escape and rescue openings required** first sentence is amended to read: "Basements, floors above grade plane, habitable attics, the room to which a sleeping loft is open and every sleeping room shall have not less than one operable emergency escape and rescue opening."
- HH. Section R319.1 **Emergency escape and rescue openings required** is amended by the addition of the following exception: "5. Storage rooms located above

a garage and accessed only through the garage.”

II. Section R322.1 **Dwelling units or sleeping units** is amended by deletion of this section in its entirety.

JJ. Section R323 **Elevators and Platform Lifts** is amended by deletion of this section in its entirety.

KK. Section R325.1.2 **Natural ventilation** Exception 3 is amended by deletion in its entirety and replacing with the following: “Required ventilation openings shall be permitted to open into a thermally isolated sunroom or roofed porch, deck, or patio where the space has adequate openings to the outside.”

LL. Section R328.1 **Swimming pools, spas and hot tubs** is amended by deletion of this section in its entirety.

MM. Section R333 **Wildfire hazard areas** is amended by the addition of Section R333.

**Section R333 Requirements in Wildfire Hazard Areas.**

1. Section R333.1 **Wildfire Hazards defined.** Areas that have wildfire hazard rating of medium or above (as shown on the Mesa County Wildfire Hazard Map).
2. Section R333.2 **Roof Covering.** Roof coverings for new buildings or structures or additions thereto or roof covering utilized for re-roofing, shall be Class A or B, tested in accordance with ASME E108 or UL790 or an approved noncombustible roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be fire stopped to preclude entry of flames or embers or have one layer of 72-pound (32.4 kg) mineral-surfaced, nonperforated cap sheet complying with ASTM D3909 installed over the combustible decking.
3. Section R333.3 **Roof Valleys.** Where provided, valley flashings shall be not less than 0.019-inch (0.44 mm) (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide (914 mm) underlayment consisting of one layer of 72-pound (32.4 kg) mineral-surfaced, nonperforated cap sheet complying with ASTM D3909 running the full length of the valley.
4. Section R333.4 **Underfloor Enclosure.** Buildings or structures shall have underfloor areas with habitable space located above enclosed to the ground

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with exterior walls.

**Exception:** Complete enclosure shall not be required where the underside of exposed floors and exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction, fire-retardant-treated wood or heavy timber construction. Fire-retardant-treated wood shall be labeled for exterior use and meet the requirements of Section 2303.2 of the International Building Code.

5. Section R333.5 Vents. Where provided, attic ventilation openings, foundation or underfloor vents, or ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches (0.0929 m<sup>2</sup>) each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed 1/8 inch (3.2 mm) or shall be designed and approved to prevent flame or ember penetration into the structure.
6. Section R333.6 Moved Buildings. Any building or structure moved within or into any Wildfire Hazard Area shall be made to comply with all the requirements for new buildings in the Wildfire Area.
7. Section R333.7 Replacement or repairs to buildings or structures in existence prior to the adoption of this code that are replaced or have 25 percent or more replaced in a 12-month period shall meet the requirements of this section for new construction.

NN. Chapter 11 (eleven): Chapter 11 (eleven) **Energy efficiency** is amended by the deletion of this chapter in its entirety, and replace with: “See 2021 International Energy Conservation Code as adopted for energy code requirements.”

12.22.040 Penalties. Any person, firm or corporation violating any of the provisions of the IRC commits a Class A municipal offense. Each separate day or any portion thereof, during which any violation of the IRC occurs or continues, shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. Any municipal offense under the IRC shall be deemed one of “strict liability.”

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of the provisions of the IRC. No permit presuming to give authority to violate or cancel the provisions of the IRC shall be valid, except insofar as the work or use, which it authorized, is lawful.

The issuance of or granting of a permit or approval of a plan shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications, or from preventing construction operations being carried on thereunder when in

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violation of the IRC or any other ordinance, or from revoking any certificate of approval when issued in error.

## Chapter 12.24

### INTERNATIONAL ENERGY CONSERVATION CODE

#### Sections:

12.24.010	Adopted by Reference.
12.24.020	Amendments
12.24.030	Copies on File and Available for Sale.
12.24.040	Penalties.

12.24.010 Adopted by Reference. Pursuant to the power and authority conferred by the laws of the State of Colorado, there is hereby adopted by reference thereto, the International Energy Conservation Code, 2021 Edition, promulgated by the International Code Council, Inc., (hereinafter “IECC” or “International Energy Conservation Code”). The purpose of the IECC is to regulate the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, additions to, use and maintenance of the building envelope, mechanical, lifting and power systems in a manner to conserve energy in the Town of De Beque.

12.24.020 Amendments. The International Energy Conservation Code, 2021 Edition, is hereby amended to read as follows:

- A. Section R103.5 **Retention of construction documents** is hereby amended by deletion of this section in its entirety.
- B. C104.2 & Section R104.2 **Schedule of permit fees** are amended by the addition of the Ordinance, Exhibit A, Mesa County Building Department Fee Schedule. (Copy of Exhibit A, Mesa County Building Department Fee Schedule, is on file in the Building Inspection office.)
- C. Section C104.5 & Section R104.5 **Refunds** is amended by the deletion of this section in its entirety and replaced with the following: “Building permit fees may be refunded at the rate of 85% of the building permit fee provided the project for which the permit was issued has not commenced and/or inspections have not been conducted. No refunds will be made after work has commenced or after 180 days of issuance.”
- D. Section C110 & Section R110 **Board of appeals** are amended by deletion of these sections in their entirety and replaced with: “The Board of Appeals established in Part 13 of the Ordinance, shall serve as the Board of Appeals.”

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- E. Section C111 & Section R111 **Duties of the code official** are hereby amended by the addition of these sections: “The *code official* is hereby authorized and directed to enforce the provisions of this code. The *code official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.”
- F. Section R402: Table R402.1.3 **Insulation minimum R-values and fenestration requirements by component** is amended by changing to the following values from the 2024 International Energy Conservation Code:

5 and Marine 4	0.30 <sup>i</sup>	0.55	NR	49 or 30ci <sup>j</sup>	30 or 20&5ci <sup>h</sup> or 13&10ci <sup>h</sup> or 0&20ci <sup>h</sup>	13/17	30 or 19&7.5ci or 15ci	15ci or 19 or 13&5ci	10ci, 4 ft <sup>k</sup>	15ci or 19 or 13&5ci
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- G. Section R402: Table R402.1.3 **Insulation minimum R-values and fenestration requirements by component** is amended by adding the following footnotes:
- “j. Insulation entirely above roof deck.”
  - “k. Slab insulation shall be installed in accordance with Section R402.2.9.1.”
- H. Section R402.2.9.1 **Slab-on-grade floor insulation installation** is amended by the deletion of the second sentence and replaced with the following: “Insulation located below grade shall be extended the distance provided in Table R402.1.3, but need not exceed the footing depth in accordance with Section R403.1.4 of the *International Residential Code*.”
- I. Section R408.2 **Additional efficiency package options** is amended by the addition of the following sentence at the end of the section: “As an alternative, additional efficiency measures and credits complying with section R408 of the *2024 International Energy Conservation Code*, shall be deemed equivalent.”
- J. Section R404.2 **Interior lighting controls** is amended by the deletion of this section in its entirety

12.24.040 Penalties. Any person, firm or corporation violating any provisions of the IECC commits a Class A municipal offense. Each separate day or any portion thereof, during which any violation of the IECC occurs or continues, shall be deemed to constitute a separate offense and, upon

conviction thereof, shall be punishable as herein provided. Any criminal offense under the IECC shall be deemed one of “strict liability.”

The issuance of or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or any approval of, any violation of the provisions of the IECC. No permit presuming to give authority to violate or cancel the provisions of the IECC shall be valid, except insofar as the work or use, which it authorized, is lawful.

The issuance of or granting of a permit or approval of plans shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications, or from preventing construction operations being carried on thereunder when in violation of the IECC, or any other ordinance or from revoking any certificate of approval when issued in error.



## Chapter 12.28

### NATIONAL ELECTRIC CODE

#### Sections:

- 12.28.010 Adopted by Reference.
- 12.28.020 Copies on File and Available for Sale.
- 12.28.030 Penalties.

12.28.010 Adopted by Reference. A. Pursuant to the power and authority conferred by the laws of the State of Colorado, there is hereby adopted by reference thereto, The National Electrical Code published by the National Fire Protection Association as currently amended and adopted by the State of Colorado Electrical Board pursuant to Title 12, Article 115 C.R.S. (hereinafter “NEC” or “National Electric Code”). The purpose of the NEC is the practical safeguarding of persons and property from hazards arising from the use of electricity. The subject matter of the NEC includes regulations relating to the installation of electrical conductors and equipment within or on public and private buildings or other structures, including mobile homes, recreational vehicles, floating dwellings units; and other premises such as yards, carnivals, parking and other lots, and industrial substations, installation of connectors that connect to the supply of electricity and installations of other outside conductors on the premises.

B. Applicants shall pay for each electrical permit at the time of issuance a fee for electrical permits and inspections as set in the Mesa County Building Department Fee Schedule.. A copy of such fee schedule is on file at the Town Clerk’s office.

C. The Colorado Model Electric Ready and Solar Ready code language developed for adoption by the Energy Code Board, pursuant to Section 24-38.5-401(5), as required by HB22-1362, is adopted as written at the time of this code adoption to regulate the design, construction, quality of materials, erection, installations, alterations, repair, location, relocation, replacement, additions to, use and maintenance of the building envelope, mechanical, lighting and power systems within the Jurisdiction.

12.28.030 Penalties. Any person, firm or corporation violating any provisions of the NEC commits a Class A municipal offense. Each separate day or any portion thereof, during which any violation of the NEC occurs or continues, shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. Any criminal offense under the NEC shall be deemed one of “strict liability.”

The issuance of or granting of a permit or approval of plans and specifications shall not be

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deemed or construed to be a permit for, or any approval of, any violation of the provisions of the NEC. No permit presuming to give authority to violate or cancel the provisions of the NEC shall be valid, except insofar as the work or use, which it authorized, is lawful.

The issuance of or granting of a permit or approval of plans shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications, or from preventing construction operations being carried on thereunder when in violation of the NEC or any other ordinance or from revoking any certificate of approval when issued in error.

(Ord. 256 §8 (part), 2001) (Amended Ord. 258 §116(part), 2001) (Entire Chapter repealed & reenacted Ord. 423 § 11, 2012).

## Chapter 12.32

### ADMINISTRATION AND ENFORCEMENT

#### Sections:

- 12.32.010 Building Official--Designated.
- 12.32.020 Interpretation of Title.
- 12.32.030 Promulgation Authority.
- 12.32.040 Building Official--Powers and Duties.
- 12.32.050 Responsibility of Owner.
- 12.32.060 Prohibitions.
- 12.32.070 Nonassumption, Nonwaiver.
- 12.32.080 Conflicts and Permits Previously Issued.

12.32.010 Building Official--Designated. The Mesa County Chief Building Official or his designee is authorized to act as the Town Building Official by the Board of Trustees for the administration and enforcement of the codes adopted in this Title pursuant to this Chapter. The Building Official is authorized and directed to enforce all provisions of this Title and the codes adopted by reference thereunder. The Town may contract with other persons or other governmental entities to perform inspections and other duties of the Building Official provided for in this Title and the codes adopted by reference thereunder. (Ord. 183 §1(part), 1991; Amended Ord. 226 (part), 1995; Amended Ord. 243 §4, 1996).

12.32.020 Interpretation of Title. The Town Building Official shall be deemed the judge as to the proper interpretation of the rules and requirements of this Title and the codes adopted by reference thereunder pertaining to the construction, alteration, enlargement or improvement of buildings and structures regulated by this Title or the codes adopted by reference thereunder. Provided, however, the Building Official shall not be permitted to modify any substantive rules and regulations contained in this Title and the codes adopted by reference thereunder. (Ord. 183 §1 (part), 1991; Amended Ord. 226 (part), 1995).

12.32.030 Promulgation Authority. The Town Building Official shall be authorized to promulgate from time to time additional regulations, design standards, tables, drawings and guidelines not in conflict with the provisions of this Title and the codes adopted by reference thereunder. (Ord. 183 §1(part), 1991; Amended Ord. 226 (part), 1995).

12.32.040 Building Official--Powers and Duties. A. The Building Official is charged with the administration and enforcement of this Title and all codes adopted by reference thereunder under the authority of the Board of Trustees.

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B. The Building Official shall have the power to:

1. Enter any premises at any reasonable time for the purpose of administering this Title.
2. Direct that tests of materials, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof be submitted at the expense of the owner, where such evidence or proof is necessary to determine whether the material, devices, construction or foundation meets the requirements of this Title. The records of such tests shall be kept available for inspection during the construction of the building or structure and for such a period thereafter as required by the Building Official;
3. Direct by written notice, or by attaching a placard to the premises, the correction of any condition where, in the opinion of the Building Official, such a condition violates the provisions of this Title;
4. Revoke a permit where there is a violation of the provisions of Section 12.36.060;
5. Authorize the filing of a criminal complaint in the De Beque Municipal Court if he has probable cause to believe a violation of this Title or any code adopted by reference thereunder has been committed.

(Ord. 183 §1(part), 1991; Amended Ord. 226 (part), 1995).

12.32.050 Responsibility of Owner. Neither the granting of a permit, nor the approval of the drawings and specifications, nor inspections made by the Building Official shall in any way relieve the owner of such building or structure from full responsibility for carrying out all work in accordance with the requirements of this Title and the codes adopted by reference thereunder. (Ord. 183 §1(part), 1991; Amended Ord. 226 (part), 1995).

12.32.060 Prohibitions. A. No person shall commence or continue any work in respect to any building, structure, factory-built housing unit, manufactured home, mobile home or equipment without first obtaining required permits from the Town.

B. No person shall occupy any new or existing building, factory-built housing unit, manufactured home, or mobile home unless and until (a) sewage disposal and domestic water facilities, meeting the minimum standards of the Colorado Department of Health and the Town, have been installed and approved, in writing, by the Town, (b) said facilities have been connected to the municipal utility system pursuant to Title 8 of this Code except as otherwise approved by the Town, and (c) utility service is actively supplied to the building, factory-built housing unit, manufactured home, or mobile home unit.

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(Ord. 183 §1(part), 1991); (Amended Ord. 226 (part), 1995); (Ord. 473 §3, 2016)

12.32.070 Nonassumption, Nonwaiver. The Town, its official, employees and agents thereof shall not be deemed to have assumed a duty of care where none otherwise existed by the performance of a service or an act of assistance for the benefit of any person under this Title. The adoption of the codes shall not give rise to a duty of care. The enforcement or failure to enforce this Title or the mere fact that an inspection was conducted in the course of enforcing this Title shall not give rise to a duty of care where none otherwise existed. Enactment of the Ordinance codified in this Section shall not constitute a waiver of sovereign immunity by the Town, its officials, employees and agents. (Ord. 183 §1(part), 1991; Amended Ord. 226 (part), 1995; Amended Ord. 243 §6(4), 1996).

12.32.080 Conflicts and Permits Previously Issued. Any and all ordinances or parts thereof in conflict herewith to the extent of such conflicts or inconsistencies are amended; provided, however, this Title shall not affect the construction of buildings for which permits were issued prior to the effective date of the Ordinance codified in this Section and all buildings now under construction pursuant to which permits were issued prior to the effective date of said Ordinance and all buildings not under construction pursuant to existing permits shall be constructed in conformance with the building code applicable at the time of issuance of the permit; provided further, however, that no construction authorized by an existing permit shall be altered without complying with the newly adopted building codes. Nor shall the adoption of said Ordinance prevent the prosecution of violations of any prior ordinance adopting prior building codes which occurred prior to the effective date of the Ordinance codified in this Section. Where this Title and the codes adopted herein by reference are in conflict with other ordinances of the Town, the more restrictive provision shall apply. (Ord. 243 §6(2), 1996).

## Chapter 12.36

### PERMITS AND FEES

#### Sections:

12.36.010	Permits Required.
12.36.020	Waiver of Permit Requirements.
12.36.030	Permit Issuance.
12.36.040	Permit Application--Contents.
12.36.050	Posting of Permits--Sign Board on Site.
12.36.060	Permits--Issuance Conditions.
12.36.070	Permit Fees.
12.36.080	Certificate of Occupancy.

12.36.010 Permits Required. The Building Official shall promulgate a table that sets forth the projects which require permit(s), if any, and specifies the specific type of permit(s) required and the site inclusion requirements. It shall be the duty of the applicant for a proposed project which is not specifically set forth in said table to contact the Building Official for a determination of the type of permit(s) required, if any, and the site inclusion requirements. (Ord. 183 §1(part), 1991; Amended Ord. 226 (part), 1995).

12.36.020 Waiver of Permit Requirements. The Building Official may waive any permit requirements contained within this Title or the codes adopted by reference thereunder only after a determination is made that the effect of such a waiver is minor and will not affect the health, safety and welfare of the citizens of the Town. (Ord. 183 §1(part), 1991; Amended Ord. 226 (part), 1995).

12.36.030 Permit Issuance. A. The Building Official shall issue a permit where:

1. Application for a permit has been made in accordance with the provisions of this Section;
2. The proposed work set out in the application conforms to this Title and all other laws, regulations, resolutions or orders applicable within the Town;
3. All construction drawings, applications and permit fees have been submitted and approved, including those for plumbing, electrical and mechanical portions of the project. A footing and foundation permit may be awarded prior to the reception of other permit information if adequate structural and site plan information has been provided.

B. The Building Official shall not issue a permit where:

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1. The proposed work, as set forth in the application, or the proposed use of the building or structure when completed, does not comply with the subdivision, zoning or land use provisions of the De Beque Municipal Code, or other applicable ordinances;

2. The proposed site is located, all or in part, within any area determined by the Building Official to necessitate special building requirements as a result of potential avalanche, earth movement, floods, surface water or other potentially hazardous conditions, or is located within an area of special flood hazard as designated pursuant to Chapter 14.20, and any special permits required by said Chapter have not been obtained by the applicant. All special building requirements included in any such special permit shall be incorporated into the permit issued to the applicant under this Title:

3. In the opinion of the Building Official, the results of the tests referred to in Section 12.32.040(B)(2) of this Title are not satisfactory.

(Ord. 183 §(part), 1991; Amended Ord. 226 (part), 1995).

12.36.040 Permit Application--Contents. An application for a permit issued under this Title shall:

- A. Be made on the form prescribed by the Building Official;
- B. Be signed by the applicant;
- C. Be accompanied by the fee prescribed for the work to be undertaken;
- D. State the intended use of the building or structure;
- E. Include copies in duplicate of a plot plan and scale drawings and specifications of the work to be carried out as required by the building codes adopted under this Title, and any other applicable regulations. (Amended Ord. 271 §4 (part), 2002).

(Ord. 183 §1(part), 1991; Amended Ord. 226 (part), 1995).

12.36.050 Posting of Permits--Sign Board on Site. A. An address sign board shall be required at all building sites for construction permitted through the Town Building Official. The sign board shall provide a place to mount the permit card where it can be signed during various inspections. The Building Official may promulgate recommended dimensions for said sign board as a guideline only.

B. The person to whom the permit is issued shall, during construction, post in a conspicuous place on the property in respect of which the permit was issued a copy of the building

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permit or a poster or placard approved by the Building Official in lieu thereof.

C. The person to whom the building permit is issued shall, during construction, keep a copy of the approved drawings and specifications referred to in Section 12.36.040(E) on the property in respect of which the permit was issued.

(Ord. 183 §1(part), 1991; Amended Ord. 226 (part), 1995).

12.36.060 Permits--Issuance Conditions. Unless otherwise provided in the primary codes adopted by reference, every permit is issued upon the condition that:

A. Construction shall be started within one hundred eighty (180) days from the date of the issuance of the permit;

B. Construction shall not be discontinued or suspended for a period of more than one hundred eighty (180) days; and

C. The exterior of any building shall be finished in durable, weather resistant materials prior to employment of particular use for which the building is intended.

(Ord. 183 §1(part), 1991; Amended Ord. 226 (part), 1995).

12.36.070 Permit Fees. A. The estimated value of the work shall be reviewed by the Building Official and shall be based on the declared cost of materials and labor for each permit for each building or structure. The Building Official shall account for all fees paid under this Title for any building, mobile home placement, manufactured home placement or factory-built unit placement. All fees collected shall be deposited in the Town's general fund, unless otherwise specified by the Board of Trustees.

B. If the Building Official discovers any person undertaking work in violation of this Title, he shall notify the violator to cease such act or acts, and such violator shall pay for such applicable permit(s) twice the amount of the fee otherwise levied.

(Ord. 183 §1(part), 1991; Amended Ord. 226 (part), 1995).

12.36.080 Certificate of Occupancy. In addition to the requirements for the issuance of a certificate of occupancy contained in the codes adopted by reference in this Title, no certificate of occupancy shall be issued until the following improvements, if required, have been installed in the development where the building or structure is to be located and have been approved by the Town Building Official:

A. Sidewalks and bikeways;

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- B. Signs;
- C. Street paving with curb and gutter as required;
- D. Street lighting;
- E. Soil stabilization and revegetation measures;
- F. All other public improvements required by a development permit or subdivision improvements agreement;
- G. Land dedication, if required;
- H. Landscaping, if required.

(Ord. 183 §1(part), 1991; Amended Ord. 226 (part), 1995).

## Chapter 12.40

### APPEALS

#### Sections:

- 12.40.010 Application for Appeal.
- 12.40.020 Time for Appeal.
- 12.40.030 Hearing--Written Notice Required.
- 12.40.040 Board of Appeals.

12.40.010 Application for Appeal. Any person aggrieved by a decision of the Building Official denying, issuing or revoking a permit or in applying the provisions of this Title or any code adopted by reference thereunder to the construction, alteration or repair of a structure, as herein defined, may appeal such decision to the Board of Appeals. (Ord. 183 §(part), 1991; Amended Ord. 226 (part), 1995).

12.40.020 Time for Appeal. Any appeal to the Board of Appeals shall be preceded by a written appeal to the Building Official, who shall reply in writing. The decision of the Building Official may be appealed to the Board of Appeals, within ten days from the date of the decision of the Building Official. A Notice of Appeal, together with a copy of the original written appeal and a copy of the Building Official's decision, shall be filed with the Board of Appeals at the time the appeal is requested.

12.40.030 Hearing--Written Notice Required. The Board of Appeals shall meet within thirty (30) days of the written appeal, hear evidence and argument if it deems appropriate, and shall render all decisions and findings in writing to the Chief Building Official with a duplicate copy to the appellant.

12.40.040 Board of Appeal. the Board of Appeals is established pursuant to Mesa County Ordinance No.008(D)

Chapter 12.44

MOBILE HOMES

Sections:

ARTICLE I. PLACEMENT, SET UP AND INSPECTION

- 12.44.010 Definitions.
- 12.44.020 Mobile Homes Permitted.
- 12.44.030 Installation Permit.
- 12.44.040 Permit Fee--Inspections.
- 12.44.050 Placements and Requirements.
- 12.44.060 Conflicting Provisions.
- 12.44.070 Applicability.
- 12.44.080 Violation--Penalty.

ARTICLE II. USE AND PARKING

- 12.44.090 Definitions.
- 12.44.100 Parking of Mobile Homes, Dependent Mobile Homes, or Travel Trailers.
- 12.44.110 Storage.
- 12.44.120 Temporary Offices.
- 12.44.130 Unlawful Parking.
- 12.44.140 Violation--Penalty.

ARTICLE I. PLACEMENT, SET UP AND INSPECTION

12.44.010 Definitions. The Federal Manufactured Home Construction and Safety Standards Act (FMHCSSA) or the “Act,” 42 U.S.C.S. 5401, *et seq.*, defines a “manufactured home” as:

A structure transportable in one (1) or more sections which in the traveling mode is eight (8) body feet or more in width and forty (40) body feet or more in length or when erected on site is three hundred twenty (320) or more square feet and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein; except that such term shall include any structure which meets all of the requirements and with respect to which the manufacturer files a certification required by the Secretary of Housing and Urban Development and complies with the standards

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established under this Title.

Section 14.03.180 of the Town's Land Use Regulations provides that mobile homes are only permitted as a Special Review use in the Medium Density Residential (MDR) Zone District. For purposes of this Code, a "mobile home" is defined to mean and shall include any manufactured structure which does not meet the definition of "manufactured home" and bear a federal certification as established and provided for by FMHCSSA.

"Manufactured housing" means a manufactured structure designed for residential occupancy that conforms to all applicable federal construction and safety standards certifications (42 U.S.C.S. 5401 *et seq.*). Construction and safety certification shall be affixed in the original and permanent condition and shall not be removed. All manufactured homes will be HUD approved and are to have been manufactured from 1977 or later and be single-family dwellings. (Ord. 209 (part), 1994; Amended Ord. 271 §5 (part), 2002).

12.44.020 Mobile Homes Permitted. Mobile homes meeting the requirements of the U.S. Department of Housing and Urban Development (HUD) and certified for placement in the State of Colorado by Production Inspection Primary Inspection Agency (IPIA), and installed in compliance with Town regulations for set-up and utility connections, shall be permitted to be placed on parcels of land not less than six thousand two hundred fifty (6,250) square feet within the Town.

Any additions or other structures on the site shall be constructed in accordance with the procedures and standards for construction adopted by the Town. (Ord. 209 (part), 1994).

12.44.030 Installation Permit. Prior to the installation and placement of any mobile home within the Town, the person desiring to place said mobile home shall obtain a mobile home installation permit upon receipt of a completed application and the required fee. (Ord. 209 (part), 1994).

12.44.040 Permit Fee--Inspections. A. A fee of fifty dollars (\$50.00) shall be charged for any manufactured home installation permit. Said fee shall cover the inspection of the set-up for the mobile home, fuel supply installation water connection and sewer connection. Said fee shall not cover any required electrical inspection or the inspection of any specially engineered foundation or similar improvement which may be required.

B. A mobile home shall not be occupied for dwelling purposes unless a mobile home installation permit has been issued and the mobile home is certified by an inspector to be properly placed on the site and connected to all utilities in the proper manner, including water, sewage, electrical and fuel services.

(Ord. 209 (part), 1994).

12.44.050 Placements and Requirements. A. Manufactured single-family home meeting

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Manufactured Home Construction and Safety Standard Certifications (42 U.S.C.S. 5401 *et seq.*) is allowed wherever single-family residential units are allowed by this Code. The owner/developer shall provide proof of certification to the community development prior to placement of any manufactured home on any lot or parcel of land. Applicable building and zoning codes or regulations shall be met.

B. Principal structures shall be erected on permanent foundation. Every manufactured or mobile home, with the exception of mobile or manufactured homes placed in mobile homes parks, shall be placed or erected on a foundation which shall comply with the minimum specifications and requirements as set forth in the building codes adopted under this Title. Mobile or manufactured homes placed in mobile home parks shall comply with the requirements set out in Chapter 14.09 of the De Beque Municipal Code. (Amended Ord. 271 §6 (part), 2002).

C. All manufactured or mobile homes will have full skirting within forty-five (45) days of installation and shall be securely anchored as specified by ordinance.

D. In addition, the installation and placement of a mobile home in the Town shall meet the requirements for set-up and utility connections contained in regulations promulgated by Building Inspector, Chapter 14.09 of the De Beque Municipal Code, or as set forth in the building codes adopted under this Title. (Amended Ord. 271 §7 (part), 2002).

E. Hitches shall be removed. Hitches which cannot be detached shall be screened with landscaping. All manufactured home sites shall be maintained in a clean, orderly and sanitary condition at all times.

(Ord. 209 (part), 1994).

12.44.060 Conflicting Provisions. In any case where a provision of this Chapter is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or code of the Town, the provision which, in the judgment of the Building Official, establishes the higher standard for the promotion and protection of the health and safety of the people, shall prevail. In any case where a provision of this Chapter is found to be in conflict with a provision of any other ordinance or code of the Town, existing on the effective date of this Chapter, which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this Chapter shall be deemed to prevail. (Ord. 209 (part), 1994).

12.44.070 Applicability. The provisions of this Chapter shall apply to any mobile home installed or placed upon any parcel of property except in designated trailer parks within the Town after the effective date of this Chapter. In addition, those provisions of this Chapter which do not require structural alteration of or significant capital investment shall be deemed to apply to any mobile home located within the Town. (Ord. 209 (part), 1994).

12.44.080 Violation--Penalty. Any person who knowingly violates any provisions of

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this Article I of Chapter 12.44, or who knowingly fails to comply with any of the mandatory requirements of this Chapter, or the regulations promulgated hereunder, shall be deemed guilty of a Class B municipal offense. Each day during which a violation continues shall be deemed a separate offense. (Ord. 209 (part), 1994; Amended Ord. 258 §117(part), 2001).

## ARTICLE II. USE AND PARKING

12.44.090 Definitions. “Administrator,” as used in this Article means the Town Administrator, Mayor, Public Works Director, Town Marshal or such other person as the Board of Trustees shall appoint.

“Dependent mobile home” means a mobile home which does not have a flush toilet and a bath or shower, and is dependent upon a service building for toilet, lavatory and bathing facilities.

“Mobile home” means any vehicle or similar portable structure designed for use as a conveyance upon highways, having no foundation other than wheels or removable jacks and so designed or constructed as to permit occupancy for dwelling or sleeping purposes.

“Travel trailer” means a vehicular portable structure built on a chassis and designed for use as a temporary dwelling for travel, recreational and vacation uses and has no toilet, lavatory or bathing facilities, or if equipped with said sanitary facilities, has only a water storage tank and sewage holding tank, but no pipes, fittings and other appurtenances necessary for permanent connection to a municipal water and sewage system. (Ord. 120 §1, 1981).

12.44.100 Parking of Mobile Homes, Dependent Mobile Homes, or Travel Trailers. It is unlawful within the Town for any person to park any mobile home or any dependent mobile home or any travel trailer on any street, alley, highway or other public place or on any tract of land owned by another person, firm or corporation occupied or unoccupied within the Town except as provided in this Section.

A. Emergency Parking. Emergency parking or temporary stopping or parking of mobile homes, dependent mobile homes and travel trailers is permitted on any street, alley or highway for not longer than forty-eight (48) hours subject to any other and further prohibitions, regulations and limitations imposed by traffic and parking ordinances.

B. Other Parking. Dependent mobile homes shall not be allowed in mobile home parks within the Town. Parking of mobile homes is permitted in approved mobile home parks or where permitted by law if the mobile home is parked in compliance with law. Parking, occupancy and use of travel trailers is permitted for a period not to exceed thirty (30) days in any approved mobile home park if the travel trailer is parked in compliance with law. The parking, occupancy and use of travel trailers in a rear or side yard is permitted for a period not in excess of fourteen (14) consecutive days. Upon application to the Administrator, the Administrator may give written permission for an extension of said fourteen (14) day period to a maximum of twenty-one (21) days.

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(Ord. 120 §2, 1981).

12.44.110 Storage. Parking or storage of only one (1) unoccupied dependent mobile home or travel trailer in an accessory private garage, building or any rear or side yard is permitted if it is not used for living quarters and if no business is practiced therein while it is so parked or stored. (Ord. 120 §3, 1981).

12.44.120 Temporary Offices. A. A mobile home, dependent mobile home or travel trailer may be used as a temporary construction office on the site and during construction if approved by the Building Official or Board of Trustees and under such conditions as may be specified by the Building Official or Board of Trustees, which conditions shall not allow the use of the mobile home, dependent mobile home or travel trailer for sleeping or cooking.

B. A mobile home, dependent mobile home or travel trailer may be used as a temporary office, unrelated to construction, upon receipt of a permit issued by the Administrator and under such conditions as may be specified by the Administrator, which conditions shall not allow the use of the mobile home, dependent mobile home or travel trailer for sleeping or cooking. Said permit shall be valid for a period of one (1) year and may be renewed upon approval by the Administrator. The Administrator may issue regulations containing requirements for the issuance of said permits, including the payment of a permit fee.

(Ord. 120 §4, 1981).

12.44.130 Unlawful Parking. Other Requirements. Except for the provisions of Section 12.44.100(A) providing for emergency parking, no part of this Article shall be construed to permit the parking of a mobile home, dependent mobile home or travel trailer in violation of the front yard setback requirements established by the zoning ordinances of the Town or the parking of any mobile home, dependent mobile home or travel trailer so that it creates a danger to the health and safety of the citizens of the Town (Ord. 120 §5, 1981).

12.44.140 Violation--Penalty. Any person, firm, or corporation violating any of the provisions of this Article II of Chapter 12.44 shall be deemed guilty of a Class B municipal offense. Each and every day during which any violation of any of the provisions of this Article is committed, continued or permitted, shall constitute a separate offense. (Ord. 120 §6, 1981; Amended Ord. 258 §118(part), 2001).