

PALMER LAKE, COLORADO

ORDINANCE NO. 19 OF 2018

AN ORDINANCE AMENDING SECTION 14.04.010 OF THE PALMER LAKE MUNICIPAL CODE CONCERNING BUILDING CODES AND ADOPTING AMENDMENTS TO THE PIKES PEAK REGIONAL BUILDING CODE, 2017 EDITION, SETTING FORTH THE ENTIRE TEXT OF SUCH AMENDMENTS

WHEREAS, THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE (“BOARD”) POSSESSES THE AUTHORITY TO ENACT ORDINANCES FOR THE PROMOTION OF HEALTH PURSUANT TO C.R.S. §31-15-401 AND HAS THE AUTHORITY TO ENACT ORDINANCES FOR THE REGULATION OF BUILDING PURSUANT TO C.R.S. §31-15-601; AND

WHEREAS, THE TOWN IS PARTY TO AN INTERGOVERNMENTAL AGREEMENT PURSUANT TO WHICH THE PIKES PEAK REGIONAL BUILDING DEPARTMENT WAS CREATED TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE JURISDICTION OF EACH OF THE PARTICIPATING ENTITIES; AND

WHEREAS, THE PIKES PEAK REGIONAL BUILDING DEPARTMENT HAS PROMULGATED A SECOND PRINTING OF THE *PIKES PEAK REGIONAL BUILDING CODE*, 2017 EDITION (“PPRBC”) ADDRESSING BUILDING REGULATIONS TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE PALMER LAKE COMMUNITY; AND

WHEREAS, PURSUANT TO PART 2, ARTICLE 16, TITLE 31 OF THE COLORADO REVISED STATUTES, THE TOWN OF PALMER LAKE, COLORADO (THE “TOWN”) POSSESSES THE AUTHORITY TO ADOPT UNIFORM CODES AND MANUALS BY REFERENCE; AND

WHEREAS, PURSUANT TO THIS AUTHORITY, BY ORDINANCE NO. 11 OF 2018, THE TOWN PREVIOUSLY ADOPTED A FIRST PRINTING OF THE *PIKES PEAK REGIONAL BUILDING CODE*, 2017 EDITION AS CODIFIED AT CHAPTER 14.04 OF TITLE 14 OF THE TOWN OF PALMER LAKE MUNICIPAL CODE; AND

WHEREAS, THE PPRBD HAS PROMULGATED A SECOND PRINTING OF THE *PIKES PEAK REGIONAL BUILDING CODE*, 2017 EDITION, TO ADDRESS CHANGES MANDATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ADOPTION OF A NEW FLOOD INSURANCE RATE MAP EFFECTIVE 12/07/2018, REQUIRING AMENDMENTS TO THE PREFACE AND TO SECTION RBC313 OF THE *PIKES PEAK REGIONAL BUILDING CODE*, 2017 EDITION, WHICH, IN ACCORDANCE WITH SECTION 31-16-207, C.R.S., ARE FULLY SET FORTH HEREIN; AND

WHEREAS, IN ACCORDANCE WITH C.R.S. § 31-16-206, RESPONSIBILITY TO MAINTAIN COPIES FOR INSPECTION BY THE PUBLIC IS HEREBY DELEGATED TO THE REGIONAL BUILDING OFFICIAL AND THREE COPIES OF THE 2017 EDITION OF THE

PPRBC, 2ND PRINTING, ARE ON FILE AND AVAILABLE IN THE OFFICE OF THE REGIONAL BUILDING OFFICIAL, PIKES PEAK REGIONAL BUILDING DEPARTMENT, 2880 INTERNATIONAL CIRCLE, SUITE 100, COLORADO SPRINGS, COLORADO 80910, AND MAY BE INSPECTED BY THE PUBLIC DURING REGULAR BUSINESS HOURS

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. In accordance with C.R.S. § 31-16-206, responsibility to maintain copies of the PPRBC for inspection by the public at least 15 days before the public hearing on this ordinance and continuously is hereby delegated to the Regional Building Official and three copies of the 2nd printing of the 2017 edition of the PPRBC adopted by reference herein, are on file and available in the office of the Regional Building Official, Pikes Peak Regional Building Department, 2880 International Circle, Suite 100, Colorado Springs, Colorado 80910, and may be inspected or purchased by the public during regular business hours.

Section 2. Subsection (a) of Section 14.04.010 of the Town of Palmer Lake Municipal Code is amended to read as follows in its entirety

(a) Adoption. *The Pikes Peak Regional Building Code, 2017 Edition, 2nd printing, as published by the Pikes Peak Regional Building Department, 2880 International Circle, Colorado Springs, Colorado 80910, all Chapters and Appendices thereof (“PPRBC”), is hereby adopted by reference as the Town of Palmer Lake Building Code, as if fully set out in this Chapter.*

Section 3. Without need to change any provisions of the Town of Palmer Lake Municipal Code, in accordance with CRS Section 31-16-207, the following are the amendments in full set forth in the 2nd printing of the *Pikes Peak Regional Building Code, 2017 Edition:*

(a) Change to Preface. The following language is added to the end of the Preface:

Notwithstanding, amendments or revisions to any regulations, standards, codes, studies, Flood Insurance Rate Maps (FIRM), or Flood Insurance Study (FIS) reports, adopted in the Code by reference, as promulgated by the federal government or the State of Colorado, or by any agency of either of them, are adopted by reference, as if fully set forth herein, without further action by each Jurisdiction and declared to be a part of the adopting resolution or ordinance.

(b) Section RBC313.8 is amended such that it shall read as follows in its entirety:

RBC313.8 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD. The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled "The Flood Insurance Study El Paso County, Colorado and Incorporated Areas" effective as of December 7, 2018, with accompanying Flood Insurance Rate Maps (FIRM) and any amendments or revisions, is adopted by reference without further action by each

Jurisdiction and declared to be a part of this section. The Flood Insurance Study (FIS) is part of this section. Amendments or revisions to any FIRM or FIS reports, adopted in the Code by reference, as promulgated by FEMA, are adopted by reference, as if fully set forth herein, without further action by each Jurisdiction and declared to be a part of the adopting resolution or ordinance.

Section 4. Severability. It is hereby declared to be the intention of the Board of Trustees of the Town of Palmer Lake that the sentences, clauses and phrases of this ordinance are severable, and if any sentence, clause or phrase of this ordinance be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining sentences, clauses or phrases of this ordinance which shall be severable and severed since the same would have been enacted by the Board of Trustees without the incorporation of any unconstitutional or invalid sentence, clause or phrase.

Section 5. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 6. Publication and Effective Date. The Town Clerk shall certify to the passage of this ordinance and cause notice of its contents and passage to be published by title only. This ordinance shall become effective thirty (30) days after the date of publication as provided by C.R.S. § 31-16-105.

ORDINANCE PASSED, APPROVED AND ADOPTED ON THIS 8th DAY OF NOVEMBER, 2018 BY A VOTE OF 7 FOR AND 0 AGAINST.



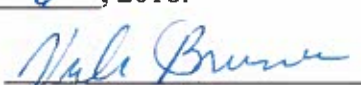
JOHN CRESSMAN, MAYOR

ATTEST:



VERLA BRUNER, TOWN CLERK

I hereby certify that the above Ordinance was adopted by the Board of Trustees of the Town of Palmer Lake at its meeting of November 8, 2018, and ordered published by title only by Gazette newspaper on November 6, 2018.



Verla Bruner, Town Clerk