

ORDINANCE

An Ordinance Adopting Policy Part 3, Chapter 8, Section 5, Regulating Unsafe Buildings and Structures

BE IT ORDAINED by the Board of County Commissioners of Jefferson County, Colorado that the Policy 3.8.5, Unsafe Buildings and Structures is hereby adopted as follows and that this Ordinance supersedes all prior County Ordinances concerning Unsafe Buildings or Structures:

Title: Regulatory Policy Unsafe Buildings and Structures	Policy No. Part 3, Regulations Chapter 8, Property Section 5
	Effective Date January 1, 2019
Policy Custodian Building Safety	Adoption/Revision Date October 30, 2018

Adopting Resolution(s): CC18-364

References (Statutes/Resos/Policies): C.R.S. §§ 30-15-401, 30-28-204; CC13-287, CC13-326, CC15-329, CC15-353, CC15-389, CC18-339

Purpose: An Ordinance, pursuant to the authority granted by C.R.S. § 30-15-401 prescribing regulations governing the enforcement of Jefferson County’s unsafe building and structure code within unincorporated Jefferson County.

Policy: Unsafe Buildings and Structures

A. Adoption

Jefferson County currently administers Appendix Y to the 2018 Jefferson County Building Code and the 2018 Jefferson County Residential Code, entitled “Unsafe Buildings and Structures” (the “Unsafe Building Code”). The full text of the Unsafe Building Code is incorporated into this Ordinance as if fully set forth herein. This Ordinance establishes regulations governing the enforcement of the Unsafe Building Code.

B. Violations

1. Any person who receives written notice from the Jefferson County Building Division stating that a building or structure owned by such person has been determined to be unsafe under the Unsafe Building Code and who fails to comply with such notice commits a Class 2 petty offense and, upon conviction thereof, such person shall be punished by a fine of not more than \$1000 for each separate violation, which shall be collected by the

Treasurer of Jefferson County and paid into the treasury of Jefferson County. As provided in C.R.S. § 30-15-402(2), any person convicted of violating any of the provisions of the Unsafe Building Code shall also pay a \$10 surcharge, which shall be collected by the clerk of the court and transmitted to the court administrator of the judicial district in which the offense occurred for credit to the victims and witnesses assistance and law enforcement fund.

2. In addition to the penalties described above, if any person fails to comply with such notice, Jefferson County shall have the right to order the repair, rehabilitation, demolition and/or removal of any buildings or structures deemed to be unsafe and to levy the cost of such work as a special assessment against the property on which the unsafe building or structure is located, in accordance with the provisions of the Unsafe Building Code.

C. Application

This Ordinance shall apply all buildings and structures within the limits of unincorporated Jefferson County, except for buildings or structures on “affected land” (as that term is defined in C.R.S. § 34-32-103(1.5)) subject to the “Colorado Mined Land Reclamation Act” or on lands subject to the “Colorado Surface Coal Mining Reclamation Act.”

D. Severability

Should any provision of this Ordinance be adjudged by any court of competent jurisdiction to be invalid for any reason, such judgment shall not affect, impair or invalidate this Ordinance as a whole or any part thereof other than the part declared to be invalid.

E. Prior Ordinances

This Ordinance shall supersede all prior Ordinances establishing regulations governing the enforcement of the Unsafe Building Code within unincorporated Jefferson County.