

**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2022-22**

AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO, ENACTING CHAPTER 18, ARTICLE XII OF THE PALISADE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; REPEALING ALL ORDINANCES OF THE TOWN OF PALISADE, IN CONFLICT OR INCONSISTENT HERewith; PROVIDING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THIS PRIMARY CODE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND THE CODE ADOPTED HEREIN BY REFERENCE.

WHEREAS, pursuant to C.R.S. § 31-16-201 et seq., the Palisade Board of Trustees has the power to adopt ordinances which adopt uniform codes by reference; and

WHEREAS, the Palisade Board of Trustees finds that it is necessary to adopt and amend the 2018 International Property Maintenance Code to be applied throughout the Town of Palisade providing for administration, enforcement, appeals, penalties for violation of the provisions of this code; and

WHEREAS, the Palisade Board of Trustees finds that adoption of this Ordinance is necessary to preserve the health, safety and welfare of the citizens of the Town of Palisade.

NOW THEREFORE, BE IT ORDAINED, BY THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, AS FOLLOWS:

Section 1. Legislative Declaration. The Town of Palisade Board of Trustees finds that it is important for the citizens of Town of Palisade to have established a current uniform building code. Accordingly, it is necessary to adopt and amend the 2018 Edition of the International Property Maintenance Code (“IPMC”) into the Palisade Municipal Code.

Section 2. Applicability. This Ordinance shall apply throughout the Town of Palisade, Colorado.

Section 3. Purpose. The provisions of this Ordinance have been made with reasonable consideration of, and in accordance with, the public health, safety, morals and general welfare of the public, and the safety, protection, and efficiency of such dwellings, buildings, and structures. The purpose of the IPMC is the practical safeguarding of persons and property in regard to buildings and structures within the Town.

Section 4. That Article XII of Chapter 18 of the Palisade Municipal Code is hereby enacted to read as follows:

ARTICLE XII

International Property Maintenance Code

Sec. 18-250. Adopted by reference.

The International Property Maintenance Code, 2018 Edition, as published by the International Code Council, Inc., together with amendments set forth below (hereafter "IPMC"), is hereby adopted to establish minimum requirements for the maintenance of existing buildings through model code regulations that contain clear and specific property maintenance and property improvement provisions. The IPMC provides for the regulation and safe use of existing structures in the interest of the social and economic welfare of the Town.

Sec. 18-251. Amendments.

The International Property Maintenance Code, 2018 Edition, is hereby amended as follows:

- (a) Section 111, Means of Appeal, is hereby deleted. The Board of Appeals established in Section 18-4 of this Code shall hear appeals.

Sec. 18-252. Copies on file and available for sale.

At least one copy of the International Property Maintenance Code, 2018 Edition, together with one (1) copy of the ordinance codified in this Chapter, shall be kept on file in the office of the Town Clerk or Building Official. Copies of said IPMC shall be available for sale to the public at a moderate price.

Sec. 18-253. Penalties.

- (a) Any person, firm or corporation violating any provisions of the IPMC shall be punished by a fine of not more than three hundred dollars (\$300.00), or imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Each separate day or any portion thereof, during which any violation of the IPMC 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 IPMC shall be deemed one of "strict liability."
- (b) 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 an approval of, any violation of the provisions of IPMC. No permit presuming to give authority to violate or cancel the provisions of the IPMC shall be valid, except insofar as the work or use, which it authorized, is lawful.
- (c) 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 IPMC, or any other ordinance, or from revoking any certificate of approval when issued in error.

Section 5. **Repeal.** Any ordinance of the Town of Palisade, or part thereof, whose provisions are in conflict with this ordinance is hereby repealed. The adoption of this ordinance shall not in any way prevent the prosecution of violations of any previous ordinance adopting a previous property maintenance code which occurred prior to the effective date of this ordinance. Where this ordinance and the code adopted by reference herein are in conflict with other resolutions or ordinances of the Town of Palisade, Colorado, the more restrictive provision shall apply.

Section 6. **Severability.** Each section of this ordinance is an independent section and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof.

Section 7. **Public Notice.** Pursuant to Section 31-16-203, C.R.S., as amended, a public notice shall be published twice in a newspaper of general circulation within the Town, once at least fifteen (15) days preceding a public hearing, and once at least eight (8) days preceding the public hearing. The notice shall state the time and place of the hearing, shall state that copies of the primary code to be considered for adoption are on file with the Town Clerk and are open to public inspection, shall contain a description deemed sufficient to give notice to interested persons of the purpose of the primary code, the subject matters of said code and the name and address of the agency by which it has been enacted. The public hearing on the adoption of this ordinance is hereby set for January 10, 2023.

This ordinance shall be in full force and effect following adoption and approval by the Board of Trustees and thirty (30) days following the publication of the within ordinance.

INTRODUCED, READ, AND PUBLIC NOTICE ORDERED PUBLISHED, at a regular meeting of the Palisade Board of Trustees, on the 13th day of December, 2022.

Public Notice Publication Dates:

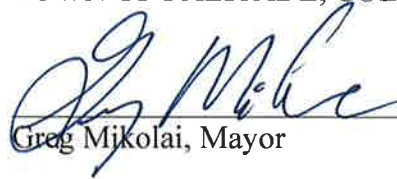
December 18, 2022

January 1, 2023

INTRODUCED A SECOND TIME at a regular meeting of the Board of Trustees of the Town of Palisade, Colorado at a public hearing held on January 10, 2022, PASSED, ADOPTED AND ORDERED PUBLISHED PURSUANT TO LAW.

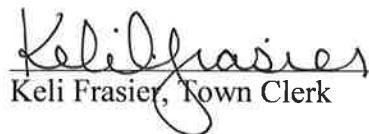
TOWN OF PALISADE, COLORADO

By:



Greg Mikolai, Mayor

ATTEST:



Keli Frasier, Town Clerk

