

CITY OF EDGEWATER
ORDINANCE NO. 2016 - 10
SERIES OF 2016

AN ORDINANCE AMENDING CHAPTER 18 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING BUILDING REGULATIONS, BY ADDING A NEW SECTION 18-1-80, CONCERNING PROHIBITED BUILDING MATERIALS, AND BY AMENDING SECTIONS 18-2-30, CONCERNING AMENDMENTS TO THE INTERNATIONAL BUILDING CODE, AND 18-3-30, CONCERNING AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE, TO PROVIDE FOR BETTER ENFORCEMENT OF STOP WORK ORDERS.

WHEREAS, pursuant to its home rule authority, the City has previously adopted comprehensive regulations for the construction of buildings within the City; and

WHEREAS, the City Council finds that “T1-11” siding and similar types of plywood material are not suitable in quality or appearance for use on the exterior of new principal buildings or accessory structures, nor on the exterior of any improvements or additions to existing principal or accessory structures; and

WHEREAS, the City Council finds that stop work orders should be susceptible to service by posting on the subject premises, and that it should be unlawful to remove any posted stop work order prior to compliance with the regulation that caused the stop work order to be issued.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWATER, COLORADO, THAT:

Section 1. A new Section 18-1-80 of the Edgewater Municipal Code, concerning prohibited building materials, is hereby added to read as follows:

Sec. 18-1-80. Prohibited building materials.

“T1-11” siding and similar types of plywood material are not permitted on the exterior of any new principal or accessory structure or on the exterior of any improvements or additions to any existing principal or accessory structure.

Section 2. Section 18-2-30 of the Edgewater Municipal Code, concerning amendments to the International Building Code, is hereby amended by the addition of a new subsection (7.5) to read as follows:

(7.5) Section 115 of the IBC is amended to read as follows:

SECTION 115
STOP WORK ORDER

115.1 Authority. Whenever the *building official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *building official* is authorized to issue a stop work order.

115.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the subject property, or to the owner's agent, or to the person doing the work. In the event that no such person is present at the subject property, the stop work order shall be issued by posting it at a conspicuous location on the subject property. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

115.3 Unlawful continuance. It shall be unlawful to remove any posted stop work order prior to receipt of written permission of the *building official* for resumption of the work. It shall be unlawful to continue any work after having been served with a stop work order, or to work on a property upon which a stop work order has been posted, except for such work as a person may be directed to perform to remove a violation or unsafe condition.

Section 3. Section 18-3-30 of the Edgewater Municipal Code, concerning amendments to the International Residential Code, is hereby amended by the addition of a new subsection (3.5) to read as follows:

(3.5) Section R114 of the IRC is amended to read as follows:

SECTION R114 STOP WORK ORDER

R114.1 Authority. Whenever the *building official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *building official* is authorized to issue a stop work order.

R114.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the subject property, or to the owner's agent, or to the person doing the work. In the event that no such person is present at the subject property, the stop work order shall be issued by posting it at a conspicuous location on the subject property. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

R114.3 Unlawful continuance. It shall be unlawful to remove any posted stop work order prior to receipt of written permission of the *building official* for resumption of the work. It shall be unlawful to continue any work after having been served with a stop work order, or to work on a property upon which a stop

work order has been posted, except for such work as a person may be directed to perform to remove a violation or unsafe condition.

Section 4. Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5. Safety Clause. The City Council hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare, and that this ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 6. Effective Date. This ordinance shall become effective five (5) days after publication after final reading in accordance with the Home Rule Charter of the City of Edgewater.

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED this 3rd day of March, 2016.

/s/ Kris Teegardin, Mayor

ATTEST:

/s/ Elizabeth A. Hedberg, MMC
City Clerk

PASSED AND ADOPTED ON SECOND READING AND ORDERED PUBLISHED this 7th day of April, 2016.

/s/ Kris Teegardin, Mayor

ATTEST:

/s/ Elizabeth A. Hedberg, MMC
City Clerk

APPROVED AS TO FORM:

/s/ Thad Renaud, City Attorney

CERTIFICATE OF PUBLICATION

STATE OF COLORADO)
)
 CITY OF EDGEWATER) SS:
)
 COUNTY OF JEFFERSON)

I, Beth A. Hedberg, City Clerk, in and for said City of Edgewater, in the County of Jefferson, in the State of Colorado, do hereby certify that Ordinance 2016-10 was published in full on the City website in accordance with Section 1-3-50 of the Edgewater Municipal Code on March 4, 2016. In witness whereof, I have hereunto set my hand and the seal of the City of Edgewater, this 4th day of March, 2016.

/s/ Beth A. Hedberg, MMC
 Edgewater City Clerk

CERTIFICATE OF PUBLICATION

STATE OF COLORADO)
)
 CITY OF EDGEWATER) SS:
)
 COUNTY OF JEFFERSON)

I, Beth A. Hedberg, City Clerk, in and for said City of Edgewater, in the County of Jefferson, in the State of Colorado, do hereby certify that Ordinance 2016-10 was published in full on the City website in accordance with Section 1-3-50 of the Edgewater Municipal Code on April 8, 2016. In witness whereof, I have hereunto set my hand and the seal of the City of Edgewater, this 8th day of April, 2016.

/s/ Beth A. Hedberg, MMC
 Edgewater City Clerk

SUMMARIZED HISTORY FOR ORDINANCE NO. 2016-10

Action	Date
Workshopped	February 4, 2016
First Reading	March 3, 2016
Posted	March 4, 2016
Publication	March 4, 2016
Second Reading	April 7, 2016
Sent to Codifier	April 8, 2016
Posted	April 8, 2016
Publication	April 8, 2016
Enacted	April 12, 2016

