

See Ord. # 5-1981 Adopted June 8, 1981
See Ord. #10-1983 Adopted November 23, 1983
See Ord. #2-1997 Adopted July 28, 1997
See Ord. #7-2001 Adopted May 14, 2001
See Ord. #6-2002 Adopted October 14, 2002
See Ord. #6-2003 Adopted September 8, 2003
See Ord. #10-2005 Adopted December 12, 2005
See Ord. #12-2006 Adopted August 14, 2006
See Ord. #21-2009 Adopted April 27, 2009
See Ord. #36-2009 Adopted November 23, 2009

CHAPTER 9

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CHAPTER 9

ARTICLE 1

BUILDING REGULATIONS

PART 9-1-1 ADOPTION OF PRIMARY CODES

- (a) Pursuant to Section 31-16-201 et seq., C.R.S., the following Codes (hereinafter referred to the “Primary Codes”) are adopted by reference, except as the same are specifically amended hereinafter, and all shall have the same force and effect as if set forth herein in every particular. All secondary publications referenced in the Primary Codes or this Article and which are on file in the office of the Grand Lake Town Clerk are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance:
- 1) International Residential Code, 2009 edition: Published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795
 - 2) International Building Code, 2009 edition: Published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795
 - 3) International Mechanical Code, 2009 edition: Published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795
 - 4) International Plumbing Code, 2009 edition: Published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795
 - 5) International Fuel Gas Code, 2009 edition: Published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795
 - 6) International Energy Conservation Code, 2006 edition: Published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795
 7. GA-600-09 Fire Resistance Design Manual, 19th edition: Published by the Gypsum Association, 810 First Street NE, #510, Washington, DC, 20002
 8. Uniform Code for the Abatement of Dangerous Buildings, 1997 edition; Published by the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, California, 91790
- (b) The applicable Grand County Building Code Department Code changes are adopted by reference, except as the same are specifically amended hereinafter, and all shall have the same force and effect as if set forth herein in every particular.
1. The provisions, administration and enforcement applicable to unincorporated areas of Grand County as set forth in the Primary Code and this Article shall be provisions that are applicable within the Town of Grand Lake unless otherwise noted in this Article.

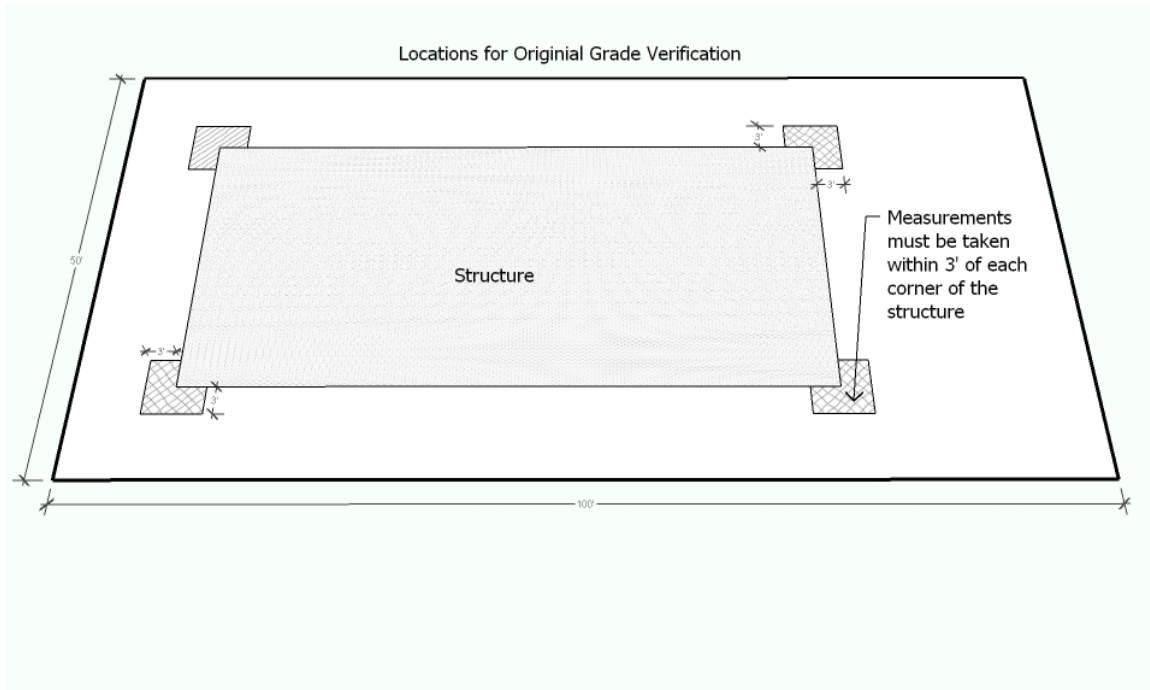
PART 9-1-2 PRIMARY CODES TO REGULATE ALL CONSTRUCTION

- (a) The Primary Codes, as amended and adopted by the Town of Grand Lake, shall regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, maintenance, design, quality of material, installation, location, relocation, ventilating, cooling, refrigeration systems, incinerators, or other miscellaneous heat producing appliances in the Town of Grand Lake.

PART 9-1-3 AMENDMENTS TO THE PRIMARY CODES

- (a) The Primary Codes are amended as follows:
- (1) Section R202 of the International Residential Code for One and Two Family Dwellings and Section 502 of the International Building Code is amended as follows:

- A. Original Grade (Preconstruction Elevation): means the ground level before any human disturbance in the last five years. Soil tests may be required if the Town can not determine if human disturbance has occurred in the last five years.



- (3) The following Sections relating to floodplains and floodplain administration shall be regulated by the Town of Grand Lake as per the provisions of Municipal Code Chapter 12-5: Flood Damage Prevention.
 - A. 2009 International Residential Code: R109.1.3, Floodplain inspections; R112.2.1, Determination of substantial improvements in areas prone to flooding; R112.2.2, Criteria for issuance of a variance for areas prone to flooding; Table R301.2(1), Climatic and Geographic Design Criteria, R309.5, Flood hazard areas; R322, Flood-Resistant Construction; R408.7, Flood Resistance; and G2404.7, Flood Hazard
 - B. 2009 International Building Code: 110.3.3, Lowest Floor Elevation; 1605.3.1.2, Flood loads; 1612, Flood Loads; 1804.4, Grading and fill in hazard areas; 1805.1.2.1, Flood hazard areas; 3403.2, Flood hazard areas; 3404.2, Flood hazard areas; 3409.2, Flood hazard areas; and 3412.2.4.1, Flood hazard areas
 - C. 2009 International Plumbing Code: 309, Flood Hazard Resistance
 - D. Any other applicable Sections, as adopted and incorporated by reference herein, pertaining to flooding, flood hazard areas, floodplains, floodplain administration and flood-resistant construction.
- (4) All amendments adopted by Grand County prior to the effective date of this ordinance are hereby incorporated herein by reference, except where specifically provided otherwise.

PART 9-1-4 FEES

- (a) Building Permit Fees. No Building Permit shall be issued for the construction within the Town of Grand Lake unless and until all applicable Building Permit fees have been paid. Building Permit fees shall be set and amended by Resolution by the Grand Lake Board of Trustees.
- (b) Any provisions to the contrary notwithstanding, no Building Permit shall be issued for construction within the Town of Grand Lake unless and until all applicable water plant investment fees and other water charges have been paid to the Town, or the requisite permit for drilling a water well has been obtained.
 - 1. No Building Permit shall be issued for construction within the Town of Grand Lake until satisfactory evidence is presented of sewer tap fee charges paid to the appropriate sanitation district, or other satisfactory evidence is presented for the disposal of sewerage.
 - 2. No Final Zoning approval on the Building Permit will be granted until the water meter has been installed.
- (c) Any provisions to the contrary notwithstanding, no Building Permit shall be issued for construction within the Town of Grand Lake unless and until the applicant (its constituents or members) are current with the Town and all Town enterprises for all fees, assessments, charges, taxes or amounts due of any type.

PART 9-1-5 GRADING, EXCAVATION, AND FILL PERMITS

- (a) Permits Required: Except as specified in Section 9-1-8-B, no person shall do any grading, excavation, or fill in excess of twenty (20) cubic yards or two feet (2') in vertical dimension without first obtaining a grading permit from the Town of Grand Lake. A separate permit shall be obtained for each site and may cover both excavation and fill of that site.
 - 1. Any provisions to the contrary notwithstanding, no Grading Permit shall be issued for construction within the Town of Grand Lake unless and until the applicant (its constituents or members) are current with the Town and all Town enterprises for all fees, assessments, charges, taxes or amounts due of any type.
- (b) Exempted Work:
 - 1. A grading permit is not required for the following:
 - a. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from this excavation.
 - b. Cemetery graves.
 - c. Refuse disposal sites controlled by other regulations.
 - d. Excavations for wells or utilities.
 - e. Mining, quarrying, excavating, processing or stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
 - f. Exploratory excavation under the direction of soil engineers or engineering geologists.
 - g. A fill less than twenty (20) cubic yards on any one lot or lots providing that the fill does not obstruct a drainage course, encroach on a floodway or floodplain, or exceed two feet (2') in vertical dimension.
 - h. An excavation or fill less than two feet (2') in depth with side slopes not steeper than three feet (3') horizontal to every one foot (1') in vertical dimension.

2. Exemption from the permit requirements of this article shall not be deemed to grant authorization for any work to be done in any manner in violation of other federal, state, or municipal laws or ordinances.
- (c) Application for a Grading Permit:
1. The application for a grading permit shall be made for either a general grading permit or an engineered grading permit.
 - a. A general grading permit shall be required in the following instances:
 - (1) if the excavation or fill exceeds twenty (20) cubic yards but is less than two thousand five hundred (2500) cubic yards and has a maximum vertical dimension of less than two feet (2'); or
 - (2) if the excavation or fill is less than twenty (20) cubic yards and the maximum vertical dimension exceeds two feet (2').
 - b. An engineered grading permit shall be required:
 - (1) whenever the excavation or fill exceeds two thousand five hundred (2500) cubic yards; or
 - (2) if the fill or excavation exceeds two feet (2') in vertical dimension.
- (d) General Grading Permit:
1. Each general grading application shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work. The plan shall include the following information:
 - a. General vicinity of the proposed site.
 - b. Limiting dimensions and depth of the cut and/or fill.
 - c. Location of any building or structure within fifteen feet (15') of the proposed grading.
 - d. Location, size and depth of all existing utilities and easements on the proposed site.
 - e. Location of all natural features, such as watercourses, on the proposed site or within one hundred feet (100') of the "graded area."
 - f. A re-vegetation plan.
 - g. Location and type of any erosion control measures.
 - h. The proposed timetable for completion of the grading and re-vegetation.
 2. The general grading permit shall be issued by the Grand Lake Public Works Director or his designee within two (2) weeks of the submittal of a complete application and plan, and may have conditions placed upon it. The applicant may challenge these conditions by requesting, in writing, a public hearing before the Board of Trustees.
 - a. If the general grading permit is not issued within that two (2) week period, the permit shall be considered denied.
 - (1) The applicant may appeal the denial of the permit by requesting a public hearing before the Board of Trustees.
 - (2) Said hearing must be requested in writing by the applicant within two (2) weeks of the Town's decision and shall be held within sixty (60) days of receipt of the written request for hearing.
 - (3) A separate fee shall be imposed for the appeal process.
- (e) Engineered Grading Permit:
1. Each engineered grading application shall be accompanied by two (2) sets of plans and specifications and supporting data. The plans shall contain the following information:
 - a. General vicinity of the proposed site.
 - b. Property limits and accurate contours of existing ground and details of terrain and area drainage.
 - c. Limiting dimensions, elevation or finish contours to be achieved by the grading, and proposed drainage channels and related construction.
 - d. Location of any building or structures on the property where the work is to be performed and the location of any buildings or structure on the land of adjacent

- owners that are within fifteen feet (15') of the property or that may be affected by the proposed grading operations.
- e. Recommendations included in the required soils engineering report shall be incorporated in the grading plans and specifications.
 - f. Location, size and depth of all existing utilities and easements on the proposed site.
 - g. Location of all natural features, such as watercourses, on the proposed site or within one hundred feet (100') of the disturbed graded area.
 - h. A Soils Engineering report: The soils engineering report required shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, when necessary, and opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes.
 - i. A re-vegetation plan.
 - j. Location and type of any erosion control measures.
 - k. The proposed timetable for completion of the grading and re-vegetation.
2. The engineered grading permit shall be issued by the Grand Lake Public Works Director or his designee within thirty (30) days of the submittal of a complete application and plan, and may have conditions placed upon it. The applicant may challenge these conditions by requesting, in writing, a public hearing before the Board of Trustees.
 - a. If the engineered grading permit is not issued within that thirty (30) day period, the permit shall be considered denied.
 1. The applicant may appeal the denial of the permit by requesting a public hearing before the Board of Trustees.
 2. Said hearing must be requested in writing by the applicant within two (2) weeks of the Town's decision and shall be held within sixty (60) days of receipt of the written request for hearing.
 3. A separate fee shall be imposed for the appeal process.
- (f) Hazards: Whenever the Town determines that any existing excavation or embankment or fill has become a hazard to life or limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner or occupant of the property upon which the excavation or fill is located, or any other person or agent in control of said property, upon receipt of notice in writing from the Town, shall within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this Code.
- (g) Environment Hazards:
1. Off-site fill material shall be free of environmental hazardous materials.
 2. The source of fill material shall be identified at the time of the submittal of the application for a grading permit.
 3. If directed by the Town, the applicant shall have testing performed on a representative sample or samples of the fill material to determine if environmentally hazardous materials are present in the fill.
- (h) Fill Material:
1. Detrimental amounts of organic material shall not be permitted in fill.
 2. No rock or similar irreducible material with a maximum dimension greater than twelve inches (12") shall be buried or placed in fills unless included and approved as part of an engineered grading permit.
 3. All fill shall be compacted to a minimum of 90% of maximum density.
- (i) Erosion and Sedimentation Control: The applicant conducting the grading activity shall install and maintain temporary and/or permanent erosion and sedimentation control measures as required by the Town.

- (j) Permit and Appeals Fee:
 1. Applicants for a permit and persons requesting an appeal hearing under this Article shall pay the required and necessary fee to the Town before the issuance of such permit or the appeal hearing date.
 2. The fees for such permit or appeal hearing shall be established and amended from time to time by Resolution by the Grand Lake Board of Trustees.
 3. Failure to obtain a Grading Permit prior to beginning any grading, excavating, or filling which requires a permit shall cause the Grading Permit fee to be Two Hundred and Fifty Dollars (\$250.00)
- (k) Valid Period:
 1. All grading permits shall be valid for six (6) months from the date the permit is issued provided that the approved application and the conditions of its approval have not changed.
 2. Upon demonstration by a permittee of unusual or exceptional circumstances, the Town Public Works Director or Engineer may extend the permit period for not more than one additional six (6) month period.
- (l) Display of Permit: Each permit issued under this Article shall be kept at the grading site while the work is in progress and shall be exhibited upon request to any employee of the Town.
- (m) Bonds: The Town may require bonds in such forms and amounts as may be deemed necessary to ensure that the work, if not completed in accordance with the approved plan and specifications, will be corrected.

9-1-6 PENALTIES

- (a) Any provisions of the Primary Codes, or the amendments adopted by Grand County in connection with the Primary Codes, to the contrary notwithstanding, any person, as defined herein, who erects, constructs, enlarges, alters, repairs, moves, improves, converts, equips, uses, occupies, or maintains any building or structure in the Incorporated limits of the Town of Grand Lake or causes the same to be done, contrary to or in violation of any of the provisions of this Code, as amended, shall be punished by a fine not exceeding three hundred dollars (\$300.00) per occurrence. Each day such violation persists or continues shall constitute a separate and distinct offense.
- (b) Where work for which a permit is required under these Codes is started prior to obtaining a required permit and a Stop Work Order has been issued by the Grand County Building Department by order of the Town of Grand Lake, the Stop Work Penalty Fee shall be \$250; the payment of such fees shall not relieve any persons from fully complying with the requirements of these Codes in the execution of their work or from any other penalties prescribed herein. In addition to other remedies provided by law, the Town 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.
- (c) Additionally, the convicted person may be required to replace graded, excavated or filled land to its original condition.