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ARTICLE I

General Provisions

Sec. 29-1-10. Purpose, scope and authority.

A. Title. The regulations contained herein shall be known as the *Weld County Building Code*, may be cited as such and will be referred to herein as "this Building Code."

B. Purpose. This Building Code is adopted in order to provide minimum standards to preserve and protect the public health, safety and general welfare and the safety, protection and sanitation of dwellings, buildings and structures in the unincorporated areas of the County. The purpose of this Building Code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Building Code.

C. Scope. This Building Code provides for the regulation of the construction, alteration, use and occupancy of dwellings, buildings and structures, together with plumbing, mechanical and electrical installations therein or in connection therewith, located in the unincorporated areas of the County. Additions, alterations, repairs and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as otherwise provided in this Building Code. Vehicles, vessels or other mobile structures (excluding mobile or manufactured homes) shall be treated as buildings in fixed locations when occupied as dwellings.

D. Authority. This Building Code is adopted and administered under authority granted by Part 3 of Article 13 of Title 16, Part 2 of Article 28 of Title 30, Part 4 of Article 15 of Title 30, Article 35 of Title 30, and Parts 5 and 6 of Article 1 of Title 25, C.R.S.

Sec. 29-1-20. Definitions.

As used in this Building Code, unless the context otherwise requires, the following definitions shall apply:

Accessory building means a building which is subordinate to the principal building and is located on the same lot or parcel as the principal building.

Accessory structure means a structure not greater than three thousand (3,000) square feet in floor area, and not over two (2) stories in height, the use of which is customarily accessory to and incidental to that of a dwelling which is located on the same lot.

Agricultural building means a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of

human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

Area of special flood hazard means the land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year. See the definition for *intermediate regional flood*.

Base flood. See the definition for intermediate regional flood.

Basement means any floor level below the first story or main floor of a building. The basement is wholly or partially lower than the surface of the ground. For the purposes of this Chapter, any crawl space with six (6) feet or more between the floor and the ceiling shall be considered to be the *basement*. (This definition applies only to lowest floor when used in the administration of Section 29-2-120 of this Chapter.)

Building Official means the officer or other designated authority charged with the administration and enforcement of the adopted building codes as set forth in this Chapter, or the Building Official's duly authorized representative.

Factory-built home means a manufactured home designed for installation on a permanent foundation and meeting IRC standards.

Groundset means the installation of perimeter retaining walls around a manufactured home forming a crawlspace. (See Section 29-2-110.C.2 of this Code.)

Hot water means water at a temperature greater than or equal to one hundred ten degrees (110°) Fahrenheit.

Intermediate regional flood (base flood, one-percent flood, one-hundred-year flood, area of special flood hazard) means a flood which has a one-percent chance of being equaled or exceeded in any given year.

Lowest floor means the lowest floor elevation of structures without a basement and shall be considered to be the elevation above mean sea level of the top of the foundation of the structure. The *lowest floor* elevation of structures with a basement shall be considered to be the elevation above mean sea level of the floor of the basement of the structure. The *lowest floor* elevation of a mobile home shall be considered to be the elevation above mean sea level of the top of the mobile home pad. (This definition applies only to *lowest floor* as defined by the Federal Emergency Management Agency and when used in the administration of Section 29-2-120 of this Chapter.)

Manufactured home means a structure, transportable in one (1) or more sections, which is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems. (See also the definition of a *factory-built home*.)

NOTE: Applicants for building permits for manufactured homes are advised that the definition for *manufactured homes*, as set forth in Chapter 23 of this Code, is the following:

Manufactured home means a single-family dwelling which: is practically or entirely manufactured in a factory; is not less than twenty-four (24) feet in width and thirty-six (36) feet in length; is installed on an engineered permanent foundation in compliance with *ANSI A225.1, 1994, Manufactured Home Installations, Appendix C*; has brick, wood or cosmetically equivalent exterior siding and a pitched roof; and is certified pursuant to the *National Manufactured Housing Construction and Safety Standards Act of 1974*, 42 U.S.C. 5401 et seq., as amended. A manufactured (mobile) home shall not be allowed to deteriorate to the condition of a derelict manufactured (mobile) home.

Manufactured homes meeting this definition qualify as single-family dwellings under Chapter 23 of this Code. All other manufactured homes are treated as mobile homes under Chapter 23 whose use is limited to certain zone districts and may be required to obtain zoning approvals issued in accordance with Chapter 23, Article IV, Division 3 of this Code prior to the issuance of building permits. (See Section 29-7-60)

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale. (This definition applies only to *manufactured home parks or subdivisions* when used in the administration of Section 29-2-120 of this Chapter.)

Manufactured structure means any factory-assembled Structure with or without service connections that is not a dwelling.

Mobile home means a factory-assembled structure equipped with the necessary service connections and made so as to be readily movable as a unit on its own running gear and designed to be used as a dwelling unit without a permanent foundation. Mobile homes were built prior to June 15, 1976, and followed the standards of American National Standards Institute (ANSI) A119.1.

New construction means structures for which the start of construction commenced on or after the effective date of the initial ordinance codified herein and includes any subsequent improvements to such structures. (This definition applies only to *new construction* when used in the administration of Section 29-2-120 of this Chapter.)

Residential structures are Group R Occupancies as defined in the International Building Code and International Residential Code. These include, but are not limited to, one- and two-family residences, townhouses, condominiums, lodging houses, apartment buildings, hotels and motels, manufactured homes as defined above and mobile homes as defined above.

Start of construction includes substantial improvement and means the date the building permit was issued, provided that the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty (180) days of the permit date. The *actual start* means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. *Permanent construction* does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. (This definition applies only to *start of construction* when used in the administration of Section 29-2-120 of this Chapter.)

Substantial improvement means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either (a) before the improvement is started, or (b) if the structure has been damaged and is being restored before the damage occurred. For the purposes of this definition, *substantial improvement* is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places. (This definition applies only to *substantial improvements* when used in the administration of Section 29-2-120 of this Chapter.) (Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2002-9; Weld County Code Ordinance 2003-11; Weld County Code Ordinance 2007-2; Weld County Code Ordinance 2011-6)