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A. Any person violating this Building Code or any provision of applicable state law is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars (\$100.00), or by imprisonment in the County jail for not more than ten (10) days, or by both such fine and imprisonment. Each day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues shall be deemed a separate offense. In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, remodeled, used or maintained in violation of this Building Code, or of any provisions of applicable state law, the District Attorney, the Board of County Commissioners or any owner of real estate within the area, in addition to other remedies provided by law, may institute an appropriate action for injunction, mandamus or abatement to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, remodeling or use.

B. It shall be unlawful to erect, construct, reconstruct, alter or change the use of any building or other structure within the County without obtaining a building permit. The Building Official shall not issue any permit unless the plans for the proposed erection, construction, reconstruction, alteration or use fully conform to all zoning regulations of the County, including Chapters 23 and 24 of this Code.

C. It is unlawful to erect, construct, reconstruct, alter, maintain or use any building, structure or land in violation of this Building Code. In addition to any penalties imposed pursuant to any other part or Subsection of this Article, any person violating any such provision of this Building Code may be subject to the imposition, by order of the County Court, of a civil penalty in an amount of not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000.00); provided that said violation occurred or is occurring on or after July 1, 1998. It is within the discretion of the County Attorney to determine whether to pursue the civil penalties set forth in this Section, the remedies set forth in Subsection 29-11-20.A, or both. Each day after the issuance of the order of the County Court during which such unlawful activity continues shall be deemed a separate violation and shall, in accordance with the subsequent provisions of this Article, be the subject of a continuing penalty in an amount not to exceed one hundred dollars (\$100.00) for each such day. Until paid, any civil penalty ordered by the County Court and assessed under this Section shall, as of recording, be a lien against the property on which the violation has been found to exist. In case the assessment is not paid within thirty (30) days, it may be certified by the County Attorney to the County Treasurer, who shall collect the assessment, together with a ten-percent penalty for the cost of collection, in the same manner as other taxes are collected. The laws of the State for assessment and collection of general taxes, including the laws for the sale and redemption of property for taxes, shall apply to the collection of assessments pursuant to this Section. Any lien placed against the property pursuant to this Section shall be recorded with the County Clerk and Recorder.

D. In the event any building or structure is erected, constructed, reconstructed, altered, maintained or used in violation of this Building Code, the County Attorney, in addition to other remedies provided by law, may commence a civil action in County Court for the County in which such building or structure is situated, seeking the imposition of a civil penalty in accordance with the provisions of this Section.

E. The Department of Planning Services – Building Department, through one (1) of its employees designated by resolution of the Board of County Commissioners, shall, upon personal information and belief that a violation of any provision of this Building Code has occurred, give written notice to the violator to correct such violation within ten (10) days after the date of such notice. If the violator fails to correct the violation within such ten-day period or within any extension period granted by the Department of Planning Services – Building Department, the violator shall be given a second written notice that the violation matter has been referred to the County Attorney for legal action unless the violator requests, in writing, a meeting with the Director of the Department of Planning Services. Following such meeting, the Director of the Department of Planning Services may grant the violator additional time to cure the violation or may request that the County Sheriff or the County Attorney issue a summons and complaint to the violator, stating the nature of the violation with sufficient particularity to give notice of such charge to the violator.

F. One (1) copy of the summons and complaint issued pursuant to Subsection E above shall be served upon the violator in the manner provided by law for the service of a County Court civil summons and complaint in accordance with the Colorado Rules of County Court Civil Procedure. The summons and complaint shall also be filed with the Clerk of the County Court, and thereafter the action shall proceed in accordance with the Colorado Rules of County Court Civil Procedure.

G. If the County Court finds, by a preponderance of the evidence, that a violation of any provision of this Building Code has occurred, the Court shall order the violator to pay a civil penalty in an amount allowed pursuant to Subsection C above. In the event that the alleged violation has been cured or otherwise removed at least five (5) days prior to the appearance date in the summons, the County Attorney shall so inform the Court and request that the action be dismissed without fine or appearance of the defendant.

H. Upon the filing with the Court of a receipt issued by the County Treasurer showing payment in full of a civil penalty assessed pursuant to this Section and upon the filing of an affidavit of the Building Inspector that the violation has been cured, removed or corrected, the Court shall dismiss the action and issue a satisfaction in full of the judgment so entered. The Court may also dismiss the action upon a motion of the County Attorney indicating that the matter has been otherwise resolved.

I. If a receipt showing full payment of the civil penalty or the affidavit required by Subsection H above is not filed, the action shall continue and the Court shall retain jurisdiction to impose an additional penalty against the violator in the amount specified in Subsection C above. Such additional penalty shall be imposed by the Court upon motion filed by the County and proof that the violation has not been cured, removed or corrected. Thereafter, the action shall continue until the filing with the Court of a receipt issued by the County Treasurer showing payment in full of the civil penalty and any additional penalties so assessed and the filing of an affidavit of the Building Official or that the violation has been cured, removed or corrected, or until a motion by the County Attorney to dismiss the action is granted by the Court. (Weld County Code Ordinance 2012-1)

Sec. 29-11-20. Stop orders.

A. Whenever any work is being done contrary to the provisions of this Building Code, or other pertinent laws or ordinances implemented through the enforcement of this Building Code, the Building

Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

B. Stop work notices and danger signs affixed by the Building Official shall not be mutilated, destroyed or removed without authority to do so by the Building Official.

Sec. 29-11-30. Occupancy violations.

Whenever any structure is being used contrary to the provisions of this Building Code, the Building Official may order such use discontinued and the structure or portion thereof vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within ten (10) days of receipt of such notice, or make the structure or portion thereof comply with the requirements of this Building Code; provided, however, that in the event of an unsafe building, Section 29-11-40 below shall apply.

Sec. 29-11-40. Dangerous buildings.

All buildings, structures or portions thereof which are determined after inspection by the Building Official to be dangerous according to the provisions of Chapter 3 of the Uniform Code for the Abatement of Dangerous Buildings, as adopted in Section 29-2-80 of this Chapter, are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in said Uniform Code for the Abatement of Dangerous Buildings. (Weld County Code Ordinance 2003-11)

Sec. 29-11-50. Hazardous, defective or unsafe systems or equipment.

Building systems or equipment that are hazardous, defective or unsafe, constitute a fire or health hazard, or are otherwise dangerous to human life, as regulated by this Building Code, are hereby declared as unsafe systems or equipment. Use of a system or equipment regulated by this Building Code constituting a hazard to health, safety or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Such unsafe systems or equipment are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

Sec. 29-11-60. Authority to disconnect utilities.

A. The Building Official shall have the authority to order disconnection of any utility supplied to a building, structure, system or equipment regulated by this Building Code, when it is determined that the system or equipment, or portion thereof, has become hazardous or unsafe.

B. Written notice of such order to disconnect service, and the reasons for it, shall be given within twenty-four (24) hours to the owner and occupants of such building, structures or premises; provided, however, that, in cases of immediate danger to life or property, such disconnection shall be made immediately without such notice. Where utilities are provided by a public utility, the Building Official shall immediately notify the serving utility in writing of the issuance of such order to disconnect. (Weld County Code Ordinance 2012-1)

Sec. 29-11-70. Authority to condemn systems or equipment.

A. Whenever the Building Official determines that any system or equipment, or portion thereof, regulated by this Building Code has become hazardous to life, health, property or has become unsanitary, the Building Official shall order in writing that such system or equipment either be removed or restored to a safe or sanitary condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain defective or unsanitary systems or equipment after receiving such notice.

B. When such system or equipment is to be disconnected, a written notice shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

C. When a building system or equipment is maintained in violation of this Building Code and in violation of any notice issued pursuant to the provisions of this Section, the Building Official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

Sec. 29-11-80. Connection after order to disconnect.

A person shall not make connections to any system or equipment regulated by this Building Code which have been disconnected or ordered to be disconnected by the Building Official, or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such system or equipment.