

RESOLUTION # 20-2016

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
MONTROSE COUNTY COLORADO**

AMENDING THE CURRENTLY EFFECTIVE INTERNATIONAL BUILDING CODE (IBC), 2009 EDITION; THE INTERNATIONAL RESIDENTIAL CODE (IRC), 2009 EDITION; THE INTERNATIONAL ENERGY CONSERVATION CODE (IECC), 2009 EDITION; AND THE NATIONAL CONFERENCE OF STATES ON BUILDING CODES AND STANDARDS/AMERICAN NATIONAL STANDARDS INSTITUTE (NCSBCS/ANSI) A225. 1-1994 NON-PERMANENT FOUNDATIONS GUIDE FOR MANUFACTURED HOUSING APPLICABLE TO THE UNINCORPORATED AREAS OF MONTROSE COUNTY COLORADO

WHEREAS, pursuant to the authority granted under C.R.S. §30-28-201, *et seq*, the Board of County Commissioners of Montrose County (hereinafter "BOCC" or "Board") has adopted, by County Resolution 11-2015 (originally adopted as Resolution 45-2012), the International Building Code (IBC), 2009 edition; the International Residential Code (IRC), 2009 edition; the International Energy Conservation Code (IECC), 2009 edition; the International Property Maintenance Code, 2009 edition; and the National Conference of States on Building Codes and Standards/American National Standards Institute (NCSBCS/ANSI) A225. 1-1994 Non-Permanent Foundations Guide for Manufactured Housing applicable to the unincorporated areas of Montrose County Colorado; and

WHEREAS, pursuant to C.R.S. 30-28-202 (2), a Board of County Commissioners is authorized to adopt a building code by resolution following notice to the public and a public hearing; and

WHEREAS, notices to the public for four (4) consecutive weeks beginning on November 2, 2014 (Daily Press) and October 30, 2014 (Basin Forum), advising of the proposed adoption was published in newspapers of general circulation, the Montrose Daily Press and the San Miguel Basin Forum, as required by C.R.S. 30-28-202(1); and

WHEREAS, the required public hearing before the Board of County Commissioners was held on December 1, 2014 in accordance with C.R.S. §30-28-204, with comments from the public being taken under consideration; and

WHEREAS, the Board desires to amend and reaffirm, for the protection of the health, safety and welfare of the inhabitants of unincorporated Montrose County, the Building Codes and amendments set forth herein, applicable to entire unincorporated areas of Montrose County Colorado.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTROSE COUNTY COLORADO AS FOLLOWS:

1. **Building Code Adoption:** There is hereby adopted by the County for the purpose of providing minimum standards to safeguard the health, safety, welfare and property of the inhabitants of unincorporated Montrose County, the International Building Code (IBC), 2009 Edition; The International Residential Code (IRC) for One and Two Family Dwellings, 2009 Edition; The International Energy Conservation Code (IECC), 2009 Edition; the International Property Maintenance Code, 2009 Edition and the National Conference Of States On Building Codes and Standards/American National Standards Institute (NCSBCS/ANSI) A225. 1-1994 Non-Permanent Foundations Guide For Manufactured Housing, as amended or modified by the amendments set forth herein.

2. **Existing Codes:** The currently effective building code adopted by County Resolution No. 11-2015; and Resolution No. 56-00 Modifying Building Permit Fees are hereby repealed and replaced with Resolution No. 20-2016.
3. **Purpose and Applicability:** The purpose of the Codes is to provide minimum standards for the construction, remodeling and location of buildings, other structures and related equipment to assist in protecting the public health, safety and welfare of inhabitants of unincorporated Montrose County Colorado. This Resolution and Codes are applicable to all unincorporated areas of Montrose County Colorado.
4. **Scope:** The provisions of these Codes and other codes adopted by reference or reaffirmation by this Resolution shall apply to the construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, use, storage, height, area, maintenance, installation, inspection, design, operation, testing handling, erection and fabrication of equipment, structures and buildings within unincorporated Montrose County; except work located in a public way, public utility towers and poles, mechanical equipment not specifically regulated in the Code, and hydraulic flood control structures. Where, in any specific case, different sections of the Code, the County zoning resolution, or any other resolution of the County or other governmental body specify different requirements, the most restrictive provision shall govern.
5. **Definitions:** These definitions are applicable to the Montrose County Building Codes, as adopted herein. In case of differences or conflict with definitions in any building codes adopted herein, these definitions shall prevail.

Agriculture: Farming, ranching, animal husbandry, and horticulture.

Agricultural: Plant or animal products in the raw or unprocessed state that are derived from the science and art of agriculture regardless of the use of the product after its sale and regardless of the entity that purchases the product.

Agricultural Building: A structure designed and constructed to house farm and ranch machinery, equipment and supplies developed and used exclusively for farming and ranching; and agricultural crops and products, such as 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. Excluded from the definition of agricultural building are structures enclosing indoor riding arenas with an occupant load of 10 or more persons.

Dwelling unit: A single unit (minimum of 300 square feet) providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Farm: A parcel of land which is used to produce agricultural products that originate from the land's productivity for the primary purpose of obtaining a monetary profit. A farm is also defined as stock, farm dairy, farm poultry, farm fur-bearing animals and truck farms, plantations, ranches, nurseries, ranges, and orchards that are utilized for at least fifty percent of the total product output produced.

Ranch: A parcel of land which is used for grazing livestock for the primary purpose of obtaining a monetary profit. Livestock means domestic animals which are used for food for human or animal consumption, breeding, draft or profit.