

AN ORDINANCE AMENDING ORDINANCE 324, SECTION 2, BEING A PORTION OF THE MUNICIPAL CODE OF THE TOWN OF BERTHOUD.

WHEREAS, The Board of Trustees of the Town of Berthoud has determined that it is necessary and expedient that certain sections of the Municipal Code of the Town of Berthoud be revised and amended and that new additions of certain Secondary Codes therein be adopted by reference by the Board of Trustees of the Town of Berthoud;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1.

Adoption. Pursuant to Title 31, Article 16, Part 2, Colorado Revised Statutes 1973, as amended, there is hereby adopted as the Building Code of the Town of Berthoud, by reference thereto, the One and Two Family Dwelling Code, Second Edition, 1975, all to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code applies to the construction, prefabrication, alteration, repair, use, occupancy and maintenance of detached one or two family dwellings not more than three stories in height, and their accessory structures.

Section 2.

Amendments and Deletions.

(a) Section R-106 of the One and Two Family Dwelling Code is hereby amended to read as follows:

"Section R-106: It shall be unlawful for any person, firm or corporation whether as owner, lessee, sub-lessee or occupant to erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy, or maintain any one and two family dwelling in the jurisdiction or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Code."

"It is hereby declared that any violation of this Code constitutes a public nuisance, and in addition to any other remedies provided by this Code for its enforcement, the Town may bring civil suit to enjoin the violation of any provisions of this Code."

"If for any reason any one or more sections, sentence clauses or parts of this Code are held invalid, such judgment shall not affect, impair or invalidate the remaining provisions."

"Any person, firm or corporation violating any of the provisions of this Code shall be guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine, or by imprisonment, or by both such fine and imprisonment as established by local applicable laws."

(b) Any violation of any provision of this Ordinance shall be punishable by a fine not exceeding three hundred dollars (\$300) or imprisonment for a term not exceeding ninety (90) days or by both such fine and imprisonment.

Section 3.

Code Copies. At least three (3) copies of the One and Two Family Dwelling Code, Second Edition, 1975, all certified to be true copies, have been and are now on file in the office of the Town Clerk, and may be inspected by any interested person between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday, holidays excepted. The One and Two Family Dwelling Code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Section 4.

Savings Clause. If any part, section, subsection, sentence, clause, or phrase of this Ordinance or of the One and Two Family Dwelling Code adopted hereby is for any reason held to be invalid, such decisions shall not affect the validity of the remaining sections of this Ordinance or of said One and Two Family Dwelling Code; the Board of Trustees hereby declares that it would have passed this Ordinance and adopted said One and Two Family Dwelling Code in each part, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 5.

Repeal. Any or all Ordinances or parts of Ordinances of the Town of Berthoud, in conflict or inconsistent herewith are hereby repealed, provided, however, that the repeal of any Ordinance or parts of Ordinances of the Town of Berthoud shall not revive any other section of any Ordinance or Ordinances heretofore repealed or superseded. Ordinance Number 324, Section 2, is hereby specifically repealed in its entirety.

Section 6.

Effective Date. The Board of Trustees of the Town of Berthoud here-with finds, determines and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

This Ordinance was introduced, read, and a public hearing set for October 24, 1978, by the Board of Trustees of the Town of Berthoud at its meeting held this 12th day of September, 1978. After the public hearing, this Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 24th day of October, 1978.

TOWN OF BERTHOUD

ATTEST:


Richard McElvane
Mayor

Carol C. Mayo
Town Clerk

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