

ORDINANCE NO. 453

AN ORDINANCE AMENDING ORDINANCE 324, SECTION 6, 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, THEREFOR, 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 Uniform Mechanical Code, 1976 Edition, published by the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, California 90601, all to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the installation and maintenance of heating, ventilating, cooling and refrigeration systems.

Section 2:

Amendments and Deletions.

(a) Section 202 of the Uniform Mechanical Code is hereby amended to read as follows:

"Section 202: It shall be unlawful for any person, firm, or corporation to erect, install, alter, repair, relocate, add to, replace, use, or maintain heating, ventilating, cooling, or refrigeration equipment 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. Maintenance of equipment which was unlawful at the time it was installed and which would be unlawful under this Code if installed after the effective date of this Code, shall constitute a continuing violation of this Code.

"Any person, firm or corporation violating any of the provisions of this Code shall be deemed 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 of not more than \$300.00, or by imprisonment for not more than 90 days, or by both such fine and imprisonment."

(b) Any violation of any provision of this Ordinance shall be punishable by a fine not exceeding three hundred dollars (\$300.00) 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 Uniform Mechanical Code, 1976 Edition, of the International Conference of Building Officials, 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. to 12:00 Noon and 1:00 P.M. to 5:00 P.M., Monday through Friday, holidays excepted. This Mechanical 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 Mechanical 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 Mechanical Code; the Board of Trustees hereby declares that it would have passed this Ordinance and adopted said Mechanical 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 6, is hereby specifically repealed in its entirety.

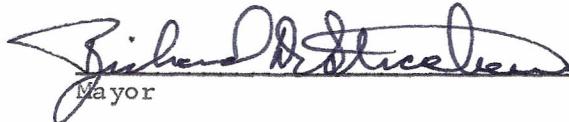
Section 6:

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.

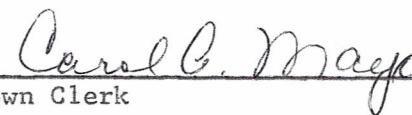
This Ordinance was introduced, read, and a public hearing set for September 26, 1978, by the Board of Trustees of the Town of Berthoud at its meeting held the 22nd day of August, 1978. After the public hearing, this Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 26th day of September, 1978.

TOWN OF BERTHOUD:

ATTEST:



Richard D. Stiles
Mayor



Carol G. Mayo
Town Clerk

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