

NO ACTION TAKEN

COUNCIL BILL NO. 3715

ORDINANCE NO. 1415

ORDINANCE

AN ORDINANCE OF THE CITY OF MANITOU SPRINGS, COLORADO, ADOPTING BY REFERENCE THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION, PROMULGATED BY THE INTERNATIONAL CODE COUNCIL

WHEREAS, the City Council wishes to adopt an ordinance adopting by reference the International Property Maintenance Code (2012 Edition) promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, with specified amendments and repealing any ordinances inconsistent therewith.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1: Title 15 of the Manitou Springs Municipal Code is hereby amended by the addition of a new Chapter 15.14 to read as follows:

CHAPTER 15.14 - INTERNATIONAL PROPERTY MAINTENANCE CODE

15.14.010 Adoption.

Pursuant to Section 5.11 of the City Charter, there is hereby adopted by reference the 2012 edition of the “International Property Maintenance Code” promulgated and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 8 inclusive, is hereby adopted by reference as the City of Manitou Springs Property Maintenance Code subject to the amendments contained herein.

15.14.020 Purpose.

The purpose of this code is to provide minimum standards to safeguard life or limb, health property and public welfare by regulating and controlling the conditions and maintenance of all property, buildings and structures.

15.14.030 Copy on file.

One (1) copy of the 2012 edition of the International Property Maintenance Code adopted herein shall be filed in the office of the City Clerk and may be inspected during regular business hours.

15.14.040 Amendments.

The City makes the following deletions, additions and modifications to the 2010 edition of the International Property Maintenance Code:

(1) **IPMC Section 101.1** IPMC Section 101.1 (Title) is amended by the addition of the term “City of Manitou Springs” where indicated.

(2) **IPMC Section 103.5** IPMC Section 103.5 (Fees) is amended by deleting the section in its entirety.

(3) **IPMC Section 111.2** IPMC Section 111.2 (Membership of board) is amended by deleting the section in its entirety and inserting the following: “The members of the Board of Appeals shall be comprised of the members of the City Council.”

(4) **IPMC Section 111.2.1** IPMC Section 111.2.1 (Membership of Board) is amended by deleting the section in its entirety.

(5) **IPMC Section 111.2.2** IPMC Section 111.2.2 (Chairman) is amended by deleting the section in its entirety.

(6) **IPMC Section 111.2.3** IPMC Section 111.2.3 (Disqualification of member) is amended by deleting the section in its entirety.

(7) **IPMC Section 111.2.4** IPMC Section 111.2.4 (Secretary) is amended by deleting the section in its entirety.

(8) **IPMC Section 111.2.5** IPMC Section 111.2.5 (Compensation of members) is amended by deleting the section in its entirety.

(9) **IPMC Section 302.4** IPMC Section 302.4 (Weeds) is amended by deleting this section in its entirety.

(10) **IPMC Section 302.8** IPMC Section 302.8 (Motor Vehicles) is amended by deleting this section in its entirety.

(11) **IPMC Section 308** IPMC Section 308 (Rubbish and Garbage) is amended by deleting this section in its entirety.

(12) **IPMC Section 604.2** IPMC Section 604.2 (Service) is amended by replacing “NFPA 70” with “Electrical Code adopted by the state of Colorado.”

15.14.050 Violation – Penalties.

The following penalties, herewith set forth in full, shall apply to the International Property Maintenance Code:

(1) It is unlawful for any person to violate any of the provisions of this Chapter or of the International Property Maintenance Code adopted hereby. Any person convicted of violating any provision of this Chapter shall be subject to penalties as provided in subsections A and B of Section 1.01.100 of the Manitou Springs Municipal Code.

(2) In addition to any and all other remedies, a violation of any provision of this Chapter or the International Property Maintenance Code adopted hereby shall constitute a condition of nuisance within the meaning of Section 6.08.010 of the Manitou Springs Municipal Code, and the City may institute an appropriate action to abate such nuisance, or for injunction or mandamus to prevent, enjoin or remove any unlawful erection, construction, reconstruction, alteration, remodeling or use.

Section 2: If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or

constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3: The repeal or modification of any provision of Manitou Springs Municipal Code by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 4: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 5: This ordinance shall take effect five (5) days after final approval on second reading and publication.