

ORDINANCE NO.7622

AN ORDINANCE AMENDING CHAPTER 10-5, "BUILDING CODE," B.R.C 1981, TO ADOPT MINOR CHANGES TO THE INTERNATIONAL BUILDING CODE RELATED TO THE EXPIRATION OF PERMITS AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Section 10-5-1, "Legislative Intent," B.R.C. 1981 is amended to read:

**10-5-1 Legislative Intent.**

The purpose of this chapter is to protect the public health and safety by regulating the construction, alteration, repair, wrecking, and moving of structures in the city. The city council hereby adopts the 2006 edition of the *International Building Code* and the 1997 edition of the *Uniform Code for the Abatement of Dangerous Buildings* with certain amendments and deletions thereto found to be in the best interests of the residents of the city. Buildings shall be held to the standard of the code under which the permit was issued.

Section 2. A new subsection is added between subsections 10-5-2 (l) and (m), B.R.C. 1981, amending Section 106.3.2, "Previous Approvals," to read:

This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has heretofore issued or otherwise lawfully authorized, and the constraints of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned. No person shall fail to comply with all of the conditions of such a building permit and the provisions of the building code under which such building permit has been issued.

Section 3. The local amendment in Section 10-5-2(j) Section 105.3.2, "Time Limitation of Application," B.R.C. 1981 is repealed and reenacted with the language for said section of the 2006 International Building Code, to read:

(j) 105.3.2 Time limitation of application. ~~An application for a permit for any proposed work shall be deemed to have been abandoned one hundred eighty days after the date of filing unless the permit has been issued; except that the building official is authorized to grant not more than two extensions of time for additional periods not exceeding ninety days~~

~~each. The extension shall be requested in writing before the expiration date and justifiable cause demonstrated. An application for a permit for any proposed work shall be deemed to have been abandoned one hundred eighty days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding ninety days each. The extension shall be requested in writing and justifiable cause demonstrated.~~

Section 4. Section 10-5-2(k) Section 105.5, "Expiration," B.R.C. 1981 is repealed and reenacted with the language for said section in the 2006 International Building Code, to read:

(k) -Section 105.5 Expiration. ~~Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not completed and approved for occupancy within three years from the date the permit was issued. Separate permits granting authorization to install, repair, energize, or use any electrical, mechanical or plumbing fixture, system or equipment shall expire twelve months after issuance, at which time a new permit will be required. In order to renew an expired permit, the applicant shall submit a new permit application with the required submittal documents demonstrating compliance to the code in effect at the time the new application is received. Work that was authorized, completed and approved under the previous permit may be considered as meeting current codes if the expiration period is not more than one year and all systems, equipment and structural elements have been adequately protected from the weather. The permit fee may be prorated based on the amount of work completed and approved under the previous permit. The plan review fee shall be paid in full based on the current fee schedule. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant in writing, one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. Every permit issued by the building official under the provision of this code shall expire by limitation and~~

become null and void if the building or work authorized by such permit is not completed and approved for occupancy within three years from the date the permit was issued. The permit fee for renewals may be prorated based on the amount of work completed and approved under the previous permit.

Section 5. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 6. The council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY  
TITLE ONLY this 21st day of October 2008

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk on behalf of the  
Director of Finance and Record

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED  
PUBLISHED BY TITLE ONLY this 10<sup>th</sup> of November 2008.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk on behalf of the  
Director of Finance and Record