

ORDINANCE NO. 3
SERIES 1967

"AN ORDINANCE REGULATING THE REPAIR, REHABILITATION AND DEMOLITION OF UNSAFE BUILDINGS OR STRUCTURES IN THE TOWN OF BRECKENRIDGE, COLORADO; PROVIDING FOR THE GIVING OF NOTICES IN RELATION THERETO; ESTABLISHING A LIEN FOR THE COSTS THEREOF; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF."

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, or abandonment, are, for the purpose of this Ordinance, unsafe buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, or demolition in accordance with the procedure specified in this Ordinance.

Section 2. The building official of the Town shall examine or cause to be examined any building or structure or portion thereof reported as dangerous or damaged and, if such is found to be an unsafe building as defined in this Ordinance, the building official shall give to the owner of such building or structure written notice stating the defects thereof. This notice may require the owner or person in charge of the building or premises, within 48 hours, to commence either the required repairs or improvements or demolition of the building or structure or portions thereof, and all such work shall be completed within 90 days from date of notice, unless otherwise stipulated by the building official. If necessary, such notice shall also require the building, structure, or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements are completed, inspected, and approved by the building official.

Section 3. Proper service of such notice shall be by personal service upon the owner of record, if he shall be found within the Town limits. If he is not found within the Town limits, such service may be made upon said owner by registered mail or certified mail, providing, that if such notice is by registered mail or certified mail, the designated period within which said

owner or person in charge is required to comply with the order of the building official shall begin as of the date he receives such notice.

Section 4. The building official shall be caused to be posted at each entrance to such building a notice to read: "DO NOT ENTER. UNSAFE TO OCCUPY. Building Department, Town of Breckenridge." Such notice shall remain posted until the required repairs or demolition is completed. Such notice shall not be removed without written permission of the building official, and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building.

Section 5. If the owner of any unsafe building fails to carry out the repairs, rehabilitation, or demolition required to be carried out by any such notice within the time specified in such notice, the building official may enter the unsafe building and cause such demolition work to be done as will entirely eliminate any hazard to life and limb, health, or other property.

Section 6. In the event demolition is carried out by the building official under Section 5 hereof, the building official shall further serve notice upon the persons and in the manner provided in Section 2 hereof as to the amount of the cost and expense incurred in such demolition and that he will at a time and place specified in the notice hold a hearing when and where such persons will be required to show cause why said amount should not be paid and be charged to the owner of the premises involved as a special assessment on the land on which the building or structure is located. In the event said persons fail to pay the cost and expense of the demolition of an unsafe building and fail to show cause why they should not, said cost and expense shall be collected in the manner provided for the collection of special assessments.

Section 7. It shall be unlawful for any person, firm, or corporation to fail to carry out the repairs, rehabilitation, or demolition required to be carried out by any notice given pursuant to Section 2 hereof within the time specified in such notice. Any person, firm, or corporation who shall fail to carry out the repairs, rehabilitation, or demolition so required shall be deemed guilty of a misdemeanor, and each such person, firm, or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any such failure is committed, continued, or permitted, and upon conviction of any such misdemeanor, such person, firm, or corporation 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.

Section 8. If any provisions of this Ordinance or the application thereof to any person, situation, or circumstance be held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications.

Section 9. Any and all Ordinances and part or parts thereof in conflict herewith are hereby repealed.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this
Nineteenth day of June, 1967.

H. Fletcher
Mayor

ATTEST:

Lana McAdoo Moore
Town Clerk