

ORDINANCE 32C

AN ORDINANCE ESTABLISHING TIME PERIODS IN WHICH LICENSEES MUST COMMENCE AND COMPLETE CONSTRUCTION OF APPROVED BUILDING PROJECTS

WHEREAS Ordinances 32A and 32B of the Boulder Town Ordinances require project approval from Boulder Town as well as issuance of a building permit from Garfield County for applicable building projects within the Town; and

WHEREAS prior to the date of this ordinance the Town has not specified a time limit for licensees to commence and complete construction of approved projects; and

WHEREAS due to ever changing conditions and frequently changing building codes, zoning rules, regulations and other ordinances the Town Council believes it is in the best interests of the Town that licensees who have obtained project approval for building projects be required to commence and complete construction of approved projects in a timely manner;

NOW THEREFORE IT IS HEREBY ORDAINED AS FOLLOWS:

1. Each person or entity that has obtained project approval from the Town for a building project governed by Ordinances 32A and 32B must within sixty (60) days after obtaining project approval apply for a building permit for the project from the Garfield County Building Inspector.

2. Each person or entity that has obtained project approval and a building permit for building projects governed by Ordinances 32A and 32B must commence construction of the project within one hundred eighty (180) days after the date of issuance of the building permit. Construction will be deemed to have commenced when excavation and/or erection of building materials has commenced at the location site of the project.

3. Each person or entity that has obtained project approval and a building permit for building projects governed by Ordinances 32A and 32B must complete construction of the project within eighteen (18) months after the date of issuance of the building permit. Construction will be deemed to have been completed when an occupancy or use permit has been issued by the Garfield County Building Inspector; or if the project is one for which occupancy or use permits are not required, the project has passed final inspection by the Garfield County Building Inspector.

4. If any of the time periods established by this ordinance expire without timely compliance by the applicant with the requirements of this ordinance, the project approval previously issued by the Town for the building project will be automatically withdrawn which will invalidate the building permit issued by Garfield County. In such case all fees paid to obtain project approval will be deemed forfeited and the applicant will be required to obtain project

approval, obtain a building permit and pay all applicable fees as if prior approval had never been given. In such case each applicant will also be required to comply with all laws, ordinances, building and other codes applicable to the project, including those that have become enforceable since the original project approval was granted.

5. The time limits established by this ordinance may be extended by the Boulder Town Council for good cause shown upon request by the applicant made prior to the expiration of the applicable time limit.

6. All building projects for which Boulder Town gave project approval prior to enactment of this ordinance and for which construction has commenced but is uncompleted must be completed within eighteen (18) months of the effective date of this ordinance or project approval will be deemed to have terminated.

7. All building permits issued prior to the enactment of this ordinance will be deemed to have terminated ninety (90) days after the effective date of this ordinance unless construction has been started prior to that date.

This ordinance shall take effect upon passage.

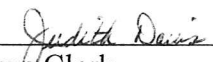
DATED this 7 day of January, 2002.

By:



Mayor

Attest:



Town Clerk