

ORDINANCE NO. 1167

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 21 OF THE FORT MORGAN MUNICIPAL CODE PERTAINING TO THE PLUMBING CODE AND FUEL GAS CODE

WHEREAS, the City of Fort Morgan Municipal Code contains regulations concerning plumbing within City limits; and

WHEREAS, the Colorado State Plumbing Board, pursuant to Colorado Revised Statute § 12-58-104 et seq., has authority to promulgate rules and regulations concerning plumbing and fuel gas codes within the State of Colorado; and

WHEREAS, in order for the City to maintain the ability to conduct plumbing and fuel gas inspections on a local level, the City must enforce the minimum standards set forth by the State Plumbing Board within twelve (12) months of their adoption; and,

WHEREAS, the City Council has authority to create and pass ordinances for the enforcement of the general police powers pursuant to Colorado Constitution Article XX section 6 and the Colorado Revised Statutes § 31-15-401; and,

WHEREAS, the Fort Morgan City Council finds and determines that this Ordinance is necessary for the preservation of the public peace, safety, and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN,

Section 1: The City of Fort Morgan Municipal Code Chapter 20 Article 6 Section 15 is hereby added as follows:

Sec. 21-6-15. State Plumbing Board Requirements.

- (a) Notwithstanding any conflicts contained in this Article 6 Plumbing Code and the adopted International Plumbing Code referenced herein, within twelve (12) months of the Colorado State Board of Plumbing adopting additional rules and regulations the City shall adopt and enforce the more restrictive regulations of the International Plumbing Code as adopted by this Article or the standards set forth by the Colorado State Board of Plumbing.
- (b) Such adoption shall become effective upon 30 days notice posted in official posting places set by City Council. The regulations shall be on file and available for inspection at the building department of the City during regular business hours.

Section 2: The City of Fort Morgan Municipal Code Chapter 20 Article 8 Section 15 is hereby added as follows:

Sec. 21-8-15. State Plumbing Board Requirements.

- (a) Notwithstanding any conflicts contained in this Article 8 Fuel Gas Code and the adopted International Fuel Gas Code referenced herein, within twelve (12) months of the Colorado State Board of Plumbing adopting additional rules and regulations the City shall adopt and enforce the more restrictive regulations of the International Fuel Gas Code as adopted by this Article or the standards set forth by the Colorado State Board of Plumbing.
- (b) Such adoption shall become effective upon 30 days notice posted in official posting places set by City Council. The regulations shall be on file and available for inspection at the building department of the City during regular business hours.

Section 3. Validity. If any part or parts of this Ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each part hereof irrespective of the fact that any one part or parts be declared invalid.

Section 4. Repeal. All or parts of Ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any Ordinance hereby repealed prior to the effective date of this Ordinance.

Section 5. Interpretation. This Ordinance shall be so interpreted and construed as to effectuate its general purpose. Article and section headings of the Ordinance shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any Article or Section thereof.

Section 6. Certification. The City Clerk shall certify to the passage of this Ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

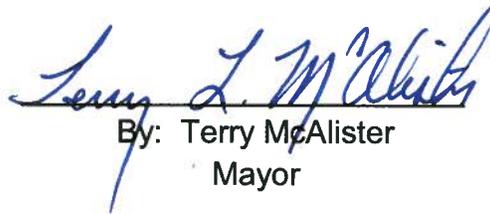
Section 7. Severability. In the event any part of this Ordinance is found to be unenforceable by a Court of competent jurisdiction, it shall not affect the enforceability of the other portions of the Ordinance.

Section 8. Effective date. The City Council hereby finds, determines, and declares that this ordinance is necessary for the immediate preservation of the public peace, health, and safety. These changes shall be effective five (5) days after final publication of this ordinance.

INTRODUCED, READ, ADOPTED ON FIRST READING AND ORDERED PUBLISHED on the 17th day of February, 2015.



THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO


By: Terry McAlister
Mayor

Attest:


John Brennan
City Clerk

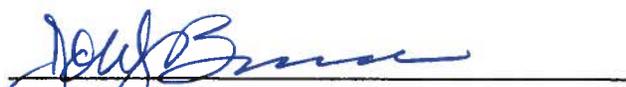
PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED this 3rd day of March, 2015.



THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

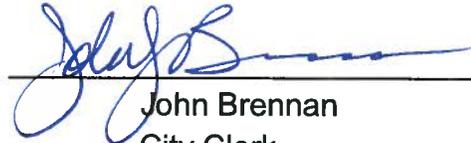

By: Terry McAlister
Mayor

Attest:


John Brennan
City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing **Ordinance No. 1167** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 17th day of February, 2015. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 21st day of February, 2014, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed ordinance was again taken up and read a second time, duly and legally, passed, approved and adopted at a regular meeting of the City Council held on the 3rd day of March, 2015. Within five (5) days after its final passage, said **Ordinance No. 1167** was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.



John Brennan
City Clerk