

ORDINANCE NO. 2026-10

AN EMERGENCY ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF CALHAN, COLORADO, AMENDING CHAPTER ONE AND CHAPTER SIX OF THE CALHAN MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2023 EDITION, 2ND PRINTING, OF THE PIKES PEAK REGIONAL BUILDING CODE

WHEREAS, the Board of Trustees of the Town of Calhan, Colorado, has determined that it is in the best interest of the Town of Calhan to adopt the 2023 edition, 2nd Printing, of Pikes Peak Regional Building Department's Building Code, and;

WHEREAS, adoption by reference of the 2023 edition, 2nd Printing, of the Pikes Peak Regional Building Code is done in compliance with Title 31, Article 16, Part 2, Colorado Revised Statutes (C.R.S.), as amended.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Calhan as follows:

Section 1. Section 1.04.010 of the Calhan Municipal Code is hereby amended to read as follows:

1.04.010 – Entry.

Whenever necessary to make an inspection to enforce any provision of this Code or any ordinance, or whenever there is probable cause to believe that there exists a Code or ordinance violation in any building or upon any premises within the jurisdiction of the Town, any public inspector of the Town may, upon presentation of proper credentials and upon obtaining permission of the occupant or if unoccupied, the owner, enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon him or her by ordinance. In the event the occupant, or if unoccupied, the owner, refuses entry to such building or premises, or the public inspector is unable to obtain permission of such occupant or owner to enter such building or premises, the public inspector is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry. *All inspections required by the Building Code, under Section 6.01.020 of this Code, shall be conducted by Pikes Peak Regional Building Department staff in accordance with the Building Code.*

Section 2. Section 6.01.020 of the Calhan Municipal Code is hereby repealed and reenacted to read as follows:

6.01.020 – Building Code Adopted by Reference.

The Pikes Peak Regional Building Code, 2023 Edition, 2nd Printing, as amended, together with Appendix A and Appendix B, as published by Pikes Peak Regional Building Department, 2880 International Circle, Colorado Springs, Colorado 80910, and all secondary codes duly described or referenced therein, are hereby adopted by reference and

applied and enacted as the "Building Code" of the Town of Calhan, Colorado, as if fully set out herein.

Section 3. Section 6.01.030 of the Calhan Municipal Code is hereby repealed and reenacted to read as follows:

6.01.030 – Penalties and Fines.

A. A person violating the Building Code or any provision of this Code shall be fined not more than four hundred ninety-nine dollars (\$499.00), or imprisoned not more than ninety (90) calendar days, or both. A separate offense shall be deemed committed for each and every calendar day during which any violation continues. In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, or remodeled, used or maintained in violation of this Code or any provision of the Building Code, the town attorney, in addition to other remedies provided by law, may institute an appropriate action for injunction, mandamus or abatement to prevent, enjoin, abate or remove any unlawful erection, construction, reconstruction, alteration, remodeling, maintenance or use. *See*, Appendix K of the Building Code

B. The Building Official may impose an administrative fine in an amount of up to one thousand dollars (\$1,000.00) on any person (entity included) engaged in any construction consulting work or construction work covered by this Code within the Jurisdictions who engages in this work in violation of any provisions of this Code. Appeals to this action may be made as provided for elsewhere in this Code. *See*, RBC103.12.

C. The Building Official shall have authority to record a certificate of alleged noncompliance in the public records of El Paso County thirty (30) calendar days after notice of noncompliance is posted on the premises or sent by registered mail or by certified mail, postage prepaid, return receipt requested, addressed to the record owner as such concerns any work done by any person, which work allegedly fails to comply with the final inspection requirements of this Code. Service is perfected under this Section at the earliest of the date of posting; the date the record owner receives the notice of non-compliance; the date shown on the return receipt, if signed on behalf of the record owner; or five (5) days after mailing. This Section does not prescribe the only means, or necessarily the required means, of serving a person in the State of Colorado. When the person has made appropriate corrections so that the work becomes compliant with this Code, the Building Official may record a release of the certificate of alleged non-compliance. *See* RBC103.13

D. All work performed on an emergency basis, as determined by the Building Official, to maintain an existing service or to maintain an existing installation, building, or structure, where the maintenance is necessary to protect life or property, shall not be subject to penalty if application for any required permits is made within seventy-two (72) hours after commencement of the emergency work. *See* RBC105.2.3

E. The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this Code whenever the permit has been issued in error or on the basis of

incorrect information supplied, or in violation of any other provisions of this Code. *See* RBC105.10.4

F. No person or entity convicted or found by a court or an administrative agency or authority having competent jurisdiction of a felony, or for civil or criminal fraud, constructive or actual, or for civil or criminal theft, for work related to any license or registration issued by the Department, or for work related to the building trades in any jurisdiction, shall be granted a license or registration, or serve as an examinee for a contractor in the Department's jurisdiction. *See*, RBC201.6.6

G. Each policy of insurance shall contain an endorsement to the effect that the insurance carrier shall notify the Building Department at least ten (10) calendar days in advance of the effective date of any reduction or cancellation of the policy. The lapse, cancellation, or reduction of insurance shall be cause for automatic suspension of the license or registration until the required coverage is timely reinstated. *See*, RBC201.7.2

H. Failure to renew a license within this (45) day period after the expiration date of the license or registration will require payment of a penalty at one-half ($\frac{1}{2}$) of the license or registration fee if renewed within ninety (90) days of the expiration date. After (90) days to (135) days, the penalty will be equal to the license or registration fee. After (135) days up to (180) days, the penalty will be equal to twice the license or registration fee. All requests for renewal(s) after (180) days from the expiration date shall require payment of all fees accrued, re-application, examination, evaluation by the respective Advisory Committee, and approval by the Board of Review, as applicable. *See*, RBC201.10.4

I. A license or registration, or the right of an examinee of the contractor to serve as a contractor or as an examinee of a contractor, shall automatically be suspended or revoked by the Building Official as follows:

1. Registrations within this jurisdiction shall be automatically revoked or suspended upon revocation, suspension, or refusal to renew any required Colorado state license.

2. Any license or registration within this jurisdiction shall be automatically suspended upon lapse, cancellation, or reduction of insurance coverage below that required by Section RBC201.7 of this Code. This suspension shall remain in effect until proof of the reinstatement of the required coverage is presented to the Building Department. Failure to present this proof within twelve (12) months from the date of the lapse, cancellation, or reduction shall result in automatic revocation of the license or registration.

3. Conviction or a finding by a court or administrative agency or authority having competent jurisdiction of the contractor and/or its examinee(s), for a felony, or for civil or criminal fraud, constructive or actual, or for civil or criminal theft, for work related to any license or registration under the authority of this Code, or for work related to the building trades in any jurisdiction, shall result in automatic revocation of the license or registration and revocation of the right of the examinee and all

authorized persons of the contractor to serve as a contractor or examinee for this or another contractor after notification and exhaustion of due process rights, if any, in accordance with Colorado law. The notification shall be served personally or posted by registered or by certified mail, return receipt requested, to the last known mailing address.

See, RBC201.11.4

J.

1. The Board of Review may suspend licenses or registrations upon the voluntary written request for this action by the contractor. These suspensions shall not exceed a period of twelve (12) months unless a notarized annual certification from an employer is furnished to the Building Department indicating that the contractor is engaged in an active capacity in the field of building codes and construction.

2. While under voluntary suspension, the contractor need not carry insurance, but shall be responsible for all license or registration fees normally due.

3. The voluntary suspension shall be automatically lifted at any point during the twelve (12) month period under the following conditions:

3.1. Written request is made to the Board of Review by the contractor.

3.2. Proof of insurance is provided in accordance with Section RBC201.7 of this Code.

4. In the event the contractor does not terminate the voluntary suspension within the twelve (12) month period as provided in item 3 above, or furnish proof of active engagement in the construction field and building codes, as provided in item 1 above, in order to obtain a new license or registration, the contractor must then meet all requirements of Sections RBC201.5 and RBC201.6 of this Code.

See, RBC201.11.5

Section 4. Section 6.01.040 of the Calhan Municipal Code is hereby repealed and reenacted to read as follows:

6.01.040 – Building Code Amendments.

The following are the amendments to the Building Code:

- A. Section RBC112 – DANGEROUS BUILDINGS is deleted in its entirety.
- B. Section RBC312 – ENUMERATION CODE is deleted in its entirety.

Section 5. Section 6.01.050 of the Calhan Municipal Code is hereby repealed and reenacted to read as follows:

6.01.050 – Availability.

One copy of the Building Code is now filed in the office of the town clerk and may be inspected during regular business hours.

Section 6. Chapter 6, Article 2 of the Calhan Municipal Code is hereby repealed in its entirety.

Section 7. Chapter 6, Article 5 of the Calhan Municipal Code is hereby repealed in its entirety.

Section 8. Chapter 6, Article 6 of the Calhan Municipal Code is hereby repealed in its entirety.

Section 9. Chapter 6, Article 8 of the Calhan Municipal Code is hereby repealed in its entirety.

Section 10. Chapter 6, Article 9 of the Calhan Municipal Code is hereby repealed in its entirety.

Section 11. Chapter 6, Article 10 of the Calhan Municipal Code is hereby repealed in its entirety.

Section 12. Chapter 6, Article 11 of the Calhan Municipal Code is hereby repealed in its entirety.

Section 13. Chapter 6, Article 12 of the Calhan Municipal Code is hereby repealed in its entirety.

Section 14. Chapter 6, Article 13 of the Calhan Municipal Code is hereby repealed in its entirety.

Section 15. Section 15.08.020.K.1 of the Calhan Municipal Code is hereby repealed and reenacted to read as follows:

K. Permits and fees

1. Permits, permit fees, and inspections shall be in accordance with Sections RBC105, RBC108, and RBC109 of the Building Code.

Section 16. Emergency Clause. The Board of Trustees finds and determines that the municipal code provisions set forth in this Ordinance shall be adopted via the emergency process and effective immediately because the regulations set forth herein must be effective prior to July 1, 2026 in order to limit the excessively burdensome energy code requirements that will increase the costs of development in the Town and which will impact the health, safety, and welfare of its citizens and businesses.


Section 17. Severability. 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 Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that anyone, or part, or parts be declared unconstitutional or invalid.

Section 18. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety, and welfare.

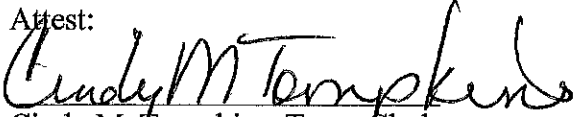
Section 19. Effective Date. This Ordinance shall become effective immediately.

Adopted and ordered published this 22nd day of June, 2026.

(Seal)



Melvin Fields
Mayor

Attest:

Cindy M. Tompkins, Town Clerk