

CITY OF SALIDA, COLORADO
RESOLUTION NO. 03
(Series of 2021)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO
RECOMMENDING AND SUPPORTING AMENDMENTS TO THE CITY OF
SALIDA'S INTERGOVERNMENTAL AGREEMENT (IGA) WITH CHAFFEE
COUNTY FOR BUILDING INSPECTION SERVICES

WHEREAS, the City of Salida, Colorado ("City") is a statutory city, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, pursuant to C.R.S. § 31-15-401, the City by and through its City Council ("Council"), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

WHEREAS, the City Council, while discussing Ordinance 2021-01 at its February 2, 2021 regular meeting, regarding the amendment of adoption by reference of various technical international codes in Chapter 18 of the Salida Municipal Code, Council and City staff also discussed recent issues and the inability to enforce said international code violations, due to a conflicting Intergovernmental Agreement ("IGA") with Chaffee County; and

WHEREAS, the City Council has been advised that by relevant City staff and the City Attorney that the current "Building Inspection" IGA between the City and Chaffee County, approved by the City Council via Resolution 2013-82, conflicts with many of the international technical codes, adopted by the City in Chapter 18 off the Salida Municipal Code; and

WHEREAS, the City Council has been further advised that this conflict precludes the ability and possibility to practically enforce certain serious and unsafe violations of these international codes, because these codes require certain notices and personal services be made, directed and pursued by the City's "Code Official," who is the Chaffee County Building Department pursuant to IGA, but that the IGA also states that the County will not be responsible for appeals and will not be responsible for pursuing violations of the City's Building Code, thereby leaving a gap in enforcement; and

WHEREAS, the City Council recommends and supports the amendment of its current Building Inspection IGA with the County to resolve these conflicts and inconsistencies with the international technical codes in order to have clearer and practical ability for enforcement, thereby positively affecting the health, safety and welfare of its residents, customers and citizens.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, THAT:

Section 1. The Salida City Council incorporates the foregoing recitals as its conclusions, facts, determinations and findings.

Section 2. The Salida City Council hereby recommends and supports the amendment of

the 2013 Building Inspection Intergovernmental Agreement with Chaffee County, and hereby directs the City Attorney and relevant City staff to negotiate the same with the County, to resolve all inconsistencies and remedy all identified conflicts with the international technical codes and the Salida Municipal Code.

RESOLVED, APPROVED, AND ADOPTED this 16th day of February, 2021.



CITY OF SALIDA

By: _____

P.T. Wood
P.T. Wood, Mayor

ATTEST:

Erin Kelley

City Clerk/Deputy City Clerk