

SUMMIT COUNTY LAND USE AND DEVELOPMENT CODE
CHAPTER 14: Administration and Enforcement

DEVELOPMENT CODE REVISIONS CHAPTER 14¹			
CASE#	RESO #	SECTION/DESCRIPTION	DATE
90-15	90-37	14202.02	5/14/90
92-126	93-72	14101.01,14101.02	08/23/93
95-51	95-56	14101.02(F)	06/12/95
01-70	01-78	14103.06	07/09/01
00-234	01-136	14101.02(F)(7)(b)	11/26/01
03-135	03-110	14005, 14005.01, 14005.02	12/15/03
04-077	07-44	Comprehensive Amendments to the Code	5/22/07
10-143a	12-48	Section 14102: Nonconforming Uses and removal of Figure 14-1	7/24/12
19-040	19-64	14103.03 Restoration or Repair	8/27/19

¹ The Sections referenced above were the Sections in effect at the time the Development Code was amended. Subsequent amendments to the Development Code may have resulted in section numbers being modified and may no longer be applicable.

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14000: ADMINISTRATION

14001: Development Code Administrator

The Office of Development Code Administrator is hereby established. For purposes of this Code, the Board of County Commissioners (“BOCC”) has designated the Development Code Administrator as having the responsibilities and powers as authorized per C.R.S. § 30-28-114. It shall be the duty of the Development Code Administrator to 1) enforce provisions of this Code pertaining to the erection, construction, reconstruction, relocation, conversion, addition to or alteration of any building or structure or to the use of land; and 2) conduct certain development reviews as provided for in this Code; and 3) make interpretations of this Code or other relevant land use regulations as provided for or as deemed necessary by the Code Administrator in administering and implementing the provisions of this Code. The Development Code Administrator shall have all administrative powers in connection with this Code that are not assigned to some other officer or body. The powers and duties of this office shall vest in the Planning Department Director, or an authorized designee, unless otherwise designated by the BOCC.

14002: Zoning Enforcement Officer

The Office of Zoning Enforcement Officer is hereby established. It shall be the duty of the Zoning Enforcement Officer to conduct enforcement proceedings as stated in Section 14300 et seq. of this Code to the extent directed by the Development Code Administrator.

14003: Board of Adjustment

14003.01: Establishment and Membership of Board of Adjustment

The County Board of Adjustment (“BOA”) is hereby established as required by C.R.S. § 30-29-117. The BOA shall consist of five (5) regular members and two (2) alternate members, appointed by the BOCC. Each member must be a resident of the County and have been such for a period of one (1) year prior to appointment. Not more than half of the regular members and not more than half of the alternate members of the BOA may at any one time be members of the Regional Planning Commission. In making its appointments, the BOCC shall attempt to have represented the different geographic areas within the County and a variety of professional and civic backgrounds or concerns.

14003.02: BOA Bylaws

The BOCC shall adopt bylaws for the governance of the BOA as provided in C.R.S. § 30-28-117(2). The number and qualifications of BOA members, terms and method of appointment, duties of the BOA and rules governing election of officers, conduct of meetings, voting, keeping of records, conduct of members and such matters shall be as stated in the BOA bylaws. Nothing in this section shall preclude the BOA from adopting rules pertaining to the conduct of the BOA’s business, as provided by C.R.S. § 30-28-117(2), as long as such rules are not in conflict with the provisions of the bylaws, this Code or applicable State statutes. The BOA Bylaws are located in Chapter 16 of the Code.

14004: Regional Planning Commission

14004.01: Establishment of the Regional Planning Commissions

A Regional Planning Commission (“Commission” or “Planning Commission”) exists by adoption of a cooperative agreement between Summit County and participating municipalities, in accordance with C.R.S. § 30-28-105.

14004.02: Planning Commission Bylaws

Bylaws for the governance of the Regional Planning Commission shall be adopted, as provided in C.R.S. §

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30-28-105. The number and qualifications of Planning Commission members, their terms and method of appointment or removal shall be as determined and agreed upon by the BOCC. Articles to regulate and govern the affairs of the Planning Commission and pertaining to the transaction of the Planning Commission's business shall be as determined by the BOCC. The Planning Commission Bylaws are located in Chapter 16 of this Code.

14100: NONCONFORMING PARCELS, USES AND STRUCTURES

14101: Nonconforming Parcels

14101.01: General

Any parcel in existence on June 2, 1969, the size of which became nonconforming as the result of the County's adoption of Zoning Regulations on June 2, 1969, or any parcel created after this date which met minimum site area requirements at the time it was created, but has since become nonconforming as a result of the County's adoption of zoning amendments, adoption of this Code or subsequent amendments to this Code shall be deemed a legal nonconforming parcel for zoning purposes. Parcels which were created in violation of zoning or subdivision regulations are considered illegal parcels.

14101.02: Structures and Uses on Legal Nonconforming Parcels

- A. **Continuance:** Legal uses and structures in place at the time a lot became a legal nonconforming parcel may continue except as otherwise provided in this section.
- B. **Expansion of Existing Uses:** Expansion of an existing use is permitted on a legal nonconforming parcel without approval of a nonconforming parcel plan review if:
 1. The existing use is either a legal nonconforming use or a legal use; and,
 2. The impact of the expanded use will not have a substantially greater impact on adjacent properties. Where expansion of an existing use would result in a significantly greater impact on adjacent properties or would create a greater inconsistency with the character of the neighborhood, approval of a nonconforming parcel plan review per the requirements of Section 12900 of this Code is required for expansion of the use.
- C. **Establishment of New Uses:** Approval of a nonconforming parcel plan review per the requirements of Section 12900 of this Code must be obtained prior to the establishment of any new use on a legal nonconforming parcel, including but not limited to the conversion of an existing use to a new use, including establishing a residential use as specifically provided in 14101.02.E below. Any new use shall conform to the Zoning Regulations in effect at the time the use is established.
- D. **Expansion or Replacement of Existing Structures:** An existing habitable and continually and/or seasonally-used dwelling or other structure on a legal nonconforming parcel may be expanded or may be replaced if destroyed or demolished, subject to the applicable requirements of this Code and the Building Code, without approval of a nonconforming parcel plan review per section 12900 provided: (1) the expansion or replacement dwelling or other structure conforms to the Zoning Regulations in effect at the time of construction; or (2) a variance(s) to the Zoning Regulations allowing such a structure has been granted by the BOA pursuant to Section 12500 et seq.
- E. **Construction of New Dwellings:** A nonconforming parcel plan review per the requirements of Section 12900 of this Code shall be required for the construction of any new dwelling on a legal nonconforming parcel.
- F. **Merger of Nonconforming Parcels from 1993 to 2003:** Contiguous unplatted parcels that were in common ownership at any point in time between August 23, 1993 and October 1, 2003, where any one of the parcels is nonconforming as to minimum site area requirements, shall meet the requirements of this subsection in order to qualify for issuance of a building permit, conditional use permit, temporary use permit or nonconforming parcel plan review or other development review pursuant to applicable Summit County regulations.
 1. Contiguous unplatted parcels that were in common ownership between August 23, 1993 and October 1, 2003 are deemed merged into one (1) parcel of land as of that date of common ownership under the merger requirements of the Code. The zone parcel requirements in effect between August 23, 1993 and October 1, 2003 were implemented to ensure, to the fullest extent possible, that the parcels in common ownership satisfied the minimum parcel size requirement for the zoning district in which said parcels are located. The

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minimum site area requirements for zoning districts are specified in Section 3505.01.C and Figure 3-5 of this Code. The intent of the zone parcel requirements in effect between August 23, 1993 and October 1, 2003 is to effect the merger of parcels only to the extent necessary to meet the minimum site area requirements of the applicable zoning district. The combined parcels shall be considered one (1) parcel of land for purposes of this Code.

2. If, after the parcels were merged as caused by the County's merger requirements in effect between August 23, 1993 and October 1, 2003, there remained excess acreage under common ownership which was insufficient for the creation of an additional parcel in accordance with the applicable minimum site area requirements, any such excess acreage may be eligible to be considered by the Planning Department as one (1) independent and legal nonconforming parcel, provided that any such excess acreage contains at least 50 percent ("%") of the parcel area required for the applicable zoning district and meets all development requirements contained in this Code. If such acreage does not contain 50% of the parcel area required for the applicable zoning district, such excess acreage is merged with (1) one or more of the conforming parcels or parcels and not eligible for separate development.
3. No building permits, conditional use permits, temporary use permits or nonconforming parcel plan review approval or other development approvals shall be issued for such excess acreage unless otherwise combined with other parcels so as to meet the requirements of this section.
4. This section does not authorize the subdivision or resubdivision of any property whatsoever, including the adjustment of any parcel lines. Any subdivision of property or adjustment of parcel lines shall occur in accordance with Chapter 8 of the Development Code.
5. Definitions:

The following definitions are provided herein for the sole purpose of interpreting, administering and implementing the merger provisions contained in Section 14101.02.F of this Code. For the purposes of these Merger Regulations only, the definitions set forth herein shall control and take precedence over any definitions set forth in Chapter 15 or other chapters of this Code:

- a. Contiguous parcel: Parcels having a common boundary of 15 feet or more.
- b. Common ownership: shall be defined as parcels:
 - i. Owned by the same person, corporation, partnership, trust, estate or other entity; or,
 - ii. Owned by a husband and/or wife individually or by joint or common ownership; or,
 - iii. Owned by any corporation, partnership, trust, estate, other entity which is itself owned, in whole or part, by the owner of a contiguous parcel. The Planning Department may determine that common ownership does not exist if the owner of a contiguous parcel does not own a controlling interest in any such corporation, partnership, trust, estate or other entity and such ownership does not exist for the purposes of evading the requirements of this Section F.

The ownership of fractional interests in contiguous parcels shall not be deemed common ownership. However, this exception shall not apply if all the owners of such fractional interests meet the definition of common ownership above.

6. Prior to the issuance of any building permit, conditional use permit, temporary use permit or nonconforming parcel plan review, evidence shall be submitted to the Planning Department substantiating that all contiguous parcels in common ownership have been combined pursuant to subsection F.1 above. At a minimum, such evidence shall include a thorough title search, certified by a title company qualified to do business in Colorado, showing the complete chain of title from August 23, 1993 to October 1, 2003 of (a) the subject property, and (b) all contiguous parcels of land, both of which allow the County to determine common ownership of contiguous parcels during this time period.
7. Upon determination by the Planning Department and the County Attorney that a parcel meets the merger requirements of this section, approval of a building permit, conditional use permit, temporary use permit, nonconforming parcel plan or other development review may be sought. The merger determination by the County can also be made concurrent with the review of a nonconforming parcel plan review.
8. Nothing in this section shall substitute for any requirement, or guarantee any specific permit approval that may be required pursuant to applicable Summit County regulations.
9. Prior to the exercise of any rights under any building permit, conditional use permit, temporary use permit or nonconforming parcel plan review subject to the provisions of this section, the owner(s) of the subject property shall submit to the Planning Department a fully executed form, supplied by the Planning

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Department, that acknowledges the merger of these contiguous parcels as required by this section. Such form shall be recorded in the Summit County Clerk and Recorders Office.

10. The following are specifically exempt from the requirements of this section:
 - a. Transfers of land for the purpose of pursuing mining operations, provided that land used for any subsequent non-mining uses must comply with all the requirements of this Section F, based on the amount of acreage in common ownership as of the date of adoption of this Section F, or thereafter acquired.
 - b. Development on parcels within a subdivision which has been platted and recorded. For purposes of this Code, a subdivision has been "platted" if a map and any supporting materials for certain described land has been reviewed and approved by Summit County in accordance with duly adopted subdivision laws and regulations in effect for Summit County.
 11. Appeals of the Review Authority's determination of compliance with this section shall be made concurrent with the applicable development review pursuant to the applicable development review processes outlined in this Code. Commission or Staff decisions regarding the application of the merger provisions in Section F may be appealed based on hardship caused by the merger provisions in Section F, and shall be treated as a variance request based on hardship pursuant to Chapter 12 of the Development Code.
- G. Mergers After October 1, 2003:** For any merger of parcels of land under the provisions of this Code effective after October 1, 2003 (the effective date of Senate Bill 03-067 as codified in C.R.S. § Section 30-28-139, which merger is not requested in writing by each owner of an affected parcel, the following provisions shall govern, as expressly required in C.R.S. § Section 30-28-139:
1. Prior to the completion of the merger, the County shall send notice of the County's intent to complete the merger to each owner of the affected parcels by certified mail, at the address shown on the records of the County Assessor. The notice shall also specify that each such owner may request a hearing on the proposed merger pursuant to Subsection 2, immediately below, and shall specify action to be taken by such owner to request such hearing, including, without limitation, the requirement that said owner shall request the hearing no later than 120 calendar days after the date on which the owner receives the notice. The date of the owner's receipt of the notice shall be the date on which the notice arrives at the owner's stated address, which date the County may presume to be three (3) calendar days after the date of the County's mailing of the notice, unless the circumstances known to the County clearly indicate a later receipt date.
 2. Prior to the completion of the merger, where each owner of an affected parcel has timely requested a hearing on the proposed merger satisfying the requirements of Subsection 1, immediately above, a public hearing on said merger shall be held before the BOCC. The hearing shall be conducted for the purpose of allowing the BOCC to discuss with the owner of each affected parcel the BOCC's reasons for proceeding with the merger and to give each owner the opportunity to submit any basis provided under law for challenging the merger. In the case of a timely hearing request, the County shall provide notice of the time, place and manner of the hearing to each owner of the affected parcels and shall also publish the notice in a newspaper of general circulation in the County in a manner sufficient to notify the public of the time, place and nature of said hearing. In order to give each such owner of an affected parcel the opportunity to take whatever remedial action is allowed under the law prior to the hearing before the BOCC, the County shall not hold the hearing any sooner than 90 calendar days after the date on which the owner received the County's initial mailed notice as provided in Subsection 1, above.
 3. Where the owner of each affected parcel fails to timely request a hearing on the proposed merger satisfying the requirements of Subsection 1, above, no such hearing is required and the affected parcels shall be merged in accordance with the requirements of this Subsection G.
 4. No merger of parcels that is the subject of a hearing pursuant to Subsections 1 and 2, above, shall be effective unless:
 - a. The owner of the parcels has given his, her or its consent to the merger of said parcels; and,
 - b. The merger has been approved by a majority of the BOCC.
 5. Nothing in this section shall be construed to abrogate or otherwise diminish or expand any rights a landowner may have under C.R.S. Article 68 of Title 24, pertaining to vested property rights.

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14102: Nonconforming Uses

14102.01: General

Any use in existence on June 2, 1969 which became nonconforming as the result of the County's adoption of Zoning Regulations on June 2, 1969 or any use established after this date which was lawful at the time it was established but has since become nonconforming as a result of the County's adoption of zoning amendments, adoption of this Code or subsequent amendments to this Code shall be deemed a legal nonconforming use. Legal nonconforming uses may continue subject to the provisions of this section. Uses that were established in violation of Zoning Regulations are considered illegal uses.

14102.02: Expansion of Uses

Expansion of a legal nonconforming use is only permitted if the impacts of the expanded use will not have a substantially greater impact on adjacent properties or the community, as determined by the Planning Department.

14102.03: Abandonment of Uses

Any legal nonconforming use that ceases to operate for a continuous period of 180 calendar days shall be deemed abandoned. A legal nonconforming use that is seasonal in nature shall be deemed abandoned after such use ceases to operate for a continuous period of 180 calendar days over the course of the season in which the use normally occurs.

A legal nonconforming use that is abandoned may not be reestablished and any new use established on the property must conform with the Zoning Regulations then in effect.

14102.04: Conversion of Uses

A legal nonconforming use may be converted to a conforming use, subject to any regulations of this Code applicable to the conforming use. A legal nonconforming use may not be converted to another nonconforming use.

14103: Nonconforming Structures

14103.01: General

Any structure in existence on June 2, 1969 which became nonconforming as the result of the County's adoption of Zoning Regulations on June 2, 1969 or any structure established after this date which was lawful at the time it was established but has since become nonconforming as a result of the County's adoption of zoning amendments, adoption of this Code or subsequent amendments to this Code shall be deemed a legal nonconforming structure. Legal nonconforming structures may continue subject to the provisions of this section. Structures that were established in violation of Zoning Regulations are considered illegal structures.

14103.02: Expansion or Enlargement

Any additions, expansions or enlargements to a legal nonconforming structure must meet all applicable Zoning Regulations and other applicable regulations of this Code and the Building Code in effect at the time building permits are issued, except that variances in regulations are allowed if (1) approved by the BOA pursuant to Section 12500 et seq., or (2) approved as otherwise provided in this Code.

14103.03: Restoration or Repair

- A. **Restoration or Repair Allowed:** If a legal nonconforming structure is damaged such that the amount of damage is no more than 50% of its fair market value, the structure may be restored or repaired if the resultant structure creates no greater nonconformity with the Zoning Regulations than previously existed before the structure was damaged. The smallest portion of nonconforming decks, porches or stairways as the minimum

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required by the Building Code to provide access or egress from a structure may also be reconstructed if the resultant structure creates less or no greater nonconformity than previously existed.

- B. **Restoration or Repair Prohibited:** If a legal nonconforming structure is damaged or destroyed such that the amount of damage is more than 50% of its fair market value, it may not be restored, except as provided in Section 14103.05 and 14103.06.
- C. **Determination of Fair Market Value:** Fair market value shall be determined by the Planning Department as provided in Section 14104.
- D. **Application for Variance:** Notwithstanding the provisions of this section, a property owner may apply for a variance in order to replace a nonconforming structure with a nonconforming structure if the physical conditions on the parcel such as its topography or configuration are sufficient to justify variations in development standards. An application for a variance shall be reviewed and acted upon in accordance with Section 12500 et seq.

14103.04: Replacement

Any structure replacing a legal nonconforming structure shall conform to the applicable Zoning Regulations in effect at the time building permits are issued for the structure, except variances in regulations are permitted if approved by the BOA pursuant to Section 12500 et seq.

14103.05: Exceptions for Historic Structures

Where a legal nonconforming structure is judged to be of historic value and the structure is damaged or destroyed, the structure may be reconstructed regardless of the amount of damage if the purpose of the reconstruction is to create an authentic reproduction of the historic structure. The Planning Department shall make the determination as to the historic value of the structure based on historic records, photographs or other documentation and may consult with the Summit County Historical Society in making this determination.

14103.06: Exceptions for Structures in the Backcountry Zoning District

Where a legal nonconforming structure in the Backcountry (“BC”) Zoning District is damaged or destroyed, the structure may be restored or repaired (regardless of the amount of damage) to not more than its original size, provided the restoration occurs within generally the same footprint as the original structure occupied.

14104: Calculation of Fair Market Value

Where the provisions of this section require the fair market value of a structure be calculated, the following procedure shall be used.

14104.01: Request for Estimate

A property owner seeking to restore or repair a legal nonconforming structure shall notify the Code Administrator and request confirmation whether or not the structure may be restored or repaired as provided in Section 14103. No building permit shall be issued for the restoration or repair of a legal nonconforming structure until a value for the structure has been determined and the Code Administrator has confirmed that the value of the restoration or repair is within the limit established by Section 14103.

14104.02: Estimate of Value

The Code Administrator shall estimate the market value of a structure based on the most recent appraised value shown on the property record cards or their equivalent maintained by the Summit County Assessor's Office. The Code Administrator shall notify the property owner of the estimated value in writing and if, based on this value, the structure may be repaired or restored.

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14104.03: Filing of Objection

A property owner that disagrees with this value must file a written objection within 30 calendar days of the date of the Code Administrator's written estimate of value as required by Section 14104.02. The objection shall include the property owner's estimate of the structure's market value and any evidence in support of this estimate.

14104.04: Obtaining an Appraisal

If a property owner files an objection in accordance with Section 14104.03, the Code Administrator shall obtain an independent appraisal of the structure's market value and shall forward this appraisal to the property owner within 30 calendar days of receiving the objection. If the property owner disagrees with this value, an independent appraiser shall be selected by mutual agreement of the Code Administrator and the property owner and the market value determined by the appraiser so selected shall be used in determining if the structure may be repaired or restored. The cost of the appraisal(s) as required by this section shall be paid by the property owner prior to issuing any permits for a property, or within 120 calendar days of the final appraisal, whichever occurs first. Failure to pay the cost of the appraisal(s) may result in the County placing a lien on the property effected by the appraisal(s), or withholding issuance of any permits, approvals or other matters until such costs are paid.

14104.05: Final Determination

Upon determination of a market value acceptable to the property owner and the Code Administrator or upon receipt of the estimate of market value from the appraiser selected by mutual agreement of the property owner and the Code Administrator, the Code Administrator shall notify the property owner and the Building Department by letter if, based on this value, the structure may be repaired or restored. The determination of the Code Administrator may be appealed to the BOCC in accordance with Section 13200 et seq.

14105: Maintenance of Nonconforming Properties

Legal nonconforming parcels, uses and structures shall be maintained in a sound condition and shall not pose a hazard to public health, safety or welfare.

14200: ILLEGAL PARCELS, USES AND STRUCTURES

Parcels, uses and structures which do not qualify as either legal nonconforming or as conforming shall be deemed illegal. In addition, parcels which were created in violation of County Subdivision Regulations or State Statutes shall be deemed illegal. With respect to any illegal parcel, no allowance shall be made for any erection, construction, reconstruction, alteration or expansion of any building or structure on such parcel or for any use of land within such parcel until such time as the parcel is made legal. With respect to illegal uses and structures, action shall be taken to remedy or remove such uses and structures through the enforcement procedures stated in Section 14300 et seq. of this Code.

14300: GENERAL PROVISIONS

- A. **Violation of Code:** It is unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of the regulations contained in this Code (C.R.S. § 30-28-124). If any building or structure is or is proposed to be erected, constructed, reconstructed, altered, maintained or used or any land is proposed to be used in violation of the regulations contained in this Code, the County Attorney of Summit County may, in addition to other remedies provided by law, institute an injunction, mandamus, abatement or other appropriate legal remedy so as to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use (C.R.S. § 30-28-124).
- B. **Code Enforcement:** Enforcement of this Code may be done in accordance with any and all remedies provided by law, including but not limited to withholding any development approvals, inspections or permits and issuing stop work orders. It is the philosophy of Summit County to first educate and inform property owners or

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residents of the violation and provide them with an opportunity to correct the situation to comply with the requirements of this Code. If violations are not corrected or if there are repeat offenders of Code requirements, Summit County will then pursue more formal action as provided for in this section and by applicable law.

- C. **Relationship to Rubbish Regulations:** Enforcement of rubbish violations shall be as provided for in Section 11200 et seq.
- D. **Written Notice:** The Zoning Enforcement Officer shall give written notice to a violator when any violation of the provisions of the Code are discovered, and the violation must be corrected within the time specified in such notice.
- E. **Summons and Complaint:** If the violator fails to correct the violation within such remedial period, the County Attorney's Office may request that the County Sheriff issue a summons and complaint to the violator stating the nature of the violation with sufficient information to give notice of the charges to the violator.
- F. **Right of Entry:** Whenever necessary to make an inspection to enforce any of the provisions of this Code or whenever the Zoning Enforcement Officer or a member of the Planning Department has reasonable cause to believe that there exists upon any premises any Code violation, the Zoning Enforcement Officer or a member of the Planning Department may request entry to such premises at all reasonable times to inspect the same or to perform any duty imposed upon the Zoning Enforcement Officer or a member of the Planning Department by this Code. If such entry is refused, the County shall have recourse to every remedy provided by law to secure entry.
- G. **Potential Punishment:** It is unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of this Code. Every violation of this Code may be deemed a criminal and/or civil offense and each day during which such violation continues shall be deemed a separate offense (C.R.S. § 30-28-124).
- H. **Plans Must Conform to the Requirements of These Regulations:** The issuance of a building permit, grading permit, certificate of occupancy or other development review approval may be withheld for a property unless the plans for the proposed erection, construction, reconstruction, alteration or use fully conform to these regulations.
- I. **Withholding of permits or Other Approvals:** The County may withhold the issuance of any or all permits, determinations, approvals or other actions as enabled by this Code for a property on which a violation of the provisions of the Code exist, until such violation has been corrected to the satisfaction of the BOCC (C.R.S. § 30-28-114).
- J. **Relationship to Previous Approvals:** Where a development review approval as enabled by this Code expires or is proposed for re-approval or modification or alterations, such development shall conform to the regulations of the Code in effect and be reevaluated per the applicable development review process contained in this Code.
- K. **Relationship to Approved Development:** A development that began construction or obtained permits prior to the effective date of the regulations contained in this Code or subsequent amendments, shall be built in accordance with the requirements, design standards, conditions and other Code parameters in effect at the time of the development review approval.
- L. **Relationship to Original Regulations and Previous Amendments; Repeals:** To the extent the provisions of these regulations are the same in substance to provisions in earlier versions, they shall be considered as continuations thereof and not new enactments. Where the provisions of these regulations conflict with earlier adopted versions of the County's, the provisions of this section shall supersede and replace such provisions.
- M. **Severability:** The provisions of this Code are intended to be severable and if any part or parts or sections of the Code are for any reason held to be invalid, such shall not affect the validity of the remaining portions of these regulations.
- N. **Non-liability of County:** This Code shall not be construed to hold Summit County or any of its employees or officials acting within the scope of their employment or position in any manner responsible or liable for any damages to persons or property resulting from any inspection or enforcement herein authorized or resulting from any failure to so inspect or enforce, resulting from the issuance or denial of any permits or the institution or failure to institute any court action as herein required or authorized. In enacting this Code, the BOCC intends to preserve all rights of the County, its agencies and departments, and its elected and appointed officials and employees, to immunity from liability as set forth in the Colorado Governmental Immunity Act (C.R.S. § 24-10-101 et seq.).