

RESOLUTION NO. 19, SERIES OF 2022

**A RESOLUTION AMENDING SUBSECTION 107.1.1 “EVIDENCE OF WATER”
OF THE JANUARY 1, 2021 FREMONT COUNTY BUILDING CODE, RESIDENTIAL
CODE AND THE ENERGY CONSERVATION CODE,
AS ADOPTED IN RESOLUTION 60, SERIES OF 2020**

WHEREAS, the Board of County Commissioners for Fremont County, pursuant to §30-28-201, C.R.S., is authorized to adopt a building code for the unincorporated portions of Fremont County; and

WHEREAS, on November 10, 2020, the Fremont County Board of County Commissioners approved Resolution 60, Series of 2020, adopting the International Building Code, the 2018 International Residential Code and the 2018 International Energy Conservation Code, together with amendments, additions and deletions as set forth in Resolution 60-2020, thereby adopting the Fremont County Building Code, which became effective on January 1, 2021; and

WHEREAS, the Building Official for Fremont County has made a recommendation for an amendment to the Fremont County Building Code regarding evidence of an approved water supply, required by subsection 107.1.1 prior to issuance of a building permit, to allow use of bulk water cisterns as an approved water supply; and

WHEREAS, a public hearing was held before the Board of County Commissioners of Fremont County on May 10, 2022, after notice of the same was published in a newspaper of general circulation in the county at least fourteen days prior to said hearing; and

WHEREAS, the Board of County Commissioners finds that amendment of the Fremont County Building Code to eliminate the requirement for well-driller letters and/or an unsuccessful attempt to drill a water well prior to use of a bulk water cistern, will be beneficial to citizens of Fremont County and lessen the burden on residents seeking to construct residential or commercial structures.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Fremont County that Subsection 107.1.1 “Evidence of Water,” of the 1/1/2021 Fremont County Building Code is and shall be amended as follows:

107.1.1 Evidence of water. Evidence of an approved water supply shall be demonstrated by one of the following:

- 1.) A signed water tap contract from a public water purveyor reflecting the owner's name and subject address.
- 2.) A recent water bill from a public water purveyor reflecting the owner's name and subject address.
- 3.) A "Well construction and test report" completed by a Colorado licensed well driller. The report shall include at a minimum the owner's name and address, the Well permit number, location of the well, well depth, production rate in gallons per minute, driller's license number and the drillers signature.
- 4.) A "Bulk Water/Cistern Letter" provided by the Fremont County Building Department, signed by the property owner and notarized by a legally commissioned Notary Public. ~~The Bulk Water/Cistern System letter will be accepted as evidence of a water supply only on parcels of land which were created prior to June 1st, 1972 or on parcels which are thirty five acres or larger and must be accompanied by one of the following:

~~A written disapproval of a well application from the Colorado Division of Water Resources, or;
A Well Construction and Test Report completed as described in item #3 above indicating a dry well drilled to a minimum depth of six hundred feet, or;
Written statements from two independent Colorado licensed well drillers indicating that history has proven that drilling a successful water well in the specific location is unlikely. The written statements must be signed by the licensed drillers and notarized by a legally commissioned Notary Public.~~~~
- 5.) The Building Official is authorized to waive the submission of evidence of water requirements at time of application. Prior to the issuance of a Certificate of Occupancy, evidence of water shall be demonstrated as specified in section 107.1.1.

BE IT FURTHER RESOLVED that the amended subsection 107.1.1 shall read as follows:

107.1.1 Evidence of water. Evidence of an approved water supply shall be demonstrated by one of the following:

- 1.) A signed water tap contract from a public water purveyor reflecting the owner’s name and subject address.
- 2.) A recent water bill from a public water purveyor reflecting the owner’s name and subject address.
- 3.) A “Well construction and test report” completed by a Colorado licensed well driller. The report shall include at a minimum the owner’s name and address, the Well permit number, location of the well, well depth, production rate in gallons per minute, driller’s license number and the drillers signature.
- 4.) A “Bulk Water/Cistern Letter” provided by the Fremont County Building Department, signed by the property owner and notarized by a legally commissioned Notary Public.
- 5.) The Building Official is authorized to waive the submission of evidence of water requirements at time of application. Prior to the issuance of a Certificate of Occupancy, evidence of water shall be demonstrated as specified in section 107.1.1.

BE IT FINALLY RESOLVED that this Amendment to the Fremont County Building Code shall be effective for all building permit applications presently pending with the Fremont County Building Department and for all future applications, until such time as the Board of County Commissioners elects to modify, amend, or otherwise supersede such Amendment.

Effective this 10th day of May, 2022.

Commissioner Grantham moved the adoption of the foregoing Resolution with a Second by Commissioner McFall.

Debbie Bell
Kevin J. Grantham
Dwayne McFall

AYE
AYE
AYE

NAY	ABSTAIN	ABSENT
NAY	ABSTAIN	ABSENT
NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date May 10th, 2022

Attest [Signature]
Clerk

By: [Signature]
Chairperson



NOTICE OF PUBLIC HEARING FOR
A PROPOSED AMENDMENT TO THE FREMONT COUNTY
BUILDING CODE

Notice is hereby given that the Board of Commissioners for Fremont County shall hold a public hearing on Tuesday, May 10, 2022, at 10:00 a.m. at the Fremont County Administration Building, 615 Macon Ave., Room LL-3, Canon City, CO 81212, to receive public input regarding the consideration of a proposed Amendment to the Fremont County Building Code to eliminate the requirement for or an unsuccessful attempt to drill a water well and/or water well-driller letters prior to use of a bulk water cistern. Copies of the proposed Fremont County Building Code Amendment are available for review in the Fremont County Administration Office, 615 Macon Avenue, Suite 106, Canon City, CO 81212 and online at fremontco.com.

Board of County Commissioners
Fremont County, Colorado

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Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Fremont
State of Colorado

The undersigned, Agent, being first duly sworn under oath, states and affirms as follows:

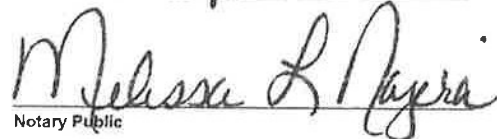
1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Canon City Daily Record*.
2. The *Canon City Daily Record* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Fremont County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Canon City Daily Record* in Fremont County on the following date(s):

Apr 25, 2022

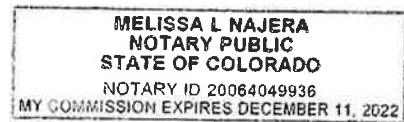

Signature

Subscribed and sworn to me before me this

25th day of April, 2022


Notary Public

(SEAL)



Account: 1111477
Ad Number: 1885376
Fee: \$19.36



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FREMONT COUNTY BUILDING DEPARTMENT

615 MACON AVENUE, ROOM 212
CAÑON CITY, COLORADO 81212
OFFICE (719) 276-7460
FAX (719) 276-7461



BUILDING CODE OF FREMONT COUNTY, COLORADO

ADOPTED NOVEMBER 10TH, 2020
BY RESOLUTION # 60, SERIES OF 2020
EFFECTIVE DATE JANURARY 1ST, 2021

Amendment:	Resolution Number:	Regarding:	Effective Date:	Reception Number:
1 st	#19, Series of 2022	Subsection 107.1.1	May 10 th , 2022	1016218



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