

## CODE COMPLIANCE PRIORITY RATINGS



Each code compliance case is assigned a letter priority rating from "A" to "D"- "A" being the highest priority. Code Compliance staff process cases in the order of the priority rating.

Some issues are only investigated if a written complaint is submitted. Other issues may be investigated without a written complaint, identified as **(Proactive)** below.

**Proactive:** The Board of County Commissioners determined some types of code violations should be reported on a "proactive" basis, which means Code Compliance staff will pursue investigation of issues without a written complaint if there is evidence to warrant investigation. Proactive investigations apply to threats to public safety and to certain situations involving illegal signs, illegal businesses (the County prefers to address these violations before a large amount of money is invested in a business that may not be allowed), or issues that have a significant, negative impact on surrounding properties, property values and/or the quality of life enjoyed by owners in the area. For example, Code Compliance staff will pursue investigation of issues without a written complaint in the following circumstances:

1. If a Code Compliance Inspector or Building Inspector drives by a construction site that has not received final inspection approval or a certificate of occupancy, and observes the structure is being used and/or occupied.
2. If County staff (other than Code Compliance staff)<sup>1</sup> observe a violation or see a sales brochure or a newspaper ad that advertises an illegal business or other code violation; and
3. if a Code Compliance Inspector drives by and sees an accumulation of junk and rubbish that, in the Inspector's judgment, has a significant, negative impact on surrounding properties, property values and/or the quality of life enjoyed by owners in the area (high visibility and high volume).

The priority ratings for Land Use Code, Building Code, Flood and Right-of-Way violations are outlined below.

### Land Use Code Priority Ratings

**Type A:** Code Violations having life/safety/health concerns, as determined by the Code Compliance Officer or other County staff. Clear or potential danger to life, or the environment; sewage disposal and other Health Department concerns; floodplain violations; wildfire hazards. Type A violations apply to all situations, including businesses and non-conforming uses.

Violation Description	Proactive & Complaint	Complaint Only
Imminent Dangers	X	
Dangers but not Imminent	X	

**Type B:** Code Violations having a significant, negative impact on surrounding properties, property values and/or the quality of life enjoyed by owners in the area, as determined by the Code Compliance Officer; violations for which a timely response is necessary or appropriate; and code violations that challenge the authority of the County and the credibility of the Code Compliance program, including but not limited to, the following:

Violation Description	Proactive & Complaint	Complaint Only
Junk or trash having significant, negative impact on surrounding properties, property values and/or quality of life enjoyed by property owners in the area.	X	
Graffiti that is or may be gang-related	X	
New Sign Code violations <sup>2</sup>	X	
New Illegal Businesses <sup>3</sup>	X	
Violations holding up the issuance of building permits	X	
Expansions of non-conforming businesses	X	
Change of character of non-conforming businesses	X	
Violations of County denied Land Use Code applications	X	
Violations of conditions attached to a previous approval	X	

**Type C:**

Violation Description	Proactive & Complaint	Complaint Only
Imminent Dangers		X
Dangers but not imminent		X
Junk or trash visible only to the complainant, having a moderate, negative impact on surrounding properties, property value and/or the quality of life enjoyed by property owners in the area.		X

**Type D:**

Violation Description	Proactive & Complaint	Complaint Only
Graffiti that is not likely to be gang-related		X
Junk and trash not visible to a neighbor or the public, having a low, negative impact on surrounding properties, property values and/or the quality of life enjoyed by property owners in the area. <b>(*Complainant must reside within 500 feet of property complained about).</b>		X*
Code violations, as determined by the Code Compliance Inspector, having little or no negative impact on the surrounding properties, property values and/or the quality of life enjoyed by property owners in the area.		X

## Building Code Priority Ratings

**Type A:** Code violations having life/safety/health concerns. Clear or potential danger to life, property or the environment, sewage disposal and other Health Department concerns; Building, Plumbing, Mechanical and Fire Code violations where life, safety and health are concerns.

Violation Description	Proactive & Complaint	Complaint Only
Imminent Dangers	X	
Dangers but not Imminent	X	

### **Type B:**

Violation Description	Proactive & Complaint	Complaint Only
Current construction of any type taking place without a building permit or with an expired building permit lacking final inspection approvals, or without a land use or other required approval. Situations in which continuation of construction could result in the need to remove, demolish, redesign, or alter the building/structure, or where County land use or other approvals are required but not obtained. Residential or commercial buildings constructed on or after 01/01/1988 without a building permit or with an expired building permit lacking final inspection approvals.	X	

### **Type C:**

Violation Description	Proactive & Complaint	Complaint Only
Additions, alterations or remodels of residential or commercial buildings constructed after 08/31/1998 without a building permit or with an expired building permit lacking final inspection approvals.	X	
Additions, alterations or remodels of residential or commercial buildings constructed from 01/01/1988 to 08/31/1998 without a building permit or with an expired building permit lacking final inspection approvals.		X

### **Type D:**

Violation Description	Proactive & Complaint	Complaint Only
All accessory structures, including additions or remodels, constructed on or after 01/01/1988 without a building permit or with an expired building permit lacking final inspection approvals. Construction of residential or commercial buildings, including additions, alterations or remodels, from 01/01/1972 to 12/31/1987 without a building permit or with an expired building permit lacking final inspection approvals, unless the matter involves or has the potential to involve life-safety issues.		X

## Floodplain Priority Ratings

**Type A:** Situations that come to the County's attention from County staff, or a written or verbal complaint from a citizen that meets the standard of immediate public health, safety, property damage concern or could immediately jeopardize Larimer County's Participation in the National Flood Insurance Program. Corrective action will be implemented as soon as possible in an effort to resolve the situation using the procedures below. Examples include, but are not limited to the following:

Violation Description	Proactive & Complaint	Complaint Only
Unpermitted residential/commercial structures in the floodway	X	
Unpermitted Change of Use of a Structure in the floodplain that increases life safety concerns during a flood, e.g., shed converted to residential use	X	
Outdoor storage that would increase life safety concerns in the event of a flood, e.g., propane tanks, inoperable vehicles/RV's/boats/trailers, or other large items that are not readily mobile	X	
Hazardous Materials as defined in LCLUC 4.2.2.E.6, e.g., above ground propane tanks, gasoline or other fuel tanks, fertilizers, or chemicals	X	
Physical modifications to the floodplain, or directing of flows, that would immediately increase life safety or property damage concerns	X	
Unpermitted commercial camping in the floodway	X	
Unpermitted critical facilities in the floodplain	X	
Unpermitted repair of a substantially damaged structure within a floodplain	X	

**Type B:** For situations that come to the County's attention from County staff, or a written or verbal complaint from a citizen which do not meet the standard of immediate public health, safety, or property damage concern, but do jeopardize the County's Participation in the National Flood Insurance Program and must be addressed. Examples include, but are not limited to, the following:

Violation Description	Proactive & Complaint	Complaint Only
Major grading activities in the floodplain that adversely impact drainage patterns on adjacent parcels	X	
Major fill activity in the floodplain that adversely impact drainage patterns on adjacent parcels	X	
Unpermitted residential/commercial additions in the floodway that increase building footprint	X	
Unpermitted residential/commercial/outbuilding structures/additions in the flood fringe and doesn't meet flood protection elevation	X	
Unpermitted outbuildings in the floodway	X	
Expansion of a non-conforming use	X	
Unpermitted Change of Occupancy of a structure in the floodplain that does not increase life safety concerns during a flood, e.g., storage shed to other non-residential use and doesn't meet flood protection elevation	X	
Unpermitted channel crossings	X	
Unpermitted commercial camping in the flood fringe	X	
Decks, patios, pavilions not requiring a building permit but require floodplain development permit in the floodway	X	
Channel modifications	X	
Outdoor storage requiring special review approval from Planning Department	X	
Temporary stockpiles in the floodway (less than 6 months)	X	

**Type C:** For situations that come to the County's attention from the County staff, or a written complaint from a citizen which does not meet the standard of immediate public health, safety, or property damage concerns or jeopardize the County's participation in the National Flood Insurance Program as long as a Floodplain Permit is issued, the County Engineer, or designee, will decide how to proceed on a case-by-case basis. Examples include, but are not limited to, the following.

Violation Description	Proactive & Complaint	Complaint Only
Minor grading activities in the floodplain that adversely impact drainage patterns on adjacent parcels		X

Minor fill activity in the floodplain that adversely impact drainage patterns on adjacent parcels		X
Unpermitted residential additions in the floodway that do not increase building footprint, e.g., unenclosed covered porches or decks, 2 <sup>nd</sup> story	X	
Non-agricultural fencing in the floodway/flood fringe	X	
Decks, patios, pavilions not requiring a building permit but require floodplain development permit in the flood fringe		X
Unpermitted temporary stockpiles in the flood fringe		X
Unpermitted signs where the sign panel is below base flood elevation	X	
Unpermitted signs where the sign panel is above base flood elevation		X
Unpermitted water systems	X	
On-site waste disposal systems done without a floodplain development permit	X	
Railroads, streets, roads, bridges, flood and water control structures, above and below ground utilities (excluding service connections), pipeline, marinas, boat rentals, docks, piers, and wharves built without Flood Review Board approval	X	

### Right-of-Way Priority Ratings

**Type A:** Situations that come to the County’s attention from the Road & Bridge Department, staff, or a written/verbal complaint from a citizen that meets the standard of immediate public safety, drainage, or right-of-way maintenance concerns. Corrective action will be implemented as soon as possible in an effort to resolve the situation using the procedures below.

Violation Description	Proactive & Complaint	Complaint Only
Open Trenches or Stockpile Material within the travelled portion of the roadway or clear zone area	X	
Placement of any large objects within the travelled portion or clear zone of the roadway;	X	
Placement of gates or fencing which prevents passage of vehicles or pedestrians or prevents road maintenance.	X	
Unauthorized placement of No Parking signs or other traffic control signs	X	
Sight line obstructions (sight triable) on mainline County Roads per Larimer County Urban Area Street Standards – Figure 7-16		
Inappropriate or mishandled maintenance by citizens or property owners	X	

**Type B:** For situations that come to the County’s attention from the Road & Bridge Department, staff, or a written complaint from a citizen which do not meet the standard of immediate public safety, drainage, or right-of-way maintenance concern, but must be resolved through interactions with the person or entity that is responsible for the violation.

Violation Description	Proactive & Complaint	Complaint Only
Placement of unauthorized signage within the public right-of-way outside clear zone.	X	
Storage of materials, trash or equipment within unimproved and unused portion of public right-of-way on a mainline county road		X
Storage of equipment, trash or materials outside of travel way or clear zones on a mainline county road		X
Placement of material or objects resulting in significant blockage of overland drainage	X	

**Type C:** For situations that come to the County’s attention from the Road & Bridge Department, staff, or a written complaint from a citizen which do not meet the standard of immediate public safety, drainage or maintenance concerns, the County Engineer and the Senior Land Agent will decide how to proceed on a case-by-case basis and notify Code Compliance staff for resolution if determined to be necessary.

Violation Description	Proactive & Complaint	Complaint Only
Storage of materials, trash or equipment within unimproved and unused portion of public right-of-way on local roads		X
Storage of equipment, trash or materials outside of travel way or clear zones on local roads		X
Placement of any large objects outside the travelled portion of the roadway;		X
Building, hardscape, and fencing encroachments;		X
Sight line obstructions (sight triangle) in Subdivision Roads per Larimer County Urban Area Street Standards – Figure 7-16		X

Footnotes:

<sup>1</sup>Written complaints from County staff other than Code Compliance Officers must be submitted to the Code Compliance Section through a department head or elected official unless the issue directly affects the County employee’s property.

<sup>2</sup>"New Sign Code Violations" are code violations that commenced after the adoption of the County's new Sign Code on 2/22/2005, and off-premises signs.

<sup>3</sup>"New Illegal Businesses" are businesses that began operation after the enactment of the Larimer County Land Use Code on January 1, 2000.

<sup>4</sup>"01d Sign Code Violations" are violations established prior to February 22, 2005.

<sup>5</sup>"01d Illegal Businesses" are businesses established prior to January 1, 2000.