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Community Development Department
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STOP WORK ORDER POLICY

Revised: 01/2019

Policy Statement

A **Stop Work Order** may be issued for work being done without a proper permit, work that is in violation of state or local Building Codes or laws, or work in violation of the municipal codes and zoning ordinances – as listed on the **Stop Work Order**.

Per the International Building Code (IBC) Section 115:

[A]115.1 Authority. Where the *building official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *building official* is authorized to issue a stop work order.

[A]115.2 Issuance. The stop work order shall be in writing and shall be given to the *owner* of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to continue.

[A]115.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as the person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law."

All procedures relating to **Stop Work Orders** are detailed within this policy.

Departments Affected

Community Development
Police Department – Code Enforcement Division

Purpose

To establish a policy regarding how Stop Work Orders are utilized, issued, resolved and/or penalized.

Procedures

- A. When a complaint or violation is reported or found, a **Stop Work Order** may be issued by the Chief Building Official.
 - a. If reported, a Code Enforcement Officer (CEO) will perform an investigation into the complaint. This may include a site visit, phone calls, or any other research necessary to verify the complaint and gather evidence. A check of the building permit tracking software **must** be conducted to ensure there is no permit in place

for the work being conducted. If the violation is reported to any staff other than a CEO, the complaint shall be routed to a CEO through police department dispatch.

- b. If a violation is found during a routine inspection by any Town of Vail staff, evidence will be gathered and the order may be issued immediately.
- B. The **Stop Work Order** shall be delivered to the property owner, authorized owner's representative or the person performing the work. If no one is available for personal delivery, the order shall be placed in plain view at the site of violation.
- C. A violation notice will also be placed on the parcel number within the Town of Vail's electronic building permit tracking system. This notice effectively 'locks' the parcel number and no permits, inspections or other applications associated with the parcel can be completed until the violation has been resolved.
- D. The owner or authorized owner's representative are required to respond to Community Development within three (3) business days of the issued order to receive instructions on how to comply and rescind the order.
- E. If no response is received by Community Development within the allotted timeframe, a certified letter will be mailed to the property owner of record per Eagle County records found here: <http://property.eaglecounty.us/assessor/web>. The letter will detail the violation(s) and instructions on how to comply. The property owner will have ten (10) business days from receipt of the letter to respond accordingly.
- F. If no response is received by Community Development, a citation/summons may be issued by Vail Police Department and the property owner may be subject to other penalties as prescribed by law.
- G. In general, to achieve compliance, the owner or owner's representative shall apply for the proper building permits by submitting an application and construction plans. Community Development shall review the application and plans for compliance with codes and ordinances. Upon finding compliance, a permit shall be issued.
- H. If and when compliance is achieved, the Building Official will rescind the **Stop Work Order** and release the project. The notification of release may be sent via email or certified letter. The 'locked' status on the parcel will also be removed from the software tracking system, but all correspondence relating to the order will remain a part of the permanent file for the parcel.

All correspondence relating to stop work orders shall be uploaded and stored in the corresponding permit file within the electronic permitting software system.