

Liberals in Custer County have been pushing a building code for a long, long time. And now we have the latest iteration, a la Progressive Printz.

Apparently the Printz has been holding secret meetings to implement a building code for the County. And as usual he shows a complete contempt for both the law and his subjects. Rather than discuss this major character flaw, I'd like to discuss his proposal. He starts with the unanimous consent of those secret conspirators and states that they are requesting, in their capacity as surrogates for the Board of County Commissioners, that the Planning and Zoning Committee, apparently another new group, write some building and fire codes that mirror the codes of the towns. It is unknown what building code has been adopted by the Town of Westcliffe. It might be the Uniform Building Code (UBC) or the International Building Code (IBC). It is also unknown when the building code was adopted. The reason that it is unknown is that there doesn't seem to be a record of this adoption.

Regardless, the secret cabal allegedly identified the pros and cons of adopting a building code. Obviously the pros outnumber the cons. That would be a foregone conclusion of such a secret meeting (See page xx). Let's go through the pros and see if they are valid conclusions.

**First** is "Better product produced". Of course there isn't any evidence cited but the truth is that this claim is false on its face. The reality is that all the good builders in the county build better than code and that a building code protects bad builders and fly-by-night builders. That is the main purpose of the code, to provide cover for builders from lawsuits. They can claim that the structure was "built to code" so they aren't responsible.

**Second** "Reduce/eliminate inappropriate or dangerous shortcuts and cost saving activities".

This is just a ridiculous statement. Who is supposedly doing this? Hired builders or homeowners? And what are these alleged shortcuts? Building with straw bale or tires? As though any responsible individual is actually going to take dangerous shortcuts. But even if a builder did, responsible homeowners and lenders inspect the work being performed.

**Third** "Higher resale value". A completely specious claim. What causes the higher resale value is the higher cost to build because of all the regulations and inspections. It also isn't a function of government to increase the monetary gain of select groups.

**Fourth** "Easier mortgage (lower debt/equity ratio)". See above but also when someone builds their own house they either have sweat equity and don't need a mortgage or they manage costs so that their mortgage requirements are much lower.

I haven't even gotten to the really stupid pros yet.

**Fifth** "Lower insurance costs". Can't imagine where they pulled this from. Insurance is based on the value of the property. Perhaps what they mean is lower fire insurance but this is also not true. That insurance would be based on the likelihood of a fire destroying the structure and as we have seen from fires like Black Forest experienced, the insurance companies required all trees and brush within 100 feet of a structure be removed.

**Sixth** "Health and safety of occupants" (including fire/construction) safety (sic). Stop laughing. We all know that where there is a building code, construction workers never get hurt and homeowners always are protected against the ravages of nature. When there is a building code, winds never drive debris through walls, trees never fall on homes, snow never crushes a structure, carbon monoxide never builds up. Well you get the picture.

**Seventh** "Equitable - Level field - 1 code for everyone". So does that mean Kommissar Printz wants to regulate the minimum size of structures in the County and Silver Cliff like he has done in Westcliffe? Then it isn't about safety at all is it? And exactly which code has Westcliffe adopted? And when? And does the Town of Westcliffe follow the same regulations as Silver Cliff with regard to modular homes? And will alternative building materials be disallowed?

**Eighth** "Eliminate property tax evasion schemes". I guess the assessor's office doesn't do their job and never check out structures. But a different government agency will do better than the existing one. Are there any County employees doing their job?

**Ninth** “Protect buyers not familiar with proper building standards and adherence thereto”. Another way to say this is remove personal responsibility from people and protect them from being STUPID. Maybe that’s too harsh. Still, if you don’t know what you’re doing, hire someone who does. There are lots of building inspection firms that guarantee their findings and warn of problems where a bureaucrat just stamps “built to the lowest common denominator”.

**And the final pro**, and my all-time favorite, “Reasonable flood insurance availability”. Flood insurance has nothing to do with adopting some arbitrary building code. It has to do with becoming a FEMA participating county and producing flood maps. The HUD flood maps are not only half a century old, their scale is pathetic. The smallest amount of homework would have revealed this. And I personally know of residents that have flood insurance for about \$100 per year. And that’s through Lloyd’s of London.

My favorite con is “3. Restricting Class of people (tent dwellers, makeshift housing, etc)”. Notice the wording - class of people. We certainly don’t want the riff-raff living here. How can we make this Vail or Aspen if those kind of people are allowed to live here?

The closing statements say that the 2006 International Building Code is “Not over restrictive. But that code is over 650 pages. How could that NOT be overly restrictive?

But government is here to protect us from our own decisions - right or wrong. And these current commissioners are the “class of people” who think they know what’s best for us.

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