



APPLICATION FOR RURAL EXEMPTION

RIO BLANCO COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT—BUILDING DIVISION
P.O. BOX 599 MEEKER, CO 81641
EMAIL: building@rbc.us | PHONE: (970) 878-9450
<http://rbc.us/165/Building-Division>

OFFICE USE ONLY	
APPLICATION#	EXRB- _____
APPROVED BY:	
BUILDING DIV	_____ / _____
PLANNING DIV	_____ / _____
USE TAX SETTLED	_____ / _____
MUST BE SIGNED BY ALL FOR APPROVAL	

This form is used to apply for a Rural Exempt Residential Structure or a Rural Exempt Building Upgrade approval, which will allow construction without being issued a Rio Blanco County (RBC) Building Permit or inspections, if the use and the proposed location of the structure meet all applicable requirements of the Rural Exemption Guidelines and the 2016 Rio Blanco County Land Use Resolution (LUR)

OWNER NAME

ASSESSORS PARCEL # DATE

PHYSICAL ADDRESS PHONE

MAILING ADDRESS

EMAIL ADDRESS

CONTRACTOR/APPLICANT

BUILDING TYPE, SIZE AND HEIGHT

ESTIMATED TOTAL COST OF OVERALL PROJECT

ESTIMATED COST OF STRUCTURE MATERIALS ONLY

I/WE ELECT TO NOT OBTAIN A RIO BLANCO COUNTY PERMIT AND INSPECTIONS. I/WE UNDERSTAND IT IS THE APPLICANT’S RESPONSIBILITY TO OBTAIN ALL REQUIRED STATE PERMITS AND/OR STATE REQUIREMENTS FOR CONSTRUCTION. THE SIGNATURE BELOW WILL ASSUME ALL RESPONSIBILITY FOR THE STRUCTURE BEING BUILT. I/WE ABSOLVE RIO BLANCO COUNTY, AND/OR ANY OF ITS EMPLOYEES, OF ANY RESPONSIBILITY FOR THE RURAL EXEMPT BUILDING.

Terms & Conditions – Applicant(s), please initial that you have read and understand each of the following conditions:

_____ Rural Exempt Buildings can be constructed on a property owner’s residential parcel / lot zoned Agricultural, Rural Residential or Compact Residential, Leisure Recreation or Planned Unit Development (PUD) ONLY.
• **NOTE: If you are constructing in a subdivision or PUD with Covenants, Conditions and Restrictions (CC&R) / Home Owner’s Association (HOA), it is the responsibility of Applicant to adhere to these additional subdivision standards.**

_____ Rural Exempt Buildings are **NOT** exempt from Rio Blanco County Sales & Use Tax and Property Tax.
_____ Rio Blanco County assumes **NO** responsibility for Rural Exempt Buildings that are not inspected by Rio Blanco County’s Building Department.

_____ Applicant acknowledges the requirement to record with Rio Blanco County Clerk and Recorder within forty-five (45) days of completion of the project the following information:

1. The name of all titled owners of the property where the construction occurred.
2. The legal description of the property where the construction occurred.
3. A general description of the construction that occurred.
4. The name, address and telephone number of the private inspector, if one was used.
5. The name, address and telephone number of the person who was most responsible for performing the construction that occurred.

_____ Applicant acknowledges that this application **DOES NOT** exempt them from State of Colorado requirements and Applicant must comply and/or submit applications to the State for the following items:

STATE OF COLORADO or OTHER REQUIRED PERMITS

- Electrical Permit – C.R.S. 12-23 (State of Colorado) <https://www.colorado.gov/pacific/dora/node/98531>
- Plumbing/Fuel Gas Permit – C.R.S. 12-58 (Rio Blanco County) <https://www.rbc.us/165/Building-Division>
- Onsite Wastewater Treatment Systems (Regulation 43) Permit – C.R.S. 25-10-104/Colorado Regulation 43 (Rio Blanco County) <https://www.rbc.us/165/Building-Division>
- Floodplain Permit/Floodplain Exclusion – RBC LUR Article 18 (Rio Blanco County) <https://www.rbc.us/165/Building-Division>
- Asbestos – Colorado Regulation 8 (State of Colorado) <https://www.colorado.gov/pacific/cdphe/asbestos-notifications-and-permits>

STATE OF COLORADO REQUIRED, NOT PERMITTED

- Safety Glazing – Windows – C.R.S. 31-23-312
- Carbon Monoxide Detectors – C.R.S. 38-45-102
- Energy Code – C.R.S. 30-28-211
- Fire Department Approval – Local

APPLICATION REQUIREMENTS:

2. The completed and signed application.
3. A description of the proposed structure and/or a floor plan.
4. A complete site plan with the following information:
 1. Location of easements and utilities. If there are none, please state so.
 2. Distances (in feet) between your proposed building and your well/cistern, OWTS systems, and other building structures and water features. If there are none, please state so.
 3. Distance from proposed building to all property lines within 100 feet.
 4. Show all County Roads or State Highway adjacent to your property.
5. Meet with the Use Tax Department to pay Use Tax.

Planning Staff will review your submittal for planning requirements, and Building Staff will review it for Rural Exemption requirements. You will be notified as to whether additional information is required, or if your project does not qualify for the Rural Exemption or if you've been approved for the Rural Exemption. Final approval cannot occur until Planning, Building and Use Tax have signed the application.

By signing this application, I certify that I have read, understand, and agree to the terms and conditions governing the Rural Exemption in Rio Blanco County.

SIGNATURE OF OWNER/APPLICANT

DATE

RBC STAFF NOTES HERE:

RURAL EXEMPTION

-FAQs-

What is a RURAL EXEMPTION? (Rio Blanco County Definition)

- Rural exemption is an exemption from the requirement of a building permit.

Specifically, what is not exempt?

- Rural Exempt buildings are **NOT** exempt from State of Colorado required permits.
- Rural Exempt buildings are **NOT** exempt from setbacks and other Rio Blanco County Land Use Regulation (LUR) requirements.
- Rural Exempt buildings are **NOT** exempt from sales & use taxes. Property taxes associated with the parcel and building must be paid.

What types of buildings / improvements are allowed with a Rural Exemption?

- Upgrades/improvements that do not compromise the structural integrity of a residence are eligible for a Rural Exemption permit. These improvements include, but are not limited to: new roofing, windows, cabinets, flooring, siding, re-decking, etc.
- All accessory buildings including, but not limited to: livestock and / or horticultural barns, shops, garages and sheds. Cabins may be exempt pursuant to the recreational cabin exemption if they are less than 800 sq. ft. and do not provide for one of the following: permanent sleeping, eating, cooking or sanitation and are not regularly access by the general public (such as rentals).
- Upgrades/improvements to accessory buildings including, but not limited to: livestock and / or horticultural barns, shops, garages, cabins and sheds

What types of structures are **NOT** permissible as a Rural Exemption? **NOTE: Structures below REQUIRE a RBC Building Permit**

- Commercial and / or Industrial Buildings
- Buildings that operate retail businesses open to the public
- Residences

What are the fees for a Rural Exemption?

- Rio Blanco County does not charge a fee for Rural Exemption permits.

Are inspections required?

- Building inspections are **NOT Required** for Rural Exempt buildings. Therefore, Rio Blanco County assumes no responsibility for Rural Exempt buildings that are not inspected by the County. There will be no Certificate of Occupancy or Letter of Completion issued by Rio Blanco County for Rural Exempt Buildings.

Please see attached Rural Exemption Guidelines for further details.

Rural Exemption Guidelines

Resolution No. 2019-24 is intended to allow land owners the following options when building structures that are not intended to be used as a residence:

1. Build a structure without applying for and obtaining a building permit and inspections from Rio Blanco County Building Division.
 - a. This option does require an application for the Rural Exemption.
2. Build a structure without applying for and obtaining a building permit and inspections from Rio Blanco County Building Division and hire a private inspector.
 - a. This option does require an application for the Rural Exemption.
 - b. Rio Blanco County Building Division does not approve the private inspector.
 - c. Rio Blanco County Building Division will not issue a Certificate of Occupancy or Letter of Completion.
3. Build a structure by applying for and obtaining a building permit from Rio Blanco County Building Division and hire a private inspector, which is approved by the Rio Blanco County Building Division.
 - a. Rio Blanco County Building Division will approve the private inspector.
 - b. Rio Blanco County Building Division will issue a Certificate of Occupancy or Letter of Completion.
4. Build a structure by applying for and obtaining both a building permit and inspections from Rio Blanco County Building Division.
 - a. This is the standard process for obtaining building permits and inspections through Rio Blanco County Building Division.

The Rural Exemption does not apply to the construction or remodel of any structure if: 1) it is located on any property within one (1) mile of any incorporated town or city; or 2) it is on less than 2.5 acres.

The Rural Exemption which falls under option number one and two above, allows land owners to build certain structures that are not intended to be used as a residence without requiring the oversight of the Rio Blanco County Building Division (Building Department). Below are some guidelines to determine what may or may not qualify to be exempt and the process for obtaining the exemption.

Following is the process for obtaining approval for a Rural Exempt Residential Structure or a Rural Building Upgrade Exemption.

1. Fill out an application and provide a site plan, a description of the project and a simple drawing (floor plan and possibly elevations) to the Building Department.

- a. Site Plan to include the following information.
 - i. Location of easements and utilities. If there are none, please state so.
 - ii. Distances (in feet) between your proposed structure and your well/cistern, OWTS systems and other building structures and water features. If there are none, please state so.
 - iii. Distance from proposed structure to all property lines within 100 feet.
 - iv. Show all County Roads or State Highways adjacent to your property.
- b. Planning Staff will review the submittal for planning requirements and Building Staff will review it for Rural Exemption requirements. Notification will be provided if additional information is necessary, if the project does not qualify for the Rural Exemption, or if the Rural Exemption has been approved.
- c. Final approval cannot occur until Planning and Building have signed the permit, and Sales & Use Tax has been paid.
- d. Within forty-five (45) days following completion of the work performed under one of the Rural Exemptions, the owner shall prepare, execute, and file for recording with the Rio Blanco County Clerk and Recorder, a statement containing the following information:
 - i. The name of all titled owners of the property where the construction occurred.
 - ii. The legal description of the property where the construction occurred, including Assessor's Parcel Number and Account Number.
 - iii. A general description of the construction that occurred.
 - iv. The name, address and telephone number of the private inspector, if applicable.
 - v. The name, address and telephone number of the person who was most responsible for performing the construction that occurred. The name, address and telephone number of the general contractor, or construction supervisor.

Possible projects that may qualify for the Rural Residential Building Exemption:

1. Any non-commercial structure other than a residence.
 - a. Examples:
 - i. Accessory building, including, but not limited to: livestock and/or horticultural barns.
 - ii. Shops, garages, carports and sheds.
 - iii. Cabins that are less than 800 sq. Ft. and do not provide for one of the following: sleeping, eating, cooking and sanitation and that are not regularly access by the general public (such as rentals).

Projects that do not qualify for the Rural Residential Building Exemption and require a Building Permit:

1. Structures that will be occupied by a person for the purposes of living, sleeping, eating, cooking and sanitation, such as: Mother-in-law's cabins, caretaker's cabins, structures for rent, etc.
2. All electrical work requires a State of Colorado Electrical permit and inspections.
3. All plumbing work requires a Rio Blanco County Plumbing permit and inspections.
4. All fuel gas appliances (water heaters, boilers, furnaces, wood stoves, pellet stoves, fireplaces) new installations and replacements require a Rio Blanco County mechanical or plumbing permit.
5. All structures in a floodplain require a Rio Blanco County Floodplain permit and may require a building permit.
6. All On-site Wastewater Treatment Systems (OWTS – Septic) require a Rio Blanco County OWTS Permit.

Building upgrades and remodels that may qualify for a Rural Exempt Building Upgrade:

1. Any upgrade or improvement to any dwelling that does not in the unfettered determination of the Rio Blanco County Building Department compromise the structural integrity of the existing structure.
 - a. Examples:
 - i. Maintenance upgrades including, but not limited to replacing roofing, siding, windows (same size or smaller) and flooring.
 - ii. Remodels including, but not limited to:
 1. Basement finishes: adding bedrooms, bathrooms or heating appliances, may require other permits.
 2. Kitchen and Bath remodels: replacing cabinets, countertops, fixtures, appliances, and flooring.
 - iii. Adding and/or reconfiguring walls that are not load bearing walls would require verification prior to exemption approval.
2. Any upgrade, improvement or addition to any existing Rural Exempt Building.

Building upgrades that do not qualify for a Rural Exempt Building Upgrade:

1. Additions to any residence, whether it is a primary residence, mother-in-law's cabins, care taker's cabins, etc.
2. Replacing windows with larger windows.
3. Remodels which require moving load bearing walls.
 - a. Plumbing and mechanical additions, replacements or repairs, including the addition or relocation of plumbing fixtures, water heaters, furnaces, boilers, adding fireplaces, wood burning stoves, pellet stoves, etc.
4. Structures located within designated floodplain areas.
5. Change of Use from a shop, garage, shed, cabin, etc. to a residence.

If it is found that any person has begun work on a construction project without obtaining either an exemption or a building permit, Rio Blanco County Building Department has the authority of enforcement in the following manner.

1. The Building Department will first try to contact the owner of the property by phone if a phone number can be found.
2. If a phone number cannot be found, a letter will be sent to the property owner explaining the process for obtaining a Rural Exemption or a building permit. The owner will be asked to contact the Building Department by a given date.
3. If the Building Department has not been contacted by the given date, a Notice of Violation will be sent to the property owner. The notice will describe the work that is in violation and direct the property owner to correct the violation by contacting the Building Department and applying for and obtaining either a Rural Exemption or a building permit by a given date.
4. If the Building Department has not been contacted by that date, a Stop Work Order will be issued. The Stop Work Order will describe the work that is in violation and direct the property owner to correct the violation by contacting the Building Department and applying for and obtaining either a Rural Exemption or a building permit by a given date.
5. If the property owner does not comply with the direction of the Stop Work Order, the building official will request the legal counsel of the county attorney, and could be subject to penalties as prescribed by law.
6. All other remedies available at law or equity.