

*Rocky Mountain Chapter*

*Rocky Mountain Chapter of the*

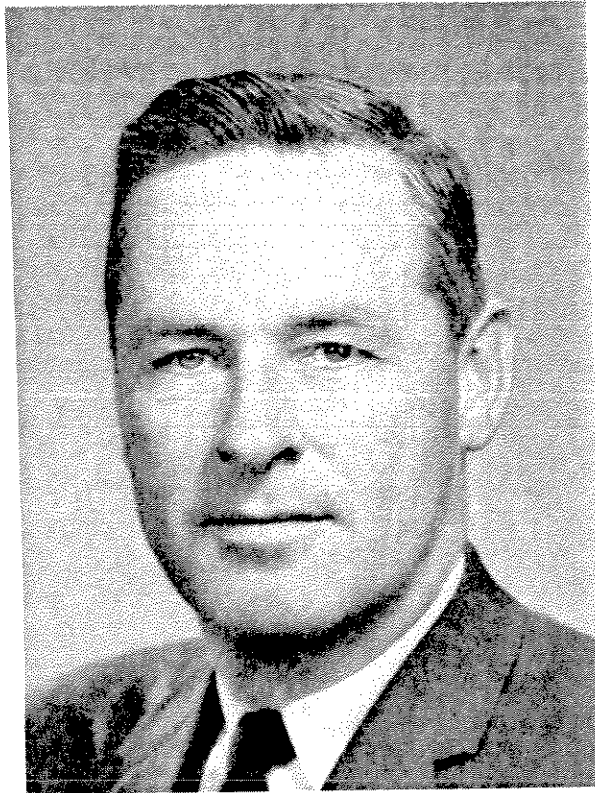
**INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS**

Cover Description on Page 45

Volume 6—1967

MR. BERYL A. WALLACE  
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THE STATE OF COLORADO  
EXECUTIVE CHAMBERS  
DENVER

April 5, 1967

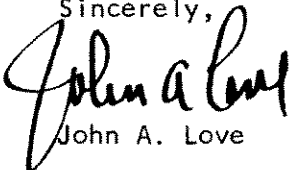
Rocky Mountain Chapter  
International Conference of Building Officials  
Denver, Colorado

On behalf of the people of Colorado, I extend greetings to the members of the Rocky Mountain Chapter of the International Conference of Building Officials. We're delighted to have you here.

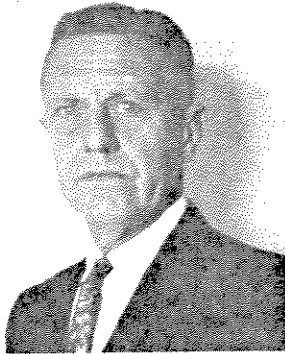
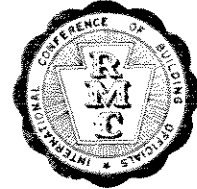
You are to be commended for the excellent job you are doing, and for the many hours of dedicated work and preparation that have gone into the seminar. I'm confident it will be both informative and productive.

Best wishes to all.

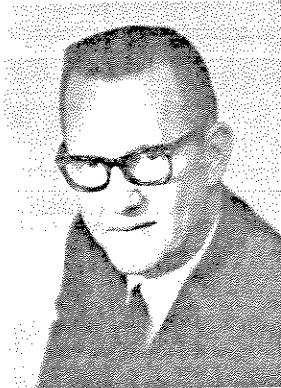
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Sincerely,  
  
John A. Love

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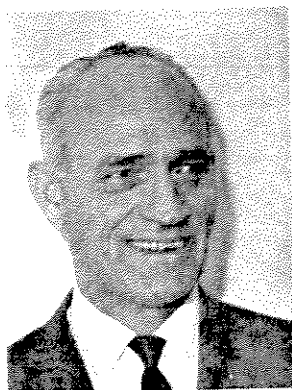
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/

## "The President's Message"

In all sincerity, my being elected as your President for 1967 is one of the greatest honors that has ever been bestowed upon me. We are the Rocky Mountain Chapter of the I C B O and I mean that to include not only the officers, and the Executive Board, but every member of the Chapter and we are the ones that must make goals and pursue these goals in the ensuing years.

On occasions, I have been asked about my favorite philosophical saying. It was written by Pythagoras and it reads "Rest satisfied in doing well and let others talk of you as they please". I remember on one psychological test I quoted this as my favorite saying, and I was somewhat chastised because of this, in that I was satisfied in just doing well and perhaps not being interested in excelling. I believe this becomes a border line as to what "doing well" and when does one "excel". To further this, let us integrate "honesty and sincerity" with "doing well". Let us define honesty as "dealing with everyone you meet candidly and honestly. If you have made any assertion not warranted by facts, and it is pointed out to you, withdraw it cheerfully." Let us define sincerity as "acting upon your best convictions, without selfishness or malice, and that by the help of God you will continue to do so". If every administrator of a building department, his inspectors, and the Rocky Mountain Chapter as a whole, would "rest satisfied in doing well" by thriving in "honesty and sincerity", I feel that not only would our cities and counties benefit, but also our Rocky Mountain Chapter.

I feel that today our Chapter is at a stage whereby the most essential single ingredient necessary is congruity. We must work together as a team letting everyone be heard and strive for participation as close to 100% as possible in all of our ventures. So whether you are carrying the ball, running interference, tackling or coaching, let's have teamwork. Individually we are nothing, while as a team we are the Rocky Mountain Chapter.

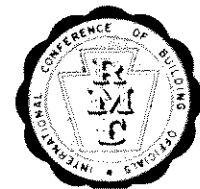
I am not adverse to our Chapter growing, and let us look forward to growing, but let us place something ahead of becoming the largest Chapter and strive to be the best Chapter of the I C B O, giving all we have to help our members.

May our 1967 Seminar be one with group participation, good attendance, and better overall enlightenment to make our job easier and more bountiful following the Seminar. Much work has been done in putting together this Seminar, I would like to take this opportunity to give heartfelt thanks to Tom Epton and Bruce Awenius and their committees for the many hours and the fine job they have done on the yearbook and the program.

Again let's have a good Seminar and let's have a good turnout for the 45th Annual business meeting of the I C B O in Minneapolis to be held September 25-29, 1967.

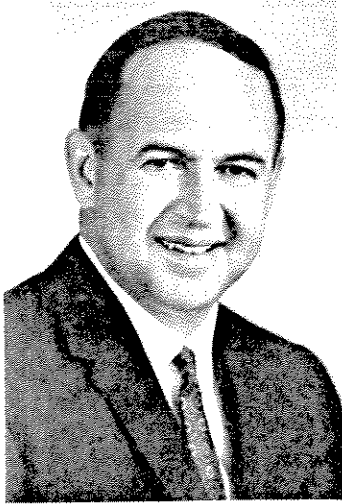
My appreciation for your confidence in me.

Ken Christensen  
Your President



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## CHAPTER AREA STATE GOVERNORS



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Governor of the State of Wyoming

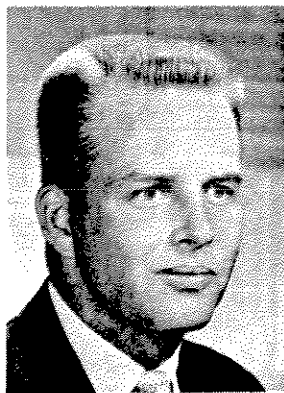


HON. DAVID F. CARGO  
Governor of the State of New Mexico



HON. FRANK B. MORRISON  
Governor of the State of Nebraska

The Rocky Mountain Chapter of The International Conference of Building Officials takes this opportunity to extend our best wishes. It is our hope that through your executive departments that you will look kindly on the thought of using the Uniform Building Code. This is a good Code and by its use you can be assured of safe buildings for the occupants.



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## **Developments in the City of Loveland, Colorado**

**WALTER W. KANE**

CITY MANAGER — CITY OF LOVELAND

One of the highlights of the year 1966 in Loveland, was the selection of our city as one of the 22 finalists in the National Municipal League and *Look Magazine* All America Cities Contest. This contest is held annually for the purpose of selecting the top eleven cities in the United States. Loveland based its entry in the All America Cities competition on an application which emphasized several different programs in which various citizen committees were active.

One portion of Loveland's application was based on the construction of a new library and a new city municipal building. Both structures were completed and opened to the public in 1966. The 26,000 square foot Municipal Building houses all phases of municipal government, and was built at a cost of \$350,000. Both the new Municipal Building and the library were campaigned for by citizen groups who saw the need for replacing the existing inadequate buildings.

Still another part of Loveland's application pertained to the construction of a new indoor swimming pool, which was built attached to the new high school. This \$80,000 structure was constructed from funds raised through private solicitations by a citizen's committee and a contribution from the City of Loveland. It provides indoor swimming for

the youth and adults of our community on a year-round basis.

Also emphasized in Loveland's selection as a finalist city, was a ten-year industrial program, which resulted in industrial employment increasing from 350 to 2500 in the past ten years. The Industrial Development Fund is still active in attracting new industry to Loveland, as evidenced by the move of the Lego Division of Samsonite Industries to Loveland in 1966. The fourth item which was given publicity in Loveland's application, was the development of a new regional airport with the City of Fort Collins. This new field is capable of handling the largest type of jet aircraft, and is expected to be a definite asset in the development of both cities in northern Colorado.

Some of the current programs under way in Loveland, include the adoption of a Comprehensive Plan, which has been under study for the past year and a half. This new plan is being prepared by the firm of Bean, Lamont, and Moberg, Planning Consultants. A part of the plan will be a new zoning law in 3 or 4 years. Public hearings are scheduled to begin on this new ordinance sometime in the spring of 1967.

(Continued on Page 26)

*1967 Annual Seminar Hosts*  
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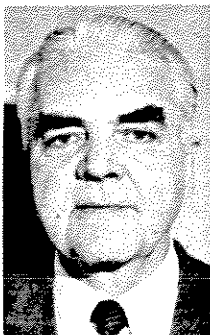
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**Mrs. Betty Chronic**



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**Terry Gromer, M.D.**



**P. K. Hudspeth, D.V.M.**



**Mr. Frank Maxwell**

## ENGLEWOOD

Nineteen hundred sixty-six and early nineteen hundred sixty-seven was a period of building in Englewood.

This was the time when the plans for Progress which had been under way for several years, began to bear fruit.

Buildings began to rise out of the ground, children and their parents began playing in new parks and building permits reached an all time new high as construction got under way.

It was a year of ground-breakings and dedications such as the city never had seen before.

It was also a year of tearing down as old structures were levelled—to make way for the new.

And at the same time the city began a program of preparing for handling the tremendous increase in traffic expected with the openings of the Englewood shopping center in 1968.

Also in preparation for the modernization of the city came the preparation of a new building code, updating the former code, and a housing code, Englewood's first formal action to raise the quality of residential buildings.

Building accelerated early in the year with the formal ground-breaking in March for the Englewood Shopping Center on the site of the former City Park.

Hundreds of thousands of yards of dirt were moved and thousands of cement caissons were poured. The lower level will provide 35 acres of underground parking for the multi-million-dollar center. Many columns, beams and twin tees are being placed as the structure progresses.

One of the early jobs was to enclose Little Dry Creek in a concrete box across the shopping center site.

Another event in March was the ground-breaking at Englewood Belleview Park, where shelter houses, tennis courts, light, playground equipment and other recreation devices were installed making the park a \$162,890 installation.


The Key Savings and Loan Building, cost of \$135,000, was completed at 3501 South Broadway. Work was begun on two other banks—Republic National Bank—at 501 West Hampden Avenue—\$202,000; the ten-story Continental National Bank at 3345 South Bannock—cost \$1,074,000.

There were four stores built at cost of \$90,560 and twelve commercial remodel and additions totaling \$69,140 and three restaurants, Shakey's Pizza, Dial-A-Dinner and Der Wienerschinitzel—total cost \$69,000.

A round music room was built on the south side of Flood Junior High School—\$119,400, thirty new warehouse and office combination buildings with square footage area of 188,669 ft.—cost—\$349,082—five additions to manufacturing plants—32,250 sq. ft.—cost \$304,407.

The Brookridge Shopping Center at Belleview and Broadway doubled the floor area with an addition of 16,000 sq. ft. and across the street is the K-Mart Shopping Center with 108,602 sq. ft. at cost of \$845,000.

Everyone is invited to visit Englewood—to see what is going on.



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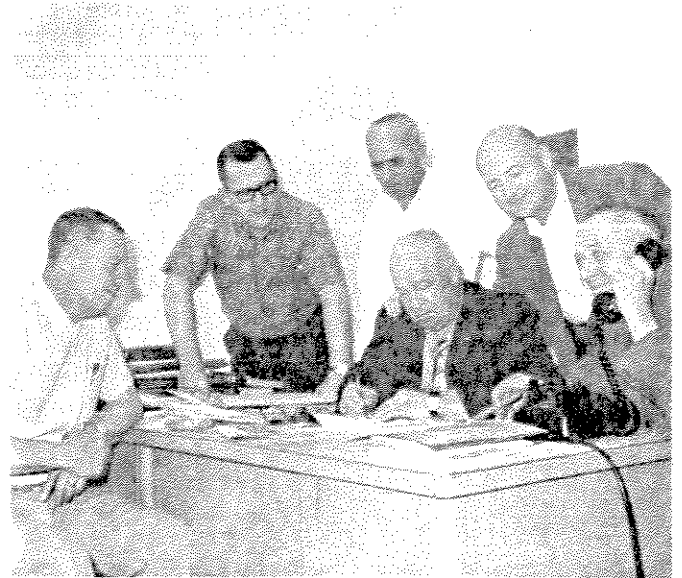
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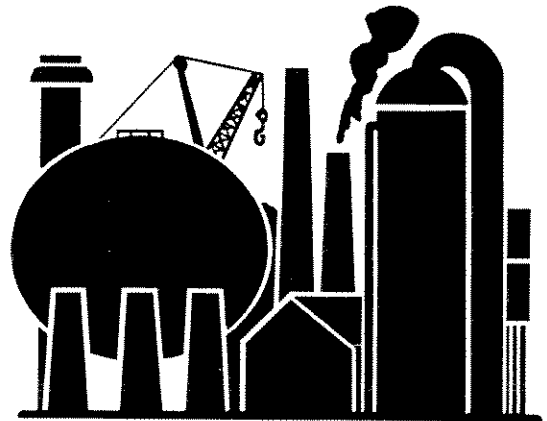
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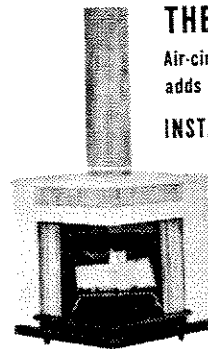
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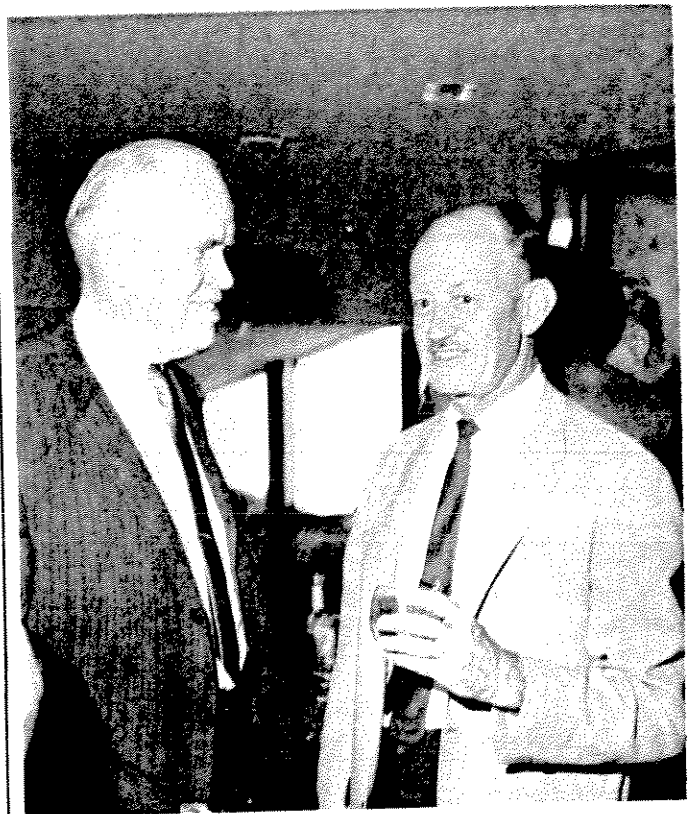
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## What's Happening in Fort Morgan?

Since the rerouting of highway traffic to the northern edge of the city via Interstate 80, Fort Morgan has assumed the role of a young lady that has noticed a new feller in town. Her manner and appearance has taken on a great change. We have seen her rearrange her weight with the addition of new commercial buildings along the northern edge of the city and a full-scale facelifting by the remodeling of the store fronts along the Main Street.

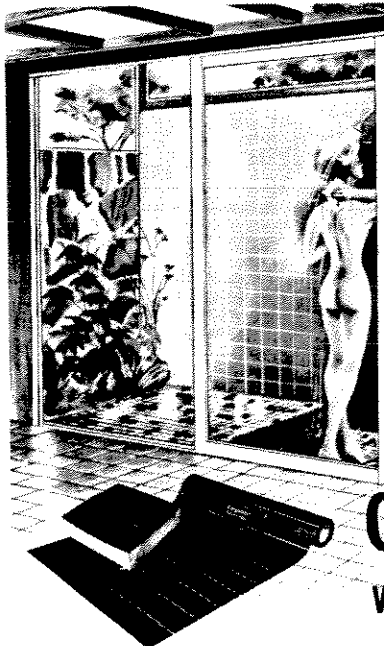
The first change, as in most cases when the traffic route changes, was the addition of three new service stations located along the interchange with the new highway. At the present time, a fourth service station is in the construction stages and plans are now being drawn up for a large motel complex within the general area. Many of the older type homes surrounding the immediate vicinity have been removed, thereby making room for other new business firms to locate their stores.

Our young lady has given herself a new hairdo with the planting of several hundred Flowering Crab trees along the highway interchange and throughout the entire city with the aid of the Fort Morgan Beautification Association. She has added rouge to her cheeks with the planting of several Honey Locust trees along the curb line within the general business district. These trees are in memorial to her leading citizens with each tree being dedicated to one individual. Her new necklace is a paved Municipal Parking lot built to serve 66 cars and located adjacent to the downtown business area. She has added a bracelet to her slender arm in the form of a new park and playground area.

Her wardrobe has improved with 10 new homes, 5 new business establishments plus many alterations of the old ones comprising a valuation of \$661,998.10. This is a decrease from last year's improvements. This was largely due to her uncle in Washington, D.C., who tightened up on her credit with the loan company, he has since seen the need for new garments and has relented to reaffirm her credit.

Fort Morgan is becoming quite the young lady with all her finery and paint and is the envy of the neighborhood. We are quite proud of her and are confident that she will surely win the heart of the youngman with her new charm and beauty.

Jerry L. Aldrich  
Building Official  
City of Fort Morgan



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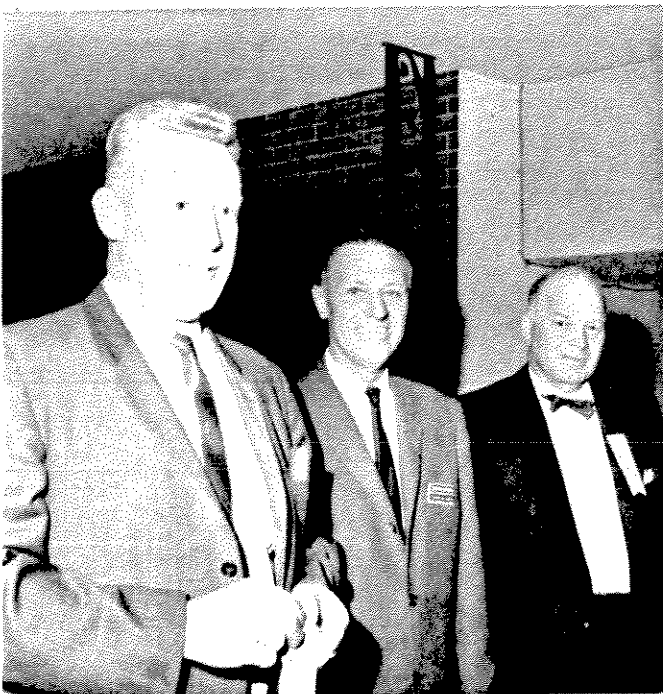
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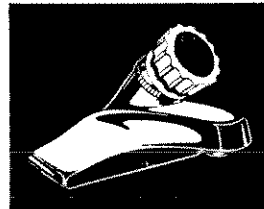
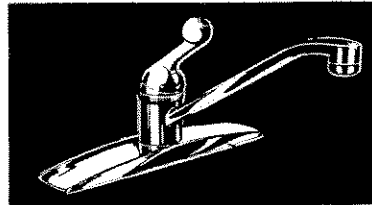
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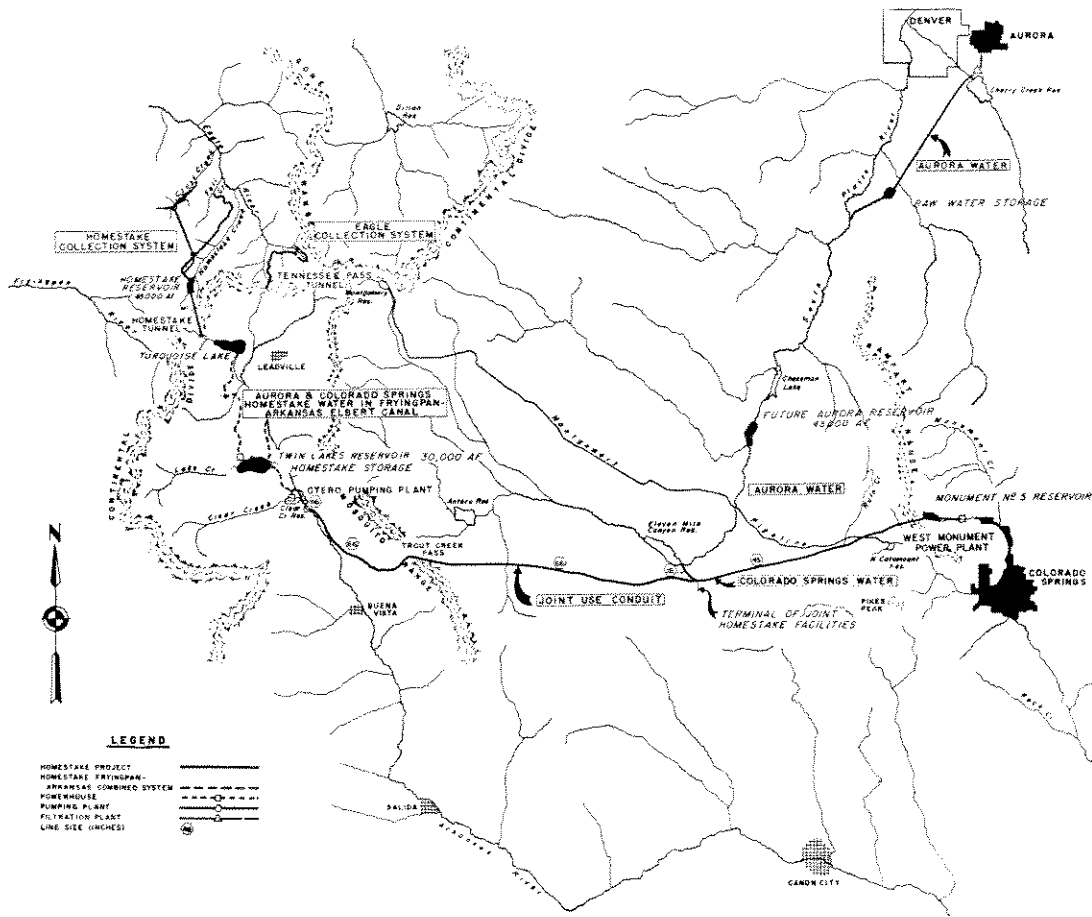


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# City of Aurora

## GATEWAY TO THE ROCKIES

“Preparing For The Future”

by KEN CHRISTENSEN, Chief Building Inspector  
and H. M. MILLER, JR., Director of Public Works

Contrary to my last year's report, 1966 did not develop into an overly prosperous year regarding building permits. As it turned out, our total valuation was just over \$6.6 million, the lowest valuation for the City of Aurora in nine years. To run true to form, approximately 70% of the total valuation was made up of new single family resident structures which totaled 302 for the year 1966. Other than that, it was primarily additions and remodeling.

We did make some progress in updating Codes. This included adoption of the 1964 edition of the Uniform Building Code and the 1965 edition of the National Electrical Code, both with a minimum of amendments. Prior to adoption, several meetings were held with building contractors and a study session was held with City Council.

A facet of supply which building inspectors don't commonly become involved with is water, and facilities for disposal of sewage. In that the building is nothing to shout about, I thought it may

be interesting to reveal the steps of progress that Aurora has made to provide water and sewage disposal in the future in that without these facilities, I doubt that our Cities would see much development.

Water in the form of rain or snow is free. But transporting it from where it falls to the semi-arid communities lying east of the Continental Divide in Colorado has and always will be a most expensive necessity. The Cities of Aurora and Colorado Springs have had several decades of experience with problems regarding water supply and the costs of serving their highly urbanized growth.

The Homestake Project was conceived by the late John P. Elliott, a well-known engineer in the Denver area. The original surveys, made in 1952, indicated the feasibility of transporting water from the western slope northwest of Leadville, Colorado, to the water taps of a “thirsty” population explosion on the eastern slope.

Aurora's owned water supply was wholly inadequate to meet its needs and had purchased augmenting supplies on a year-to-year basis from Denver for many years. However, Denver established a "Blue Line" beyond which Aurora could not serve. This restriction stunted growth to the extent that Aurora became interested in an independent water supply.

Aurora and Colorado Springs filed on the water rights in 1956, but the District Court subsequently denied the decrees. After appealing to the Supreme Court, Chief Justice Hall in October, 1961, ordered the conditional decrees granted.

In June, 1962, the two Cities agreed to jointly construct the Homestake Project, which was to cost approximately \$42.5 million for the joint facilities, \$10 million for Aurora's independent works and \$16 million for Colorado Springs' independent works. It is also noteworthy that the total cost was financed by the two Cities without any Federal participation. The importation of additional water will support a much greater population growth in the Denver Metropolitan Area.

The Project is comprised of facilities to collect, store, regulate and transport an ultimate estimated annual yield of 70,000 acre-feet along the 100 mile route from Colorado's western slope to the eastern slope consumers.

The Homestake waters originate northwest of Leadville, Colorado, from tributaries of Homestake Creek, which is in turn a tributary of the Eagle River. The waters are derived totally from runoff. The average catchment elevation is approximately 10,325 feet above sea level.

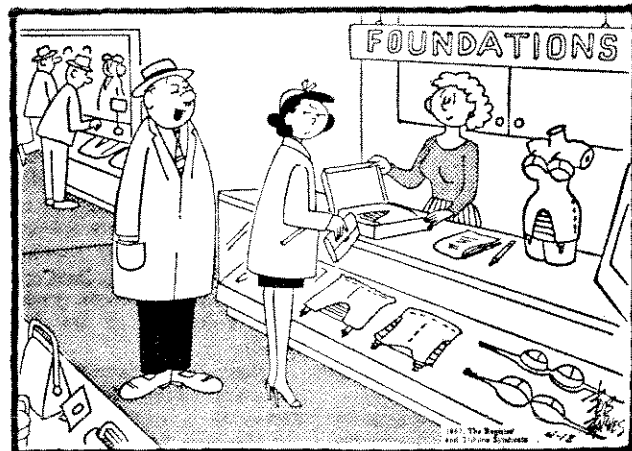
The estimated annual yield of the initial phase, now completed, is 26,000 acre-feet, half Aurora's, the other half for Colorado Springs. The Homestake Creek sources divert into Homestake Reservoir, a 45,000 acre-foot storage reservoir formed by Homestake Dam. From the reservoir the water flows beneath the Continental Divide through 5½ mile Homestake Tunnel to the Arkansas River Basin. Initially, the water diverts from the Arkansas River 20 miles south of Leadville, and lifted by Otero Pumping Plant over Trout Creek Pass. From the point of diversion to Eleven Mile Reservoir where Aurora's water discharges into the South Platte River. The water then flows 50 miles in the river to another point of diversion where once again it flows through tunnels, a regulating reservoir and a new filter plant, all of which are complete. As the Project is now complete, many people realize the difficult "road" which has been traveled over the past 14 years to make the Homestake Project a reality, and the cost of that most expensive "gift"—water.

Inasmuch as it was evident in 1961 that the Homestake Project would become a reality, the City of Aurora realized that it must also look into the future in the field of sewage collection, transmission and treatment. Therefore, after numerous studies and 2½ years of negotiations, the City of Aurora joined the Metropolitan Denver Sewage Disposal District No. 1. In order to establish the feasibility of joining Metro, it was found that Federal Aid would be necessary on several sanitary

sewer interceptors which would have to be constructed. At the present time, the City jointly with Metro has requested consideration of eligibility for Federal Grant on approximately 12¾ miles of interceptors. It is proposed that construction on these interceptors begin in the fall of 1968 and continue for 2 or 3 years depending upon growth. If a Federal Grant on these interceptors is realized, the service area of the City of Aurora and Metro will be extended to make possible service to most lands lying along the east side of the metropolitan area.

## THE BETTER HALF

By Bob Barnes



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Newell Pock — Bruce Awenius

# The Inspector's Image

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The word "image" has many shades of meaning ranging from a low of "effigy" to high of "idol"; we hope that all concerned will realize that in this article an impression in the better sense is intended to be conveyed to the reader.

In the past, the public's "inspector-image" has left something to be desired. This attitude on the part of contractors, supply firms and other authorities, and the public, is quite understandable, when one recalls some of the "salty" old inspectors, most of whom are now, (fortunately), no longer with us.

The inspector-image created by some of these old-timers was that of a policeman with a big stick; and some of them swung that stick! In many cases there was no velvet glove encasing the iron hand. The inspector of those days had plenty of detractors and very few supporters, because he usually failed to inform the public that he was operating for their benefit and protection.

All they could see was an "orge" whose defect notices flew in all directions like the autumn leaves, and who always required the impossible, even if he had to "split hairs" in an attempt to justify his demands.

This condition, however, was not altogether the inspector's fault, because the public attitude towards inspectors of all kinds and types was that the inspector's only purpose in life was to make trouble for them, and to cause them unnecessary expense. The old concept of the officer as a "big bad wolf" is a good example of the public image of all law and regulation officials in the past.

A much happier state of affairs exists nowadays, however, as the direct result of efforts on the part of our building officials organization. Our modern inspector can be truly represented to the public as a friend, a counsellor and advisor who is trying to keep people out of trouble. He helps them to avoid needless expense in their actual construction installations, by aiding in fire prevention, to obtain better value for the money which they do spend for construction service, by assisting in planning their building lay-outs, and to obtain proper construction. Thus, both efficiency and convenience are more readily obtained.

While the inspector's primary reason for existence is still the enforcement of regulations, a new attitude obtains today, in that the iron hand is encased in the proverbial velvet glove. This does not imply or necessitate any relaxation of enforcement, but does facilitate a much better understanding while still maintaining the desired standards of materials, construction methods, and workmanship.

An explanation of the "why" and "wherefors" of the regulations does much to prevent friction which might otherwise arise in enforcing the "law." People who understand the reasoning behind inspection

requirements are more likely to be cooperative, and will be in a more receptive mood than if they felt that a certain procedure was only an inspector's or a code committee's "notion," unsupported by reason.

The contractor and customer should both be informed, firmly and clearly, but diplomatically, that, after all, the entire inspection procedure is for their benefit and protection. The need today, and it is, we are happy to say, being partially satisfied, is for better understanding between inspection staffs and the people with whom they deal.

It should be possible to speak of your "friendly" inspector. A good friend can still submit constructive criticisms and suggestions. Fortunately, recalcitrant contractors and customers are the minority, and these "culprits" can be dealt with as required by the current circumstances. An intensification and extension of the present "good-will" policy can eradicate remaining objectionable attitudes on the part of the public and will result in more consultation with inspection authorities prior to the installation of jobs which otherwise might have to be rejected. This in turn, removes the annoyance of defect issuance procedure.

A service to the customer which is often omitted at time of an inspection visit due to pressure of work is a general inspection of the construction which does not need to be lengthy or too detailed and take two or three minutes in explaining the situation to the customer. This may not only clear up a fire or personnel hazard, but will show the customer that the inspector is interested in his welfare.

Even an adequate inspection of a minor alteration takes only a short time, and some customers may feel that they are not getting much for their money, if the inspector rushes through the job and does not give the customer "that little extra."

It has been said "I don't know why we pay inspection fees—that inspector didn't do much for the money." A little more time, a little more trouble, a little more explanation of the inspection benefits to the customer, can remove most, if not all, of the objections which the customer may have of inspectors and inspection procedures.

Now that we, as inspectors, have embarked upon a program of understanding and cooperation, let's all expend that extra bit of effort which will convince the contractors, supply firms, and general public, that their inspector is prepared and willing to act as guide, counsellor and adviser and will, if they will only permit him, to be their best friend in all matters on construction.

Adapted from an article by A. S. Prior, The Electrical Inspector.

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## City of Loveland

(Continued from Page 8)

New construction, scheduled for this year, includes a new vehicle and maintenance center that will be constructed by the City of Loveland to replace a completely inadequate warehouse. This facility will include warehouse space for all City operations, with provisions for handling both truck and rail deliveries. A workshop area will be provided to Street, Water, and Electrical Departments for indoor repair work.

A vehicle maintenance building will be constructed for repair of all City vehicles, and to stock automotive parts which are now being purchased separately for each department. Another construction project this year will include the development of additional off-street parking facilities and passage-ways from parking lots to retail trade areas in the core of the City. These improvements, estimated to cost \$300,000 will be paid for by a special tax against property in an improvement district in the downtown area. This district was formed as a result of petitions from property owners requesting its formation.

One of the new service programs that the City of Loveland is offering to its residents in 1967 is a city-wide Refuse Collection Program. Residents are charged \$1.00 a month for a once-a-week pickup of refuse. The new system went into effect April 1, and is expected to be very effective in reducing air pollution from backyard burning and in keeping alleys in a cleaner condition.

WALTER W. KANE  
City Manager  
City of Loveland



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and*

*Business Meeting*

**Dates:**

**Wednesday, Thursday and Friday  
May 24, 25 and 26**

**Place:**

**14707 W. Colfax  
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Golden, Colorado**

**WEDNESDAY, MAY 24, 1967**

Moderator — Ken Christensen

- 7:00 to 9:00 A.M. Registration—Coffee and Rolls  
9:00 to 9:15 A.M. Opening Remarks, James A. Shaffer  
9:15 to 11:00 A.M. 1967 U. B. C. Changes Chapter 33  
Tom Briggs  
11:00 to 12:00 Plastics—N. G. (Bert) Grengs  
12:00 to 1:30 P.M. Wm. McGlone  
1:30 to 2:30 P.M. Plumbing Inspection and Slides—  
Dick Morris  
2:30 to 3:30 P.M. U. B. C. Doors, Hourly Rating  
and Hardware—Rod Hunt, Tom Briggs  
3:30 P.M. Adjourn—Tour of Coors Brewery  
**PRESENT QUESTIONS FOR QUESTION AND ANSWER TIME**

**THURSDAY, MAY 25, 1967**

Moderator — Jerry Aldrich

- 8:00 to 8:30 A.M. Registration—Coffee and Rolls  
8:30 to 9:00 A.M. Necessity of Inspections—Don Murtaugh  
9:00 to 10:00 A.M. Septic Tank Education—W. E. Coffey  
10:00 to 11:00 A.M. Slides and Narrative Report—  
McCormick Fire—  
Richard Dougherty, and John Schawfel  
11:00 to 12:00 Structural Clay Products, Inc.—  
Don Wakefield  
12:00 to 1:30 P.M. Lunch—Speaker, Mr. Justice.  
Edward C. Day  
1:30 to 3:00 P.M. U. B. C. Heavy Timber Construction—  
Tom Briggs and Joe Fant  
3:00 to 3:45 P.M. Joist Hangers and Structural  
Connections—Don R. Harris  
3:45 to 4:00 P.M. Break—Annual Picture  
4:00 to 5:00 P.M. Film and Narration on Homestake Water—  
R. O. Wright and H. M. Miller, Jr.  
5:00 P.M. Hospitality Hour  
6:30 P.M. Annual Banquet—M.C., Ken Christensen  
**PRESENT QUESTIONS FOR QUESTION AND ANSWER TIME**

**FRIDAY, MAY 26, 1967**

Moderator — Ed Bradley

- 8:00 to 8:30 A.M. Registration—Coffee and Rolls  
8:30 to 10:15 A.M. Fire Department Panel—  
Building Codes, Sprinkler and Smoke  
and Fire Protection—Myrle Wise, Ralph  
W. Nice, Emmett Schmitt, Bruce  
Forbes and Bill Hawkins

- 10:15 to 10:30 A.M. Break  
10:30 to 11:15 A.M. Fire Detection, Smoke Detection,  
(U. B. C.)—Joe Reynolds  
11:15 to 12:00 Acoustical Ceiling Assemblies—  
Wayne Meek  
12:00 to 1:30 P.M. Hon. Mark Hogan  
1:30 to 3:00 P.M. Question and Answer—  
Ken Christensen, Moderator  
3:00 to 3:30 P.M. Presentation of Certificates—Dr. Linson  
3:30 to 4:00 P.M. Research Committee Operations—  
P. C. Tyree  
4:00 to 5:00 P.M. Annual Business Meeting

(Show Registrars)

Carol Zalesny Helen O'Lear Marian Epton

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Chief Building Inspector  
Fort Morgan, Colo.

**HAROLD BELL**  
Ansul Corporation  
Denver, Colo.

**ED BRADLEY**  
Wyoming State Fire Marshall  
Cheyenne, Wyoming

**THOMAS A. BRIGGS**  
Field Representative, ICBO  
Denver, Colo.

**KEN CHRISTENSEN**  
Chief Building Inspector  
Rocky Mountain Chapter President  
Aurora, Colo.

**W. E. COFFEY**  
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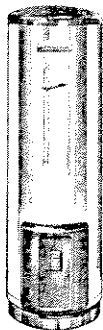
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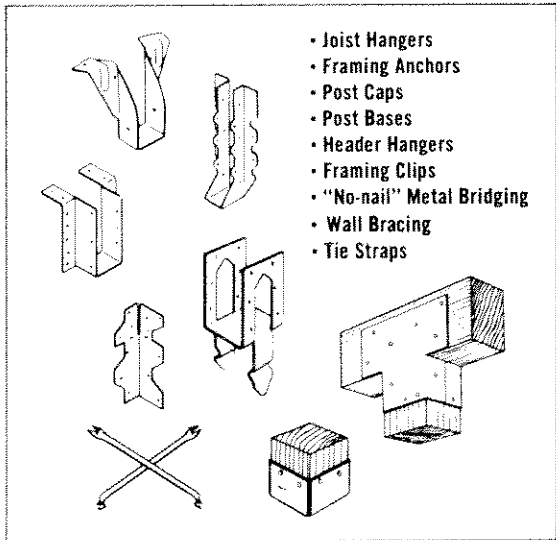
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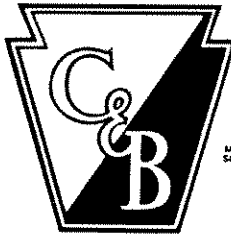
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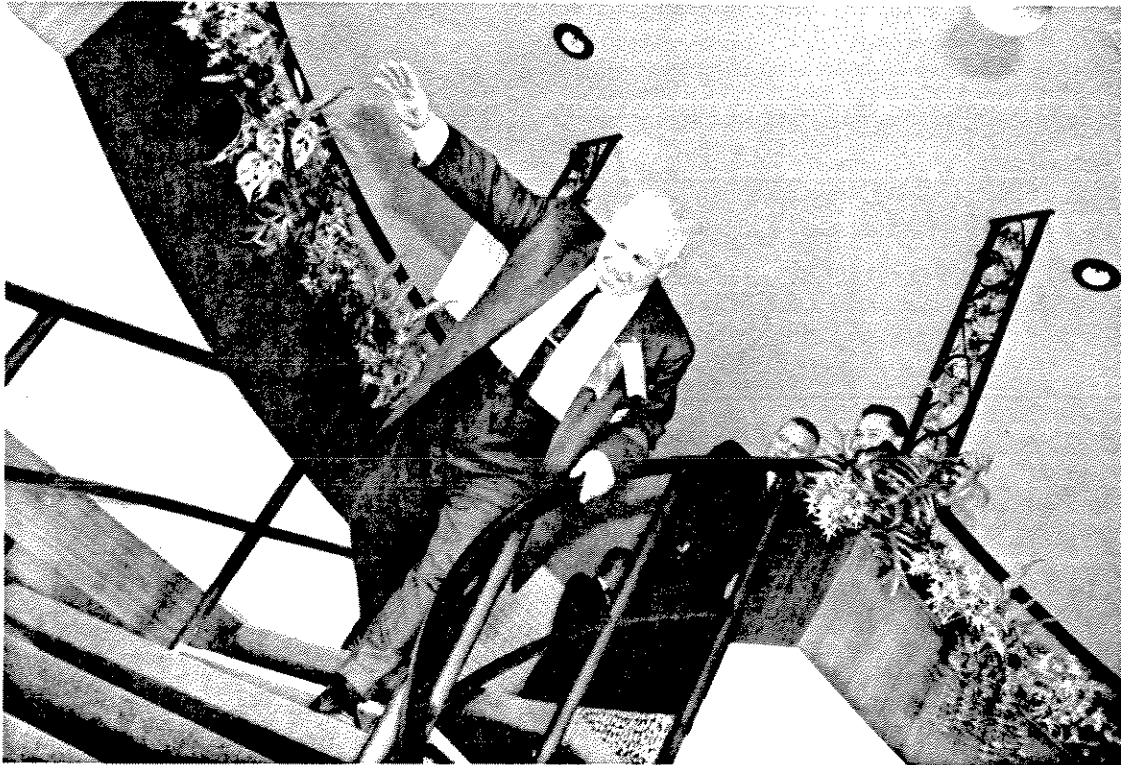
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# A Code, A City and A Hotel

CITY OF BAKERSFIELD vs. MILLER

64 C2d 93 (1966)

By Kenneth W. Hoagland

*Two events in 1946 set the stage for later developments in the field of municipal building regulations which led directly into legal and nonlegal confrontations finally settled by the Supreme Court in the case of City of Bakersfield vs. Milton Miller in 1966.*

*Two disastrous hotel fires occurred in 1946. The Winecoff Hotel fire in Atlanta, Georgia, and the LaSalle Hotel fire in Chicago. Loss of life in the two fires was heavy (61 persons dead in LaSalle Hotel, 119 dead in the Winecoff Hotel). The two disasters sparked fire departments of cities throughout the nation into surveying hotel conditions within their own cities and into taking steps to correct unsafe conditions. Bakersfield was no exception.*

In 1947 the city council of Bakersfield appointed a committee comprised of persons in the building industry to survey the city respecting hotels and apartment houses. The committee was to report on the condition of hotels and apartments and to recommend remedial measures such as the adoption of ordinances for the protection of the occupants of the buildings which were considered hazardous particularly from a fire safety aspect. Concurrently the International Conference of Building Officials, the body responsible for the publication of the Uniform Building Code, was in the process of strengthening the code in respect to hotels and apartment buildings.

The 1949 edition of the Uniform Building Code contained, for the first time, an appendix. Section 1309 (a) through (m) of the appendix dealt directly with hotel conditions, the lack of which were felt to be responsible for the danger imposed upon the occupants. These sections provided minimum standards for hotel safety in such areas as interior stairways, fire escapes, separation of occupancies, exits and enclosure of vertical openings. Section 13909 (a) set the tone for long awaited remedy for correction of unsafe hotel buildings. It read:

*"Section 1309 (a) Purpose. The purpose of this Section is to provide a reasonable degree of safety to persons living and sleeping in apartment houses and hotels through providing for alterations to such existing buildings as do not conform with the minimum safety requirements of this code."*

Bakersfield adopted the Uniform Building Code, including the appendix, in 1951 and has adopted subsequent codes as they have been modified or changed.

The method and procedure set forth in Section 50022 of the Government Code was utilized by the city in adoption of the Uniform Building Code by reference to that code. This method was later severely criticized by the District Court of Appeal in the case of City of Bakersfield vs. Miller calling it a "helter-skelter way of passing an ordinance", but was sanctioned by the California Supreme Court in the same case.

After Bakersfield had adopted the 1949 Uniform Building Code, the building department undertook a length campaign to bring about corrections of all hotels and apartments over two stories in height within the city. This obviously was not



an overnight project. Limited number of personnel in the building department and the rather delicate nature of the negotiations with owners of various buildings combined to dictate the pace of the program.

The earthquake which struck Bakersfield in August of 1952 added an impetus to the activities of the building department in obtaining their goal. Few hotels and apartments escaped damage from the quake. The building department therein undertook a program of inducing structural repair coupled with alterations in the buildings to comply with the fire safety provisions of the Uniform Building Code. However, due to the expense involved and the financial inability of most of the owners of the various hotels and apartments involved, the corrections took place very slowly and not always at the same time. The city did not feel it could be insensible to the financial plight of many owners who suffered heavily from the earthquake.

One such hotel required to make corrections was the Padre Hotel. This was a reinforced concrete structure eight stories in height. As a structure, it was considered a fireproof building, but when considered as a building for human occupancy, because of its interior construction, it was a very dangerous building. The interior of the building had open stairwells, open transoms, vertical openings, dead-end corridors without proper fire escape routes and other lesser deficiencies. The biggest problem in the correction of the Padre Hotel was that its cooling system, of the evaporative cooler type, relied on the open stairwells, open corridors and open transoms for the purpose of circulation of the cooling air throughout the building. Thus in case of a fire, smoke and fire were guaranteed to circulate freely throughout the hotel unabated by any type of barrier to the spreading and, in fact, accelerating the spread of smoke and fire. It was, in effect, a vast chimney with an excellent flume. The similarity between the Padre Hotel and the Winecoff Hotel was marked.

## *Frustrating Year*

In 1954 an event occurred which, although not as severe a jolt as the earthquake in 1952, had quite an impact on the community. Milton Miller and his associates from Chicago acquired the ownership of the Padre Hotel with Miller establishing residency in the hotel in 1955. Thereafter six very frustrating years elapsed during which time the city was able to obtain necessary fire corrections in the Padre Hotel in only a relatively insignificant matter. One fire escape was provided at one of the dead-end corridors from the second floor to the ground.

periodically between the owners of the buildings needing corrections and officials of the city usually the chief building inspector, the fire marshal, and the city attorney. Many such conferences were held with Miller, committees of the city council and the mayor. All such conferences produced little in the way of any corrections, but a great deal in the way of conversation.

It became apparent that the entire program of rehabilitation of hotels and apartment houses was bogging down because of the refusal of the owner of the Padre Hotel to do anything in the way of alleviation of the conditions in his building. All of the other hotels and apartments in the city with deficiencies were in the process of being corrected, at some considerable expense to the owners. Two hotels completely closed down. The Elks Club closed off the rooming accommodations because the expense involved in the corrections outweighed the value of the building. The owners of the buildings that had undertaken to correct their buildings and the owners of the buildings that had voluntarily closed their doors, were understandably perplexed that the Padre Hotel could continue to operate freely when they had been compelled to either close or make the needed corrections.

In March of 1961 at a regularly scheduled meeting at which Miller was present, the city council gave him six months within which time he should commence the rehabilitation work on his hotel. Although this procedure is not called for in the Uniform Building Code, every possible consideration was given to Miller. Even so in the subsequent litigation Miller claimed discrimination against him in enforcing the ordinance. The Supreme Court answered this by stating: "Defendant was first notified of the code violations in 1955; it would seem that a decade offers ample opportunity to correct the violations at a moderate pace".

On September 1, 1961, a complaint for an injunction to abate a nuisance was filed in the Superior Court against Miller and others associated with him. Miller had not been idle during the time given him by the council to commence the corrections. There now commenced a vitriolic campaign of ridicule, abuse, oral and written, of the city council and the city administration by Miller.

He harangued the council so unmercifully and so continuously at council meetings that the city council had finally to bar him from speaking in order that city business might be accomplished. The campaign included all the news media, newspaper, radio and television. Miller became a favorite of certain television newscasters and was quoted frequently and at length. His attacks covered a broad variety of subjects and a spectacular assortment of individuals. This unremitting onslaught continued unabated throughout the course of litigation.

#### *Aroused Sympathy*

As so frequently happens, Miller engendered a certain amount of sympathy for his cause. As a self-styled "freedom fighter" who appropriated the name "Spartacus", he attracted to his side the always present element that feels that the person who "fights City Hall" is necessarily right and the victim of "corrupt politicians".

The next five years, during which time the case of the City of Bakersfield vs. Miller trudged through the courts, was a very trying time for all. The case was taken through all the courts of California and application made for a hearing in the United States Supreme Court. The Supreme Court of the State of California upheld the position of the city and the United States Supreme Court denied a hearing to Miller last June.

There had been in California several cases abating old dilapidated buildings which were hazardous buildings per se. There were no cases abating as a nuisance a building such as the Padre Hotel. It had originally been constructed in 1929 in conformity with the then existing building codes. As mentioned earlier, the building was of masonry construction, and as a structure, it was in very good condition. The main fault of the building was found in manner of its interior construction.

#### *Uniform Building Code At Stake*

*The test then was whether the city could enact ordinances which set out standards by virtue of which a violation of those standards created a public nuisance. At stake was the Uniform Building Code which so many cities have adopted. The Supreme Court answered this question in the affirmative, stating, "It is clearly within the statutory powers of a city to declare that buildings violating the ordinance in ways which directly affect the health and safety of the public are public nuisances."*

The aftermath of the case still remains. Miller, during the course of litigation, placed huge signs over the walls of his building reciting such provocative words as "Infamy", "Exodus of Truth", "Falsity Rules Our Town", "Council Blight", and other equally endearing messages. He has persistently refused to make any corrections to the building and as a consequence the hotel has remained closed except for ground floors. Whereas the building formerly was inadequate because of fire safety, now it is not only still inadequate, but an eyesore as well.

On the plus side, no councilman and no member of the city administration, if tragedy in loss of life from fire had occurred, need ask himself, "Did I do enough?"

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Annual Picture — I.C.B.O. Fresno, California — October, 1966

## COLORADO BUSINESS IS GOOD



Dwight E. Neill  
Director, Division of  
Commerce and Development

Colorado enjoyed the highest rate of growth in 1966 of any year so far in the 1960 decade. Population grew at a 12.7% rate from 1960 to 1966 as compared to a 9.9% gain for the nation.

Colorado's labor force has shown a smooth upward trend during the 1960's which is indicative of the total performance of Colorado's economy. Since 1960, the total labor force has increased by 95,100, or 13.7 percent, and is expected to reach 806,000 in 1967. Within the labor force, non-agricultural wage and salary employment continues to be the most important sector both in numbers and percentage increase.

During this decade, Colorado's rate of unemployment has been consistently below the national average. During 1966, unemployment was at the very favorable level of 3.2%. Even with a further expansion in job opportunities, it is not anticipated that the unemployment rate for 1967 can stay much below 3.4%.

Manufacturing is Colorado's number one industry. The average number of manufacturing workers in 1966 jumped by 9.6% helping to push the total number of non-agricultural wage and salary workers up 5.4% to give Colorado its best year for the decade. Average annual employment in manufacturing is expected to exceed the 100,000 mark in 1967. Value added by manufacturing exceeded \$1.2 billion in 1963, the latest year data is available.

Agriculture, as measured by "value of agricultural products sold" is Colorado's second largest industry. Agricultural cash receipts enjoyed a sharp upturn between 1964 and 1966. Total cash receipts amounted to \$967 million in 1966, the highest they have ever been.

During the seven years of this decade, a total of 283 new industries and 243 expanded industries were reported to the Colorado Division of Commerce and Development. Eighty-one of this total were reported in 1966.

Another large employer in Colorado is the transportation and public utilities sector. The total employment in this industry increased by 2.5% from 44,600 employees to 45,700 in 1966.

Construction activity in Colorado has long been proportionally more important than in the rest of the country. The large population gains have created substantial demands for new construction in both the building and non-building sectors. As the trade and service center for the Rocky Mountain region, Colorado has required a sizable amount of new residential, office, warehouse and industrial plant construction, in addition to dams, transmountain water diversion and highway projects.

Although the construction industry has not enjoyed continuous prosperity throughout the decade, 1966 employment was up 12.5% over 1960, while the valuation of total construction had risen almost 60% in the same period. The construction industry has had and will continue to have a marked effect upon the state's economy.

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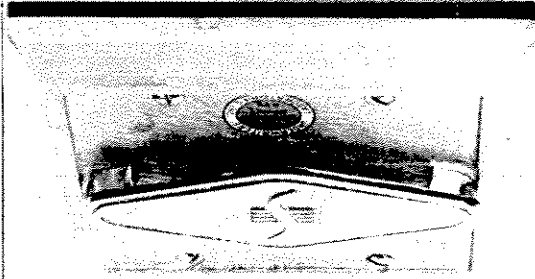
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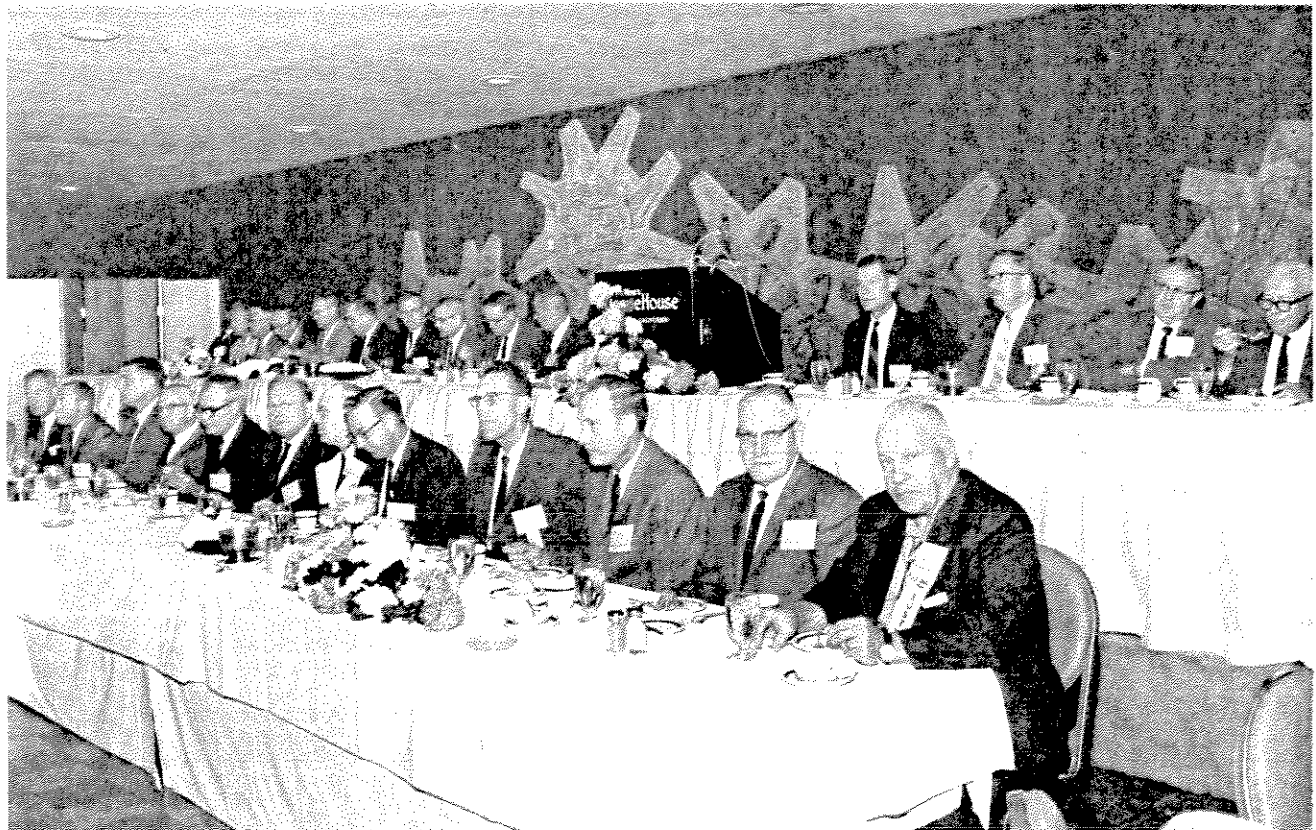


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Chapter President's Annual Dinner — I.C.B.O. — Fresno, California — October, 1966

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<b>*AURORA</b>	Ken Christensen, Chief Building Inspector.....	Municipal Building
	John L. Baldwin, Asst. Chief Building Inspector.....	Municipal Building
	H. Bert Brown, Building Inspector.....	Municipal Building
	Wm. M. Scanlan, Building Inspector.....	Municipal Building
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	Wheeler B. Kestner, Building Inspector.....	City Hall
	Roger G. Mehenke, Building Inspector.....	City Hall
<b>*BOULDER</b>	C. H. Meyring, Chief Building Inspector.....	Municipal Building
	Charles Carter, Zoning Administrator.....	Municipal Building
	W. E. DeVeney, Plumbing Inspector.....	Municipal Building
	Robert L. Dutton, Boulder Fire Dept.....	2441 13th Street
	Carl McLerran, Fire Marshall.....	2441 13th Street
	Lyle Ruka, Electrical Inspector.....	Municipal Building
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	Conrad J. Penk, Plan Analyst.....	Municipal Bldg.
	Phillip Hannum.....	Municipal Bldg.
	Roy Whyman.....	Municipal Bldg.
	Herbert A. Paddock, Electrical Inspector.....	Municipal Bldg.
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<b>*CANON CITY</b>	Carl Lynn, Chief Building Inspector.....	City Hall
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	Robert Kilgore, Building Inspector.....	City Utility Building
	Fred Lausch, Chief, Fire Department.....	Fire Department
	Ralph W. Nice, Chief, Fire Prevention.....	Fire Department
	L. F. Owings, Chief Building Inspector.....	City Utility Building
	Harold W. Tweedy, Building Inspector.....	City Utility Building
	Thomas Walters, Building Inspector.....	City Utility Building
	W. H. Pendelton.....	City Utility Bldg.
	Hal Ingraham.....	City Utility Bldg.
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	Clinton Litle, Permits Chief.....	810 14th Street
	Richard N. Faus, Construction Inspector.....	810 14th Street
	John E. Flinn, Roofing Inspector.....	810 14th Street
	Neil Gates, Mechanical Inspector.....	810 14th Street
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	Frank Justice,	
	W. W. Lindsay, Fire Prevention Bureau.....	914 12th Street
	William J. Miller, Elevator Inspector, (Chief).....	810 14th Street
	Pete Qualier.....	1201 S. Gaylord
	John Stone, Deputy Chief, Building Dept.....	810 14th Street
	Jack H. Tanikawa, Structural Engineer.....	810 14th Street
	Frank H. Van Liew, Construction Inspector.....	810 14th Street
	Douglas Wigle, Jr., Health Department.....	249 W. 6th Avenue
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	Roxie Piro, Fire Prevention Bureau.....	914 12th Street
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	Max Emrick, Reinspection.....	810 14th Street
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<b>GOLDEN</b>	Vic Siefert, Chief Building Inspector.....	900 6th
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	Carson Brockway, Captain, Fire Prevention.....	1545 Robb Street
	Ralph Antonio, Fire Department Investigator.....	1545 Robb Street
	William Hunter, Fire Prevention Bureau.....	1545 Robb Street
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	Lawrence Ringstad, Building Inspector.....	2450 W. Main St.
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	Frank Henderson, Building Inspector.....	Box 706
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	Mack Larsen, Sr., Building Inspector.....	4201 E. 72nd Avenue
	P. A. Laurita, Sr., Building Inspector.....	4201 E. 72nd Avenue
	W. J. Keough, Building Inspector.....	4201 E. 72nd Avenue
	Russell Poitz, Building Inspector.....	4201 E. 72nd Avenue
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	V. H. Brandebery, Electrical Inspector.....	Arapahoe Co. Courthouse
	Mrs. Maxine Larsen, Plan Checker.....	Arapahoe Co. Courthouse
	Frank Livingston, Mechanical Inspector.....	Arapahoe County Court House
	Harry S. Norris, Deputy Building Inspector.....	Arapahoe Co. Courthouse
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	Paul Hawkins.....	Boulder County Court House
	Glen Wages.....	Boulder County Court House

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Wymer F. Dixon, Building Inspector.....10200 W. 20th Ave., Lakewood  
Earl W. Sivers, Building Inspector.....10200 W. 20th Ave., Lakewood  
John Steinberg, Plumbing Inspector.....10200 W. 20th Ave., Lakewood  
Frank R. Van Eaton, Building Inspector.....10200 W. 20th Ave., Lakewood  
William A. Peed, Plan Checker.....10200 W. 20th Ave., Lakewood  
Dale Melton, Building Inspector.....10200 W. 20th Ave., Lakewood  
George Bowers, Chief Mechanical Inspector.....10200 W. 20th Ave., Lakewood  
Wilbur Hoff, Plan Consultant—Jeffco Schools.....44th and Youngfield  
Dean Lansing, Building Inspector, Jeffco Schools.....44th and Youngfield  
Stan Munson, Building Inspector, Jeffco Schools.....44th and Youngfield  
Richard Stapp, Supv. Plant and Grounds, Jeffco Schools.....44th and Youngfield

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Bruce Awenius, Dept. of Public Health.....4210 E. 11th Ave.  
Carl M. Aikele, State Plumbing Inspector.....4210 E. 11th Avenue, Denver  
Anthony Pisciotta, Fire Service Training Vocational Ed.....State Service Bldg.  
Carl Ferris, Apprentice Training Council.....State Capitol Annex  
Harry Bottom, Director State Electrical Board.....State Office Bldg.

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Thomas C. Epson, Principal Inspector, (Deputy Director).....150 E. 13th Avenue  
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Robert A. Blagg, Sr. Inspector.....150 E. 13th Avenue  
Dan Larimer, Sr. Inspector.....150 E. 13th Avenue  
Harold Hastie, Safety Inspector.....150 E. 13th Avenue  
Herman Krol, Safety Inspector.....150 E. 13th Avenue  
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Angelo J. Conti, Boiler Inspector.....150 E. 13th Avenue  
Mike D. White, Boiler Inspector.....150 E. 13th Avenue

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Jack Zimmerman, Building Inspector, Green River.....Green River, Wyoming  
Paul Guthman, Building Inspector.....Laramie, Wyoming  
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Gary Ricketts, Chief Building Inspector.....North Platte, Nebraska

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Don A. Jeltma.....Jeltma Construction  
George Westerberg.....Mgr. Nr. Dist. Bldg. Trades Council  
Anton Zafereo.....Business Mgr. and Financial Secy., Southern Colorado Building Trades Council

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Rogers/Nagle/Langhart/Barngrower/Architects.....Denver, Colorado  
Paul H. Koch.....Paul Koch & Associates  
Ralph C. Nash.....Accident Investigation  
Frank C. Zancanella.....Architect, Denver  
Daniel R. Dunlap.....Amer. Inst. of Steel Const.  
James D. McFall.....Professional Engineer  
Don Goff.....Architect and Designer  
George Bargelt.....Professional Engineer  
Robert Morrison (Cof.).....Professional Engineer

## HONORARY MEMBERS

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Jack Wigham.....RETIRED  
Harry Arthur.....RETIRED  
Art Becker.....RETIRED  
A. R. Bunger.....RETIRED  
Tom Briggs.....ICBO  
Myron Williams.....RETIRED  
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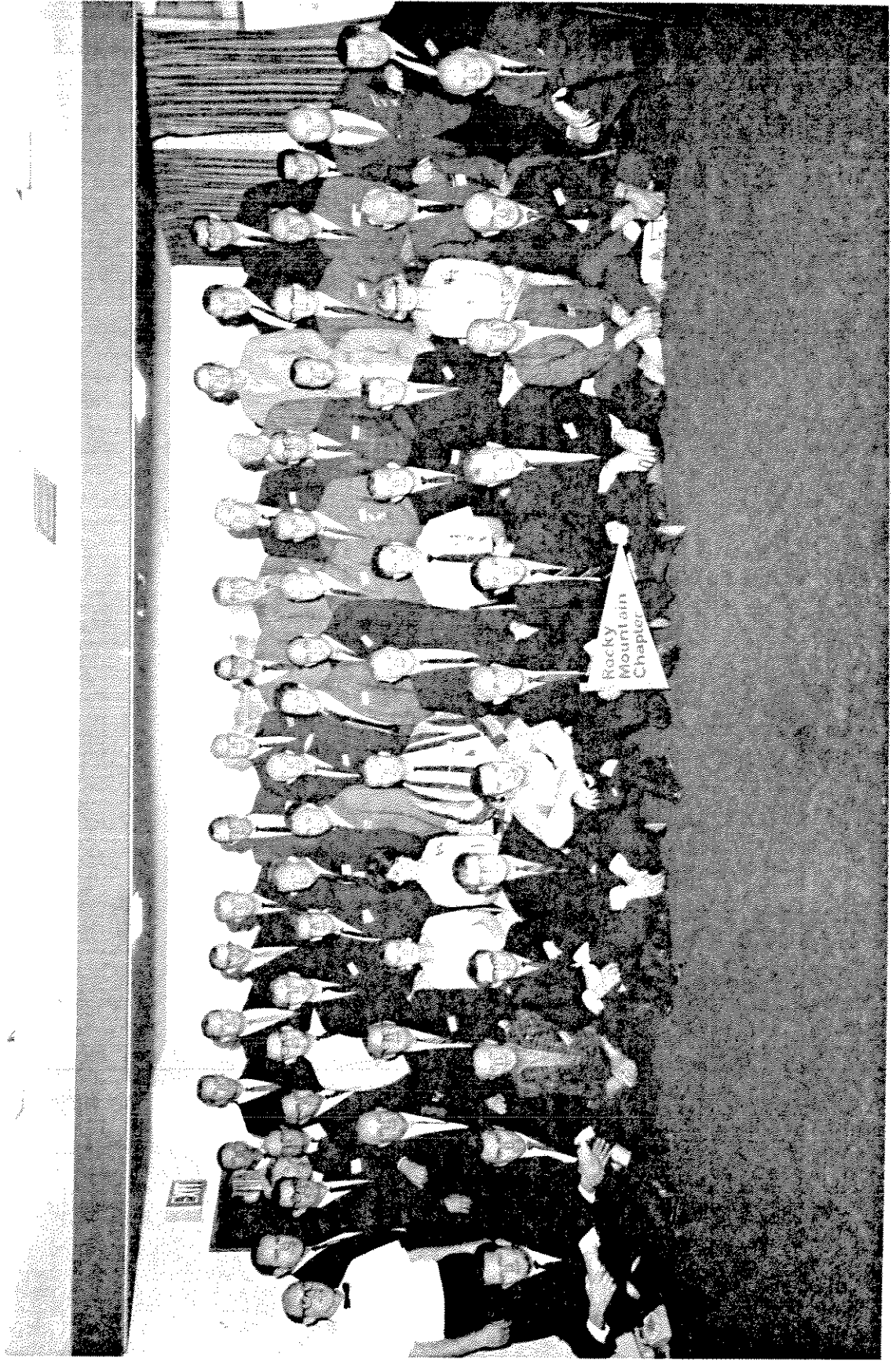
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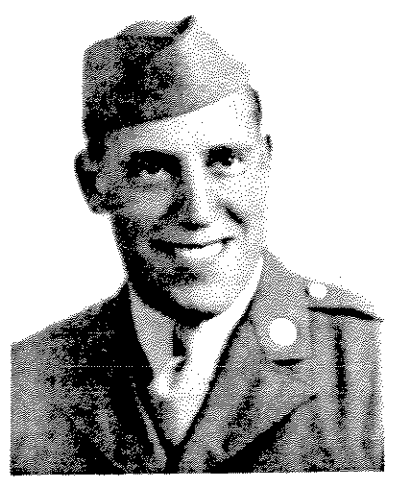
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## In Memoriam

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The tables were turned on the "old Gavel maker" Charles Elfedt Sr. of Greeley. He is being presented a plaque by president Beryl Wallace of Englewood. In appreciation of his many years of gavel making for the presidents of the Rocky Mountain Chapter of I.C.B.O.



**EUGENE EVERS**  
 Chief Building Inspector  
 Arvada, Colorado

Chief Building Inspector City of Arvada  
 Member Shrine of Saint Anne Catholic Church  
 Member Men's Club, Shrine of Saint Anne  
 Member Arvada Lions Club  
 Anonymous Donator to many worthwhile Charities  
 A good Inspector and a valued Friend

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