

**TOWN OF TIMNATH
ORDINANCE NO. 18-2007**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH,
COLORADO ESTABLISHING A DRAINAGE CERTIFICATION PROCESS BY AMENDING
CHAPTER 18 OF THE TIMNATH MUNICIPAL CODE**

WHEREAS, the Town Council ("Council") of the Town of Timnath, Colorado ("Town") has previously adopted the 2006 Edition of the International Building Code ("IBC") in Chapter 18, Article I of the Timnath Municipal Code ("Code"); and

WHEREAS, the development community in the Town has requested the Town implement a drainage certification process as a part of the requirements for obtaining a Certificate of Occupancy within the Town; and

WHEREAS, the Town supports the request of the development community as a benefit to new homeowners and citizens of the Town;

THE COUNCIL OF THE TOWN OF TIMNATH, COLORADO, ORDAINS:

Section 1. The Town Council hereby amends Article I of Chapter 18, Section 18.1.2. with the addition of the following language:

IBC Section 106.2. IBC Section 106.2 is amended to read "Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades, final drainage plan and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The Town is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted."

IBC Section 110.2. IBC Section 110.2., the first sentence is amended to read "Certificate issued. After the Town inspects the building or structure and finds no violations of the provisions of the code or other laws that are enforced by the department of building safety and a surveyed site certificate signed by a licensed surveyor in the State of Colorado verifying compliance with the final drainage plan as submitted under Section 106.2 of this code is received, the Town shall issue a certificate of occupancy that contains the following:"

Section 2. The Town Council hereby amends Article IX of Chapter 18, Section 18.9.2. with the addition of the following language:

IRC Section R106.2. IRC Section R106.2. is amended to read " Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of new construction, existing structures on the site, final drainage plan and distances from lot lines. In the case of demolition, the site plan shall

Town of Timnath
Town Clerk
4800 Goodman Street
Timnath, CO 80547

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show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot.”

IRC Section R110.3. IRC Section R110.3., the first sentence is amended to read “Certificate issued. After the Town inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety and a surveyed site certificate signed by a licensed surveyor in the State of Colorado verifying compliance with the final drainage plan as submitted under Section R106.2 of this code is received, the Town shall issue a certificate of occupancy which shall contain the following:”

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts by declared unconstitutional or invalid.

Section 4. Repeal. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portions thereof are hereby repealed to the extent of such inconsistency or conflict.

Section 5. Effective Date. Pursuant to Town Charter § 3.5.5., this ordinance shall take effect upon adoption at second reading, unless otherwise stated herein.

INTRODUCED, MOVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, SET FOR PUBLIC HEARING AND SECOND READING AT 7:00 P.M. ON DECEMBER 19, 2007 AT THE TIMNATH ELEMENTARY SCHOOL, 3909 MAIN STREET, TIMNATH, COLORADO AND ORDERED PUBLISHED BY TITLE THIS 5th DAY OF DECEMBER, 2007.

TOWN OF TIMNATH

By: Donna Benson
Donna Benson, Mayor

ATTEST:

By: Linda Salas
Linda Salas, Town Clerk



**MOVED, SECONDED AND FINALLY ADOPTED ON SECOND AND FINAL READING
FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON DECEMBER 19,
2007, AS AMENDED.**

TOWN OF TIMNATH

By: Donna Benson
Donna Benson, Mayor

ATTEST:

By: Linda Salas
Linda Salas, Town Clerk