

**TOWN OF TIMNATH, COLORADO  
ORDINANCE NO. 9, SERIES 2013**

**AN ORDINANCE AMENDING CHAPTER 7, ARTICLE II, SECTION 7.2.3  
REGARDING NUISANCES**

**WHEREAS**, The Town of Timnath (the "Town") is a home rule municipality operating under the Timnath Home Rule Charter (the "Charter") adopted on November 7, 2006 and the Town's Municipal Code (the "Code"). Pursuant to the Charter, the Code and the authority given home rule municipalities, the Town may adopt and amend ordinances.

**WHEREAS**, This Ordinance amends the Code to require construction sites to use covered dumpsters to prevent the blowing of debris onto other properties.

**WHEREAS**, The Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of public health, welfare, peace, safety and property and that this Ordinance is necessary for the protection of public convenience and welfare.

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF TIMNATH,  
COLORADO, ORDAINS:**

**ARTICLE 1 – ADOPTION**

The Code is hereby amended as follows:

**A.** Section 7.2.3 of the Code is amended to include the following:

**7.2.3 (5). Construction Site Debris.** In order to prevent the blowing of construction site trash and debris, contractors shall use a covered dumpster or trash receptacle. The unit shall be covered during the work day as much as practicable and in all cases when work has ceased at the end of the day.

**ARTICLE 2 – CAUSES OF ACTION RETAINED**

Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**ARTICLE 3 – SEVERABILITY**

If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the

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**Please Return to:**  
Town of Timnath  
4800 Goodman Street  
Timnath, CO 80547

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remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

**ARTICLE 4 – EFFECTIVE DATE**

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON JULY 9, 2013, AND JULY 23, 2013 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 9<sup>TH</sup> DAY OF JULY, 2013.

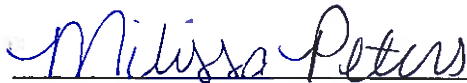
MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JULY 23, 2013.

**TOWN OF TIMNATH, COLORADO**



Jill Grossman-Belisle, Mayor

**ATTEST:**



Milissa Peters, Town Clerk

