

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 11, SERIES 2014**

**AN ORDINANCE OF THE TOWN OF TIMNATH ENACTING CHAPTER 11,
ARTICLE II, SECTION 11.42, JOINT UTILITY TRENCHES, OF THE TOWN'S
MUNICIPAL CODE.**

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; and

WHEREAS, the Legislature of the State of Colorado, has in Title 29, Article 20, C.R.S. delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses; and

WHEREAS, the State of Colorado has adopted higher standards for floodplain management and has required their adaptation by local governments; and

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

ARTICLE 1 - ENACTING

The Town Council hereby approves the enacting of Chapter 11, Article II, Section 11.42, Joint Utility Trenches to read as follows:

When a utility company or contractor begins planning for, or opens, a trench in Town Streets, other town property, or public utility easement, the utility company or contractor shall meet with the Town at the Town's request, as soon as reasonably possible after the Town's request, to discuss the feasibility of the Town safely participating in joint trenching for Town facilities. In addition, joint trenching of multiple utilities within one common trench shall be considered whenever feasible to reduce the impact on public ROW and easements.


ARTICLE 2 – CAUSES OF ACTION RETAINED

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding pending 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or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed.

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 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.

RECEPTION#: 20140037754, 07/14/2014 at
11:02:39 AM, 1 OF 2, R \$16.00 TD Pgs: 0
Angela Myers, Clerk & Recorder, Larimer
County, CO


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

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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 JUNE 24, 2014, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON JULY 8, 2014 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 8TH DAY OF JULY, 2014.

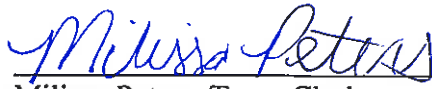
MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JULY 8, 2014.

TOWN OF TIMNATH, COLORADO



Jill Grossman-Belisle, Mayor

ATTEST:



Milissa Peters, Town Clerk

