

**TOWN OF TIMNATH, COLORADO**

**RESOLUTION NO. 7, SERIES 2008**

**A RESOLUTION APPROVING THE OLD TOWN SEWER IMPROVEMENT PROJECT,  
AND ESTABLISHING CONDITIONS AND REQUIREMENTS FOR THE SAME**

WHEREAS, the Town Council of the Town of Timnath has authority pursuant to its Home Rule Charter and applicable provisions of the Colorado Revised Statutes to provide for the health, safety and welfare of the citizens of the Town; and

WHEREAS, the Council finds that many existing single-family residences located within the "Old Town" portion of the Town rely upon leach and septic systems to dispose of domestic wastewater; and

WHEREAS, the Council finds that many of these systems are antiquated, and that given the small size of most residential lots in the Old Town area, the continued use of such systems is a threat to public health; and

WHEREAS, the Town Council wishes to eliminate this threat to public health by the adoption of the "Old Town Sewer Improvement Project;" and

WHEREAS, the adoption of the Project shall be subject to all of the conditions and requirements contained in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO AS FOLLOWS:

**Section 1. Old Town Sewer Improvement Project adopted.** The Town Council hereby adopts the Old Town Sewer Improvement Project ("the Project"). Administration of the Project is subject to the following conditions and restrictions:

1. The Project shall only apply to single-family residences which were in existence on April 1, 2004 and which are still in existence as of the date the Town chooses to make the sewer connection permitted hereby, and which are located within the area shown on the map attached as **Exhibit 1** and fully incorporated herein by this reference.
2. The Town will install domestic sewer service without cost to the owner of the subject residence, including payment of tap fee and all costs associated with connecting an individual sewer service line not to exceed four (4) inches in diameter from the sewer main up to but not extending into the residence.
3. Those property owners who participate in the Project whose residences are served by a septic system, shall agree to have the septic system pumped by the


Town, at the Town's expense, and allow the Town to fill the septic system with sand.

4. To be eligible for the Project, the record property owner must execute an indemnification and release of liability, and to the extent necessary for installation of sewer mains, an easement, all in form approved by the Town Attorney.
5. The Town Manager is authorized and directed to establish additional procedures and restrictions to implement the Project.
6. The Project is specifically subject to appropriation by the Town Council of sums necessary to pay the expenses of the Project. The Town Council may, at any time and in its sole and exclusive discretion, elect not to fund all or any portion of the Project during all or any portion of any calendar year. The Town Council may, at any time and in its sole and exclusive discretion, elect to modify or terminate the Project, impose additional conditions and restrictions upon the Project, or extend or limit the benefits of the Project to any property.

**Section 2. Effective Date.** This Resolution shall be effective immediately upon adoption.

MOVED, SECONDED AND ADOPTED ON THE 19TH DAY OF MARCH, 2008 BY THE COUNCIL BY A VOTE OF 5 AYES AND 0 NOS.

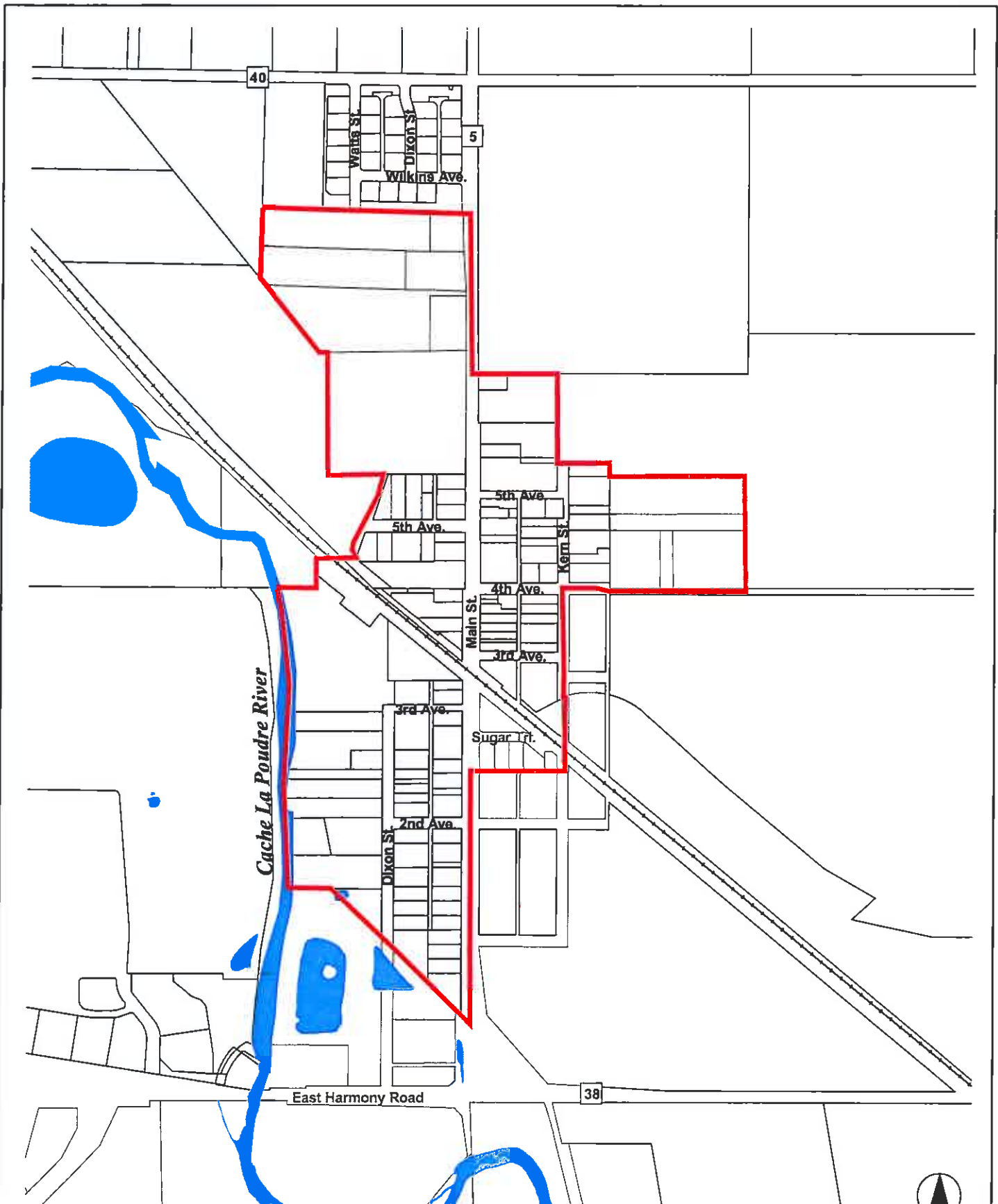
By:   
Donna Benson, Mayor

Attest:  
  
Linda Salas, Town Clerk

**EXHIBIT 1**

**Map of Old Town Sewer Improvement Project Area**

[attached]



**Old Town Sewer Improvement  
Project Eligibility Area**