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causes of action acquired or existing, under any act or ordinance hereby repealed.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.

RECEIPTION#: 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
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

[ Seal ]