

**TOWN OF TIMNATH, COLORADO  
ORDINANCE NO. 3, SERIES 2026**

**AN ORDINANCE AMENDING MUNICIPAL CODE TO REFLECT TOWN  
OPERATIONAL AND STATUTORY CHANGES**

**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 Town Council wishes to update the Town Code to add reflect statutory and operational changes, including: adding definitions for "Town Treasurer" and "Chief Financial Officer", updating the address for the Town's administrative building, updating the method of posting notice per changes to the Colorado Open Meetings Law, updating the name of the Humane Society, removing unnecessary sections regarding a completed capital project (Old Town Sewer Project), and updating the regulation of golf carts on Town roads; and

**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 – Updating Town Officer Titles. The Town Council hereby amends the Code to add the following definitions to Section 1-2-10, which shall be inserted in chronological order with the other definitions:

**Sec. 1-2-10. – Definitions.**

*Chief Financial Officer* means the Town Finance Director.

*Town Treasurer* means the Town Finance Director.

ARTICLE 2 – Updating Town Addresses. The Town Council hereby amends the Code to update the address of the Town Center and to reflect that agendas are now posted on the Town website, as follows: (*new additions are underlined and deleted items have a strikethrough*).

**Sec. 2-2-60. – Posting of meeting notices.**

The official Town of Timnath website at Timnath.org ~~Timnath Administration Building, 4800 Goodman Street, Timnath, Colorado,~~ shall constitute the designated public posting place for the posting of meeting notices. The Timnath Town Center, 4750 Signal Tree Drive, Timnath, Colorado, is designated as the place for posting notices in the event that the Town is unable to post a notice online in exigent or emergency circumstances such as a power outage or an interruption in internet service that prevents the public from accessing the notice online. The official place for posting notices may be updated from time to time by Resolution adopted by the Town Council, such as in the event that the website address or physical address changes. The Town Clerk shall be responsible for posting the required notices no later than 24 hours prior to the holding of the meeting, or as otherwise permitted by law. All meeting notices shall include specific agenda information, where possible.

**Sec. 5-4-465. – Notice**

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To the Town:

Town Manager  
Town of Timnath  
~~4800 Goodman Street~~ 4750 Signal Tree Drive  
Timnath, CO 80547

With a copy to:

Town Attorney  
Town of Timnath  
~~4800 Goodman Street~~ 4750 Signal Tree Drive  
Timnath, CO 80547

**Sec. 5-3-630. - Representatives.**

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For the Town of Timnath:

Mayor  
Town of Timnath  
~~4100 Main Street~~ 4750 Signal Tree Drive  
Timnath, CO 80547

ARTICLE 3 – Updating Name of Humane Society. The Town Council hereby amends Section 7-9-10 of Code to change all references to “Larimer County Humane Society” to “NOCO Humane Society”.

ARTICLE 4 – Removing Provisions Regarding Old Town Sewer Project. The Town has completed its Old Town Sewer Project, and therefore, the Town Council hereby amends the Code to delete Article 5 of Chapter 11 in its entirety.

**ARTICLE 5 – Old Town Sewer Project**

**~~Sec. 11-5-10. – Purpose; findings.~~**

~~The Town Council finds that many of the leach and septic wastewater systems in the Old Town Area are antiquated and are used by structures on small lots, and that failure of such systems is a threat to public health. The Town Council finds that requiring all structures in the Old Town Area to connect to a public sewer service will remedy the threat to public health.~~

~~(Prior code, § 11.120; Ord. No. 11, § 1, 2015, 11-10-2015)~~

**~~Sec. 11-5-20. – Definitions.~~**

~~As used in this Article, the following terms shall have the following meanings:~~

~~*Eligible structure* means a structure within the Old Town Area served by leach and/or septic systems in existence as of January 1, 2008, and still in existence.~~

~~*Final connection deadline* means 30 days after the applicable Town connection deadline.~~

~~*Old Town Area* means that area described on Exhibit 1, attached to the ordinance codified herein, a copy of which shall be maintained in the office of the Town Clerk.~~

~~*Project* means the Old Town Sewer Project requiring all structures in the Old Town Area currently operating on leach and/or septic systems to connect to a public sewer service, subject to the conditions and restrictions of this Article.~~

~~*Town connection deadline* means the date by which an eligible structure must be connected to a public sewer service in order to be eligible for Town assistance. The sewer line will be built in phases, and the Town completion deadline will vary by phases as established by the Town Manager and communicated to owners of eligible properties by certified mail.~~

~~(Prior code, § 11.121; Ord. No. 11, § 1, 2015, 11-10-2015)~~

**~~Sec. 11-5-30. – Mandatory connection to project.~~**

~~(a) All structures in the Old Town Area currently operating on a leach and/or septic wastewater system shall be connected to the project and have their existing septic system pumped and filled with sand by the final connection deadline.~~

~~(b) It is unlawful and a violation of this Code for an owner of any structure served by a leach and septic system in the Old Town Area to fail to comply with Subsection (a) above.~~

~~(Prior code, § 11.122; Ord. No. 11, § 1, 2015, 11-10-2015)~~

**~~Sec. 11-5-40. – Town assistance.~~**

~~The Town will assist owners within the Old Town Area in complying with Subsection 11-5-30(a) above, subject to the following conditions and restrictions:~~

~~(1)~~

~~Owners of an eligible structure which is connected to the project by the Town completion deadline are entitled to the following:~~

~~a. The Town will install sewer service without cost to the owner of the structure, including payment of tap fees and all costs associated with connecting an individual sewer service line~~

~~not to exceed four inches in diameter from the sewer main up to but not extending into the structure.~~

~~b. Each owner of an eligible structure will be required to complete the connection from the structure to the sewer service line at the owner's expense.~~

~~c. Once connected to the sewer service line, the Town will pump the septic system and fill the septic system with sand without cost to the owner.~~

~~d. The record owner of each eligible structure will be required to execute an indemnification, release of liability and, to the extent necessary for installation of sewer mains, an easement, all in a form approved by the Town Attorney.~~

~~e. The Town will repair damage to concrete, driveways, sprinkler systems and sod, but not trees or bushes, that is a result of the work done in connecting the eligible structure to the public sewer line.~~

~~f. The Town will arrange for inclusion of the property into the South Fort Collins Sanitation District. The property owner's signature will be required on forms provided by the Town.~~

~~g. The Town's obligations under Subsection 11-5-30(a) above are specifically subject to appropriation by the Town Council of sums necessary. The Town Council may, at any time and in its sole and exclusive discretion, elect not to fund all or any portion of its assistance under this Paragraph 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 its assistance described in this Paragraph, impose additional conditions and restrictions upon owners of eligible structures or extend or limit the benefits of the Town's assistance in this Paragraph to any property.~~

~~(2) An owner of an eligible structure who fails to connect to the project by the Town completion date shall comply with the following prior to the final completion deadline:~~

~~a. Install an individual sanitary sewer service line not to exceed four inches from the sewer main to the structure at the owner's sole expense, including payment of tap fees.~~

~~b. Once the structure is connected, pump the septic system and fill it with sand at the owner's sole expense.~~

~~c. Petition for and obtain inclusion into the South Fort Collins Sanitation District.~~

~~d. Provide sufficient documentation to the Town showing compliance with the requirements of this Article.~~

~~(3) The Town Manager is authorized and directed to establish additional procedures to implement the project.~~

~~(Prior code, § 11.123; Ord. No. 11, § 1, 2015, 11-10-2015)~~

**Sec. 11-5-50. -- Penalties for failing to connect to project; abatement.**

~~(a) Any owner who fails to comply with Subsection 11-5-30(a) above shall be in violation of this Article, and a citation for the same may be written into the Municipal Court.~~

~~(b) Each day beyond the final completion deadline that the owner fails to connect a structure to the project as required shall constitute a separate offense.~~

~~(c) A violation of this Article shall not constitute a criminal offense, and no jail time shall be imposed.~~

~~(d) In addition to prosecution in the Municipal Court, failure to comply with Subsection 11-5-30(a) of this Article will result in the Town performing the requirements of this Article and assessing the whole cost of such work upon the property as a lien, to be collected in the same manner as property taxes. This assessment shall have priority over all other liens except general taxes.~~

(Prior code, § 11.124; Ord. No. 11, § 1, 2015, 11-10-2015)

ARTICLE 5 – Updating Golf Carts Regulations – The Town The Town Council hereby amends the Code to make the following change in Section 8-4-30:

**Sec. 8-4-30. Use of golf carts.**

(1) The operator of a golf cart shall obey all traffic and parking regulations otherwise applicable to motor vehicles.

(2) (2) Golf carts shall be driven in the right-hand lane and not exceed a speed of 20 miles per hour. When being overtaken by another vehicle, golf carts shall be driven as close to the right-hand as practicable. Where a bicycle lane or paved shoulder suitable for travel bicycle riding is present, persons operating golf carts shall drive in the bicycle lane or paved shoulder. These provisions apply except under any of the following situations:

(a) When overtaking and passing a bicycle or vehicle proceeding in the same direction;

(b) (a) When preparing for a left turn at an intersection or into a private road or driveway;

(c) (b) When reasonably necessary to avoid hazardous conditions, including, but not limited to, fixed or moving objects, parked or moving vehicles, pedestrians, animals, or surface hazards.

(a) When overtaking and passing a bicycle or vehicle proceeding in the same direction;

(b) (a) When preparing for a left turn at an intersection or into a private road or driveway;

(c) (b) When reasonably necessary to avoid hazardous conditions, including, but not limited to, fixed or moving objects, parked or moving vehicles, pedestrians, animals, or surface hazards.

(3) Any person who operates a golf cart shall be responsible for all liability associated with operation of the golf cart and shall have liability insurance coverage which will cover the use of the golf cart in an amount not less than required by Colorado law for motor vehicles operated on public highways in the State of Colorado.

**Sec. 8-4-40. - Restricted operations.**

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(2) No person shall operate a golf cart on a state highway or any roadway that has a speed limit in excess of 35 miles per hour; except that such vehicles may be operated to directly cross a state highway or any roadway that has a speed limit in excess of 35 miles per hour at an at-grade crossing to continue traveling along a roadway with a speed limit equal to or less than 35 miles per hour. Prohibited roads in Town include, but are not limited to, Timnath Parkway, Harmony Road, Colorado Boulevard, Latham Parkway, Three Bell Parkway, Buss Gove Road (County Road 40), Prospect Road~~River Pass Road~~, and Mulberry Street.

**ARTICLE 6 - 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.

**ARTICLE 7 – EFFECTIVE DATE**

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

**INTRODUCED, MOVED, ADOPTED BY THE TIMNATH TOWN COUNCIL ON FIRST READING, AND ORDERED PUBLISHED BY TITLE JANUARY 27, 2026, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON FEBRUARY 10, 2026 AT THE TIMNATH ADMINISTRATION BUILDING, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO.**

**MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON FEBRUARY 10, 2026.**

**TOWN OF TIMNATH, COLORADO**



Robert Axmacher, Mayor

**ATTEST:**



Milissa Peters, MMC  
Town Clerk

