

PALMER LAKE, COLORADO

ORDINANCE NO. 8 OF 1995

AN ORDINANCE REQUIRING ONE YEAR WARRANTY OF ROADS AND WATER LINES INSTALLED IN THE TOWN OF PALMER LAKE

WHEREAS, THE TOWN OF PALMER LAKE HAS HISTORICALLY REQUIRED A ONE-YEAR WARRANTY OF ANY WATER LINES INSTALLED OR ANY ROADS INSTALLED IN THE TOWN OF PALMER LAKE PRIOR TO THE TOWN TAKING OVER MAINTENANCE AND ACCEPTANCE OF SAME; AND

WHEREAS, THE SAME NEEDS TO BE CLARIFIED IN THE ORDINANCES OF THE TOWN OF PALMER LAKE;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. Section 13.01.070 B 4 and Section B 4 of Section 1 of Ordinance No. 1-1979 is amended to read as follows:

13.01.070 B 4. Any street, sidewalk, curb, alley or gutter disturbed by such excavation and necessitated by the installation of said water tap shall be replaced and/or repaired at the expense of the consumer. The consumer installing the water tap shall warrant all parts and labor in connection with said installation for a period of one year following final approval of the Board or its authorized inspectors. All maintenance and repairs for that one-year period shall be at the sole cost of the consumer. At the end of the one-year warranty period, provided that the condition of the required improvements meets the Town's specifications, all maintenance thereafter shall be at the expense of the Town of Palmer Lake.

Section 2. A new section, 12.01.080, Warranty of Developer, is added to the Palmer Lake Municipal Code to read as follows:

12.01.080. Warranty of Developer. The developer shall warrant to the Town of Palmer Lake all required improvements for a period of one year from and after their installation and acceptance by the Town of Palmer Lake. During the one-year period all parts and labor for maintenance and repairs in connection with said improvements shall be at the sole cost of the developer. At the end of the one-year warranty period, provided that the condition of the required improvements meets the Town's specifications, all maintenance thereafter shall be at the expense of the Town of Palmer Lake.

Section 3. A new section, 13.04.020, Warranty for Water Line Installation, is added to the Palmer Lake Municipal Code to read as follows:

13.04.020. Warranty for Water Line Installation. All developers, property owners and others who install water lines within the Town of Palmer Lake shall warrant same for a period of one year from and after their acceptance by the Town of Palmer Lake. During the one-year period all parts and labor for maintenance and repairs in connection with said improvements shall be at the sole cost of the installer of the water line. At the end of the one-year warranty period, provided that the condition of the required improvements meets the Town's specifications, all maintenance thereafter shall be at the expense of the Town of Palmer Lake.

Section 4. Addition of a new section, 16.40.140, Warranty of Streets Installed, is added to the Palmer Lake Municipal Code to read as follows:

16.40.140 Warranty of Streets Installed. All developers, property owners and others who install streets or roads within the Town of Palmer Lake shall warrant same for a period of one year from and after their acceptance by the Town of Palmer Lake. During the one-year period all parts and labor for maintenance and repairs in connection with said streets or roads shall be at the sole cost of the installer of the streets or roads. At the end of the one-year warranty period, provided that the condition of the required streets or roads meets the Town's specifications, all maintenance thereafter shall be at the expense of the Town of Palmer Lake.

Section 5. Addition of a new section, 16.48.060, Warranty of Water Supply System, is added to the Palmer Lake Municipal Code to read as follows:

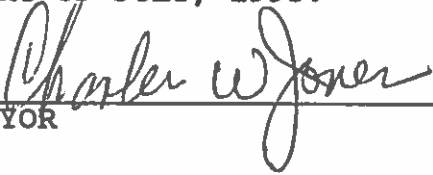
16.48.060. Warranty of Water Supply System. Subdivider who installs or has installed a water supply system connected to the water system of the Town of Palmer Lake shall warrant same for a period of one year following the acceptance of the water supply system by the Town of Palmer Lake. During the one-year period all parts and labor for maintenance and repairs in connection with said improvements shall be at the sole cost of the subdivider. At the end of the one-year warranty period, provided that the condition of the required improvements meets the Town's specifications, all maintenance shall thereafter be at the expense of the Town of Palmer Lake.

Section 6. Severability. It is hereby declared to be the intention of the Board of Trustees of the Town of Palmer Lake, Colorado that the sentences, clauses and phrases of this ordinance are severable, and if any sentence, clause or phrase of this ordinance be declared unconstitutional or invalid by the valid judgment or decree of Court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the

remaining sentences, clauses or phrases of this ordinance since the same would have been enacted by the Board of Trustees without the incorporation of any unconstitutional or invalid sentence, clause or phrase.

Section 7. Publication and Effective Date. The Town Clerk shall certify to the passage of this ordinance and cause notice of its contents and passage to be published or posted. This ordinance shall become effective thirty (30) days after the date of publication.

PASSED AND ADOPTED THIS 13 DAY OF JULY, 1995.



MAYOR

ATTEST:



PAMELA J. MEYNDERT, CMC, TOWN CLERK