

# PALMER LAKE, COLORADO

## ORDINANCE NO. 9 OF 1999

AN ORDINANCE AMENDING SECTION 13.01.070 (B) (4) OF THE PALMER LAKE MUNICIPAL CODE CLARIFYING THE RESPONSIBILITY OF THE TOWN AND THE PROPERTY OWNER FOR MAINTENANCE OF THE TOWN WATER SYSTEM AND DECLARING AN EMERGENCY

WHEREAS, THE TOWN OF PALMER LAKE HAS DETERMINED THAT CONFUSION MAY EXIST REGARDING SOME OF THE PROVISIONS OF THE PALMER LAKE MUNICIPAL CODE; AND

WHEREAS, THE TOWN HAS ELECTED TO IMMEDIATELY AMEND IT'S CODE TO CLARIFY THE INTENT OF THE TOWN; AND

WHEREAS, THE TOWN HAS DETERMINED THAT AN EMERGENCY EXISTS AND THAT THIS ORDINANCE SHOULD GO INTO EFFECT AS SOON AS POSSIBLE.

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

**Section 1.** Portions of Section 1, Ordinance 1, 1979, and Section 13.01.070 (B) (4) of the Palmer Lake Municipal Code are 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 of the water main thereafter shall be at the expense of the Town of Palmer Lake. All maintenance of the service line from the water main to the building shall remain the responsibility of the consumer.

**Section 2. 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 3. Declaring an Emergency and Effective Date.** The Town Board declares that the above Ordinance is necessary for the immediate preservation of the public peace, health and safety and that the same should take effect immediately.

**Section 4. Publication.** The Town Clerk shall certify to the passage of this ordinance and cause notice of its contents and passage to be published or posted.

PASSED AND ADOPTED THIS 11<sup>th</sup> DAY OF NOVEMBER, 1999.

  
MAYOR

ATTEST:

  
DELLA GINS, TOWN CLERK