

PALMER LAKE, COLORADO

ORDINANCE NO. 11-2021

AN ORDINANCE AMENDING TITLES 12, 13, AND 16, SECTIONS 12.01.080, 13.04.020 AND 16.40.140 OF THE TOWN OF PALMER LAKE MUNICIPAL CODE REGARDING WARRANTIES OF DEVELOPER INSTALLED INFRASTRUCTURE

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

WHEREAS, previously the Board adopted regulations requiring developers to warrant infrastructure for a period of one year; and

WHEREAS, the Board of Trustees has determined that it is in the public interest to require a two-year warranty on developer installed infrastructure, specifically, streets and water line and other similar improvements.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO, THAT:

Section 1.

Titles 12, 13, and 16, Chapters 12.01, 13.04, and 16.40, Sections 12.01.080, 13.04.020, and 16.40.140 of the Palmer Lake Municipal Code shall be amended by adding the underlined text and deleting the strikethrough text as indicated below to read in their entirety 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~~two~~ years from and after their installation and acceptance by the Town of Palmer Lake. During the one~~two~~-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~~two~~-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

13.04.020. Warranty of 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~~two~~ years from and after their acceptance by the Town of Palmer Lake. During the one~~two~~-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~~two~~-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

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~~two years from and after their acceptance by the Town of Palmer Lake. During the ~~one~~two-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~~ two-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 2.

Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Board hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3.

Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

INTRODUCED, READ AND PASSED AT A FIRST READING AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 18TH DAY OF NOVEMBER, 2021.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
William Bass
Mayor