

ORDINANCE NO. 529

AN ORDINANCE SPECIFYING THE PROCEDURES AND STANDARDS TO BE USED WHEN ISSUING A BUILDING PERMIT PRIOR TO INSTALLATION OF UTILITIES AND STREET IMPROVEMENTS.

WHEREAS the Town of Berthoud requires a subdivider-developer to install water lines, sewer lines, sidewalks, curbs, gutters and streets prior to the Town issuing a building permit; and,

WHEREAS, the installation of these utilities may unreasonably delay the eventual development of the property;

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO:

Section 1.

If a person wishes to have building permits issued prior to installation of water lines, sewer lines, curbs, gutters, sidewalks and paving that person shall submit a petition to the Town Clerk specifying the following:

- a. Detailed statement of the reasons justifying the requested variance;
- b. The number of building permits requested and the tentative construction timetable;
- c. Copies of fully executed contracts for the installation of these utilities - each contract shall specify a completion date;
- d. A performance bond, letter of credit or other acceptable financial guaranty in an amount sufficient to pay the balances of all the utility contracts submitted;
- e. A waiver and indemnification agreement releasing and defending the Town of Berthoud and the Berthoud Fire Protection District, their agents and employees from all liability for damage or injury to property or persons until such time as all utilities are installed and formally accepted by both the Town of Berthoud and the Berthoud Fire Protection District.

Section 2.

The Board of Trustees shall review the Petition and if proper, shall grant or deny all or a portion of the variance requested. The Board of Trustees may impose such additional restrictions as it deems advisable.

Section 3. Effective Date

The Board of Trustees of the Town of Berthoud herewith finds, determines, and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

This Ordinance was introduced and read and a public hearing set for April 13, 1982, by the Board of Trustees of the Town of Berthoud at its meeting held this 23rd day of March, 1982. After a public hearing, this Ordinance was read, passed, and ordered published by the Board of Trustees at its meeting this 13th day of April, 1982.

TOWN OF BERTHOUD:

ATTEST:

Orabelle Duncker
TOWN CLERK

Richard W. Thacker
MAYOR