

## **ORDINANCE NO. 1296**

### **AN ORDINANCE AMENDING CHAPTER 30 OF THE DEVELOPMENT CODE OF THE TOWN OF BERTHOUD BY ADOPTING BY REFERENCE THE 2020 EDITION OF THE ENGINEERING, INFRASTRUCTURE DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS FOR THE PURPOSE OF REGULATING THE DESIGN, CONSTRUCTION, CHOICE OF MATERIALS, LOCATION, MAINTENANCE, AND USE OF ALL PUBLIC AND PRIVATE IMPROVEMENTS.**

WHEREAS, the Town of Berthoud (the "Town") is a statutory municipality created and organized pursuant to Title 31, Colorado Revised Statutes; and

WHEREAS, in furtherance of the public health, safety and welfare of the inhabitants of the Town, the Board of Trustees desires to adopt by reference Engineering and Infrastructure Design Standards and Construction Specifications, 2020 Edition as published by the Town of Berthoud, 807 Mountain Avenue, Berthoud, Colorado 80513 ("Standards and Specifications"); and

WHEREAS, Section 31-16-202, C.R.S., as amended, permits the adoption by reference of such codes upon notice and hearing as provided in Section 31-16-203, C.R.S.; and

WHEREAS, copies of the Standards and Specifications are available at the office of the Town Clerk located at 807 Mountain Ave, Berthoud, CO 80513, for review and inspection by the public; and

WHEREAS, the Board of Trustees held a public hearing, with proper notice provided, to consider adoption of the Standards and Specifications as required by law; and

WHEREAS, the Town Board of Trustees has determined, based on the evidence and testimony presented at the public hearing, that the Standards and Specifications will further the health, safety and welfare of the inhabitants of the Town.

**NOW BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:**

Section 1. Chapter 30 of the Development Code of the Town of Berthoud is hereby amended to add the following Section 30-2-101.5:

#### **Section 30-2-101.5 – Design Standards and Construction Specifications**

Pursuant to parts 1 and 2 of article 16 of title 31, C.R.S., there is hereby adopted by reference Engineering and Infrastructure Design Standards and Construction Specifications, 2020 Edition as published by the Town of Berthoud, 807 Mountain Avenue, Berthoud, Colorado 80513 ("Standards and Specifications"); provided that any penalty provisions are expressly not adopted. The subject matter of the Standards and Specifications relates primarily to the design and construction of public and private improvements. The purpose of this Section and the Standards and Specifications adopted herein is to provide minimum standards for safety, health, and general welfare of the Town by regulating the design, construction, choice of materials, location, maintenance and use of all Public and Private Improvements. Three (3) copies of the Standards and Specifications adopted herein are now filed in the office of the Clerk of the Town of Berthoud,

Colorado, and may be inspected during regular business hours.

Section 2. Section 30-2-121 of the Development Code of the Town of Berthoud is hereby amended to read as follows:

**30-2-121 - Sanitary Sewer**

All residential, commercial and industrial uses which have human occupancy shall have sanitary sewer. The sanitary sewer system shall be connected to an existing public sanitary sewer system and shall consist of a closed system of sanitary sewer mains and lateral branch connections to each structure or lot upon which a structure is to be built. Sanitary sewer lines are to be of sufficient size and design to collect all sewage from all proposed or portable structures within the subdivision or development. All sanitary sewer system design and construction must conform to ~~City of Denver Sewer Design and Construction Standards~~ **the Town of Berthoud Engineering and Infrastructure Standards and Construction Specifications** as the same may be amended from time to time.

Section 3. Section 30-2-122 of the Development Code of the Town of Berthoud is hereby amended to read as follows:

**Sec. 30-2-122 - Potable water**

All residential, commercial, and industrial uses which have human occupancy, shall have potable water served by the Town or appropriate water district. The water system shall be of sufficient size and design to supply potable water to each structure or lot upon which a structure is to be built. All potable water system design and construction must conform to ~~Denver Water Engineering Design and Construction Standards~~ **the Town of Berthoud Engineering and Infrastructure Design Standards and Construction Specifications** as the same may be amended from time to time.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance or of any of the primary or secondary codes adopted by reference be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or the codes adopted by reference hereby, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and 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.

Section 6. Effective Date. Except as otherwise expressly provided herein, the provisions enacted by this Ordinance shall become effective at 12:01 a.m. on December 18, 2021.

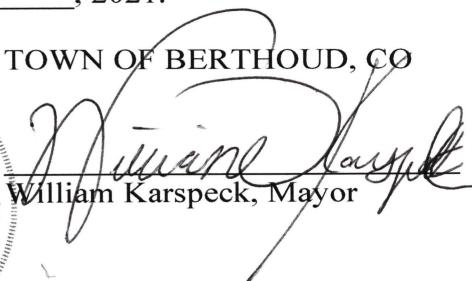
INTRODUCED, PUBLIC HEARING SCHEDULED FOR NOVEMBER 9, 2021, AND ORDERED PUBLISHED THIS 12th DAY OF OCTOBER, 2021.



Christian Samora, Town Clerk

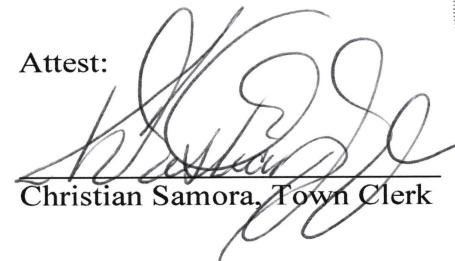
ADOPTED BY THE BOARD OF TRUSTEES FOLLOWING A PUBLIC  
HEARING THIS 9<sup>th</sup> DAY OF November, 2021.

TOWN OF BERTHOUD, CO



William Karspeck, Mayor

Attest:

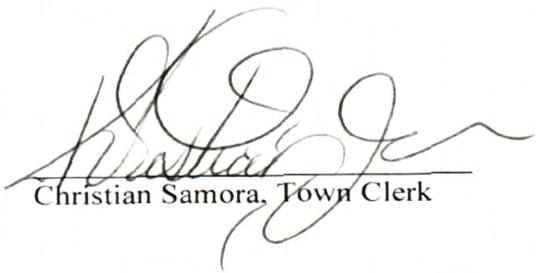


Christian Samora, Town Clerk



Approved as to form:

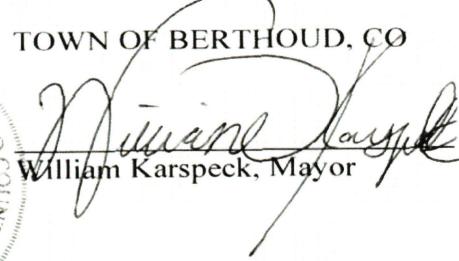
Erin M. Smith, Town Attorney



Christian Samora, Town Clerk

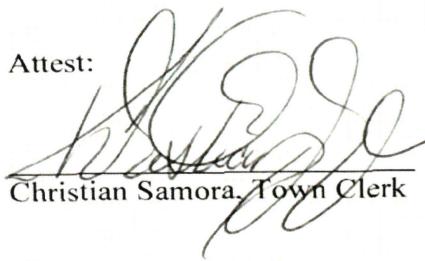
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TOWN OF BERTHOUD, CO



William Karspeck, Mayor

Attest:



Christian Samora, Town Clerk



Approved as to form:



Erin M. Smith, Town Attorney