

ORDINANCE NO. 3.41

AN ORDINANCE ADOPTING THE DOUGLAS COUNTY STORM
DRAINAGE DESIGN AND TECHNICAL CRITERIA
[This Ordinance hereby repeals and supercedes Ordinance
No. 3.35 passed on May 29, 1985]

WHEREAS, the purpose of drainage standards and specifications is to provide for the planning, design and construction of improvements to new or existing storm drainage facilities; and

WHEREAS, the failure of such construction work to conform to uniform standards, specifications and procedures may be detrimental to and may endanger the public health, safety and welfare; and

WHEREAS, the Douglas County Storm Drainage Design and Technical Criteria contains considerable data, requirements and procedures and technical information, and reflects the current policies of the Town Council of the Town of Larkspur, Colorado;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO, as follows:

SECTION 1:

Ordinance No. 3.35 of the Ordinances of the Town of Larkspur is hereby repealed in its entirety, and the following substituted in its stead. The repeal of this Ordinance shall not affect or prevent the prosecution or punishment of any person for the violation of the Ordinance repealed hereby for any offense committed prior to the repeal.

SECTION 2:

There is hereby adopted by the Town of Larkspur, Colorado, for the analysis and design of storm drainage facilities, those certain regulations and criteria known as the Douglas County Storm Drainage Design and Technical Criteria (hereinafter referred to as "CRITERIA"), being particularly the draft adopted by the Douglas County Board of Commissioners on January 13, 1986.

SECTION 3:

3.1 Jurisdiction. These CRITERIA shall apply to all lands within the incorporated areas of the Town of Larkspur, Colorado,

including any public lands. These CRITERIA shall apply to all facilities constructed on public rights of way, easements dedicated for public use, private roads, and to all privately and quasi-publicly owned and maintained storm water detention facilities.

3.2 Purpose. Presented in these CRITERIA is the minimum design and technical criteria for the analysis and design of storm drainage facilities. All subdivisions, resubdivisions, planned developments, or any other proposed construction submitted for approval under the provisions of the Town of Larkspur zoning and/or subdivision ordinances shall include adequate storm drainage system analysis and appropriate drainage system design. Such analysis and design shall conform to the criteria set forth in the CRITERIA, except that calculation of storm runoff may also be made by the Soil Conservation Service TR Number 55 methods when specifically approved for a particular project by the Town Engineer. Policies and technical criteria not specifically addressed in the CRITERIA shall follow the provisions of the Urban Drainage and Flood Control District (hereinafter referred to as "DISTRICT"), "Urban Storm Drainage Criteria Manual" (hereinafter called "MANUAL"), which is incorporated in the CRITERIA by reference. Copies of the MANUAL can be obtained from the DISTRICT, 2480 West 26th Avenue, Suite 156B, Denver, Colorado 80211. Drainage facilities in place shall be accepted without regard to the provisions of the CRITERIA. The CRITERIA adopted by this ordinance shall hereinafter be considered part of the subdivision regulations in force within Larkspur, Colorado.

SECTION 4:

4.1 Enforcement Responsibility. It shall be the duty of the Town Council action through the Town Engineer to enforce the provisions of the CRITERIA.

4.2 Review and Approval. The Town Engineer shall review all drainage submittals for general compliance with these specific CRITERIA. An acceptance by the Town does not relieve

the owner, engineer, or designer from responsibility of insuring that the calculations, plans, specifications, construction, and as built drawings are in compliance with the CRITERIA as stated in the owner's, engineer's certification.

The DISTRICT may be requested to review reports and construction plans required by these CRITERIA. Where major drainageway improvements or floodplain delineation are involved, DISTRICT approval will be required.

SECTION 5:

5.1 Interpretation. In the interpretation and application of the provisions of the CRITERIA, the following shall govern:

In its interpretation and application, the provisions shall be regarded as the minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity, and welfare of the residents of the Town. The CRITERIA shall, therefore, be regarded as remedial and shall be liberally construed to further its underlying purposes.

5.2 Whenever a provision of this CRITERIA and other provisions of the subdivision and/or zoning ordinances or any provision in any law, ordinance, resolution, rule, or regulation of any kind, contain any restrictions covering any of the same subject matter, whichever restrictions are more restrictive or impose higher standards of requirements shall govern.

5.3 The CRITERIA shall not abrogate or annul any permits issued before the effective date of this CRITERIA or any easement or covenant.

SECTION 6:

As used in this CRITERIA, the following abbreviations shall apply:

CDOH	Colorado Department of Highways
CMP	Corrugated Metal Pipe
CMPA	Corrugated Metal Pipe Arch
CWCB	Colorado Water Conservation Board
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
HERCP	Horizontal Elliptical Reinforced Concrete Pipe
RCBC	Reinforced Concrete Box Culvert
RCP	Reinforced Concrete Pipe
ROW	Right of Way
SCS	Soil Conservation Service
SPP	Structural Plate Pipe

SPPA Structural Plate Pipe Arch
UD&FCD Urban Drainage and Flood Control District
USDCM Urban Storm Drainage Criteria Manual
USGS United States Geological Survey

SECTION 7:

Amendments made to the CRITERIA. The CRITERIA draft dated January 13, 1986 is hereby amended as follows: Chapter 1 is hereby deleted in its entirety.

SECTION 8:

8.1 Penalties. Any person who shall violate any of the provisions of this ordinance or of the CRITERIA, or who shall fail to comply with the CRITERIA, or who shall make any improvement in violation of provisions thereof shall, severally, for each and every such violation and noncompliance, respectively, and for each and every day of a continuing violation, be subject to punishment by a fine or not more than \$300.00, or by imprisonment of not more than 90 days, or both. The imposition of one penalty for any violation shall not excuse a violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day the prohibited conditions are maintained shall constitute a separate offense.

8.2 The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions nor to prevent the Town Council from taking any action as may be deemed appropriate in a court of competent jurisdiction to obtain an injunction or an abatement to remove a continuing violation.

SECTION 9:

9.1 Validity. Town Council hereby declares that should any section, paragraph, sentence, word of this ordinance, or of the CRITERIA be declared for any reason to be invalid, it is the intent of the Town Council that it would have passed all other portions of this ordinance and enacted all other provisions of the CRITERIA independent of the elimination of any such portion as may be declared invalid.

Introduced as an ordinance at a regular meeting of the Town Council of the Town of Larkspur, Colorado, on the 3rd day of June, 1987, and passed by a vote of 5 for and 0 against, and ordered published.

Spide Hurst
Mayor

ATTEST:

Genie Duoblood
Town Clerk

Publication Date: _____

I hereby certify that the within Ordinance No. 3.41 was published on the _____ day of _____, 1987, in the Douglas County News-Press, the newspaper of general circulation published in the County of Douglas, State of Colorado; and I further certify that the within Ordinance No. 3.41 was posted on the bulletin board at the Town Hall of the Town of Larkspur from _____, 1987 to _____, 1987.

Town Clerk