

ORDINANCE NO. 5.20

AN ORDINANCE REGULATING ROADWAY CUTS,
TRENCHES AND BORES
(This Ordinance hereby repeals and supercedes
Section IX, Paragraphs B, C and D of
Ordinance No. 5.19 passed and adopted on the
19th day of November, 1987)

BE IT ORDAINED by the Town Council of the Town of Larkspur,
Colorado as follows:

Purpose. The Town Council of the Town of Larkspur, in order
to promote orderly development and protect the health, safety and
welfare of its citizens hereby enacts the following regulations
pertaining to cuts, trenches or bores under or across any roadway
within the Town of Larkspur, Colorado:

Section 1. No individual shall excavate any cut, trench or
bore across any public roadway within the Town of Larkspur,
Colorado unless it is done in compliance with the provisions of
this Ordinance.

Section 2. Before any person makes a cut, trench or bore
across a public roadway within the Town of Larkspur, he shall
first obtain a permit from the Town Engineer or Public Works
Superintendent ("Town Engineer"). The Town Engineer shall, prior
to the issuance of said permit, determine the following:

- A. The charges to be made in connection therewith;
- B. The proper location and method for the trench, cut
or bore;
- C. The inspections which are necessary and the time in
which they are to be made during the course of
construction;
- D. Whether a cut or any portion thereof can reasonably
be avoided by boring and jacking or by tunneling,
in which case the applicant must bore or tunnel as
determined by the Town Engineer.
- E. Whether the cut, trench or bore can serve more
than one utility, and if so, the Town Engineer
shall require the person to take such measures as

the Town Engineer deems reasonably appropriate to accommodate the multiple use.

Section 3. When the Town Engineer has made the determination as required above and the proper charges have been paid by the applicant, the permit will issue.

Section 4. If, during any inspection, it is determined by the Town Engineer that the engineering or other construction requirements of the permit are not being met, a stop-work order shall be issued until the necessary requirements are properly met.

Section 5. Each and every person receiving a permit in accordance with the provisions hereof shall warrant and be responsible for the material provided, the workmanship of the construction, the proper engineering and the quality of the restoration for a period of one year from the completion of construction.

Section 6. Before any cut, bore or trench is made, a deposit shall be paid to the Town Clerk in the amount to be determined by the Town Engineer, but not less than \$1,000.00 for a cut, bore or trench which is 60-foot in length or less. Any trench, bore or cut extending more than 60 feet shall incur an additional deposit of not less than \$10.00 per foot for the length in excess of 60 feet, as determined by the Town Engineer.

Section 7. The cut deposit described above shall also apply in the event that any utility line, pipe or other device, previously placed across a roadway, must be repaired or replaced.

Section 8. Any person making a cut, trench or bore across any roadway within the municipal limits of the Town of Larkspur shall additionally be responsible to restore the surface of the street in accordance with the specifications of the Town Engineer within 30 days of the date that the permit for same is issued. Upon the approval of the restoration by the Town Engineer, 40% of the deposit shall be refunded and the Town Engineer shall issue a Certificate of Completion. The remaining 60% of the deposit shall be retained for a period of ninety days from the date of

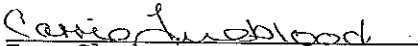
the Town Engineer's Certificate of Completion. At the end of this 90-day period, the Town Engineer shall issue a Certificate of Satisfaction that the condition of the restoration is still in conformity with Town specifications. At the time of the issuance of such Certificate of Satisfaction, 40% of the initial deposit shall be refunded. The remaining 20% of the deposit shall be retained by the Town of Larkspur for inspection fees. If said restoration is not complete to specifications within thirty days of the issuance of the permit, the deposit, in its entirety, shall be forfeited to the Town of Larkspur.

Section 9: Paragraphs B, C and D, Section IX of Ordinance No. 5.19 are hereby deleted in their entirety.

Introduced as an ordinance at a special meeting of the Town Council of the Town of Larkspur, Colorado, on the 10th day of August, 1988, and passed by a vote of 6 for and 0 against, and ordered published.


Mayor Pro Tem

ATTEST:


Town Clerk

Publication Date: _____

I hereby certify that the within Ordinance No. 5.20 was published on the _____ day of _____, 1988, 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. 5.20 was posted on the bulletin board at the Town Hall of the Town of Larkspur from _____, 1988 to _____, 1988.

Town Clerk