

**ORDINANCE NO. 5.25**

**AN ORDINANCE ESTABLISHING A MORATORIUM ON ISSUANCE OF BUILDING PERMITS FOR CONSTRUCTION OF NEW STRUCTURES THAT INCLUDE THE USE OF WATER OR WASTEWATER SERVICES**

**WHEREAS**, the ordinances of the Town of Larkspur authorize and require the issuance of a building permit prior to the construction of structures within the Town of Larkspur; and

**WHEREAS**, the Town has recently been notified by the Colorado Department of Public Health and Environment (CDPHE) that the Town has exceeded some of the limits contained in the discharge permit for the Town's wastewater treatment plant; and

**WHEREAS**, the CDPHE has advised the Town that it needs to place a moratorium on building permits for new structures that would increase the burden on the Town's wastewater plant until the issues raised by the CDPHE have been satisfactorily addressed; and

**WHEREAS**, it is in the best interest of the Town and of the public, as well as being in the interest of the public health, safety and welfare that the issues raised by the CDPHE be addressed before any building permits are issued that would place an additional burden on the Town's wastewater treatment plant.

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO, AS FOLLOWS:**

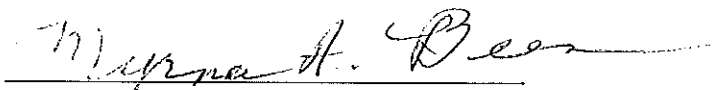
1. Effective immediately, no further building permits shall be approved or issued for the construction of any new structures that would involve the issuance of a new water or wastewater tap or the expansion of an existing water or wastewater tap.
2. Effective immediately, no further building permits shall be approved or issued for the remodeling or expansion of any existing structures if such remodeling or expansion would involve the issuance of a new water or wastewater tap or the expansion of an existing water or wastewater tap.
3. This moratorium shall not apply to and shall not affect the ongoing efforts of the Town and Douglas County Building Division to require the owners of existing structures that were constructed or remodeled or expanded without first obtaining a building permit, to obtain such permit.

4. This moratorium shall not apply to the issuance of any building permit that does not involve the issuance of a new water or wastewater tap or the expansion of an existing water or waste water tap.
5. This moratorium shall remain in effect until the Town has received written approval from the CDPHE to terminate the moratorium. If no such written approval has been received within six (6) months from the date hereof, then the Town Council shall revisit this matter to determine whether such moratorium should continue.


**MOVED, SECONDED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO THIS 5TH DAY OF JANUARY, 2006.**

**TOWN OF LARKSPUR**



  
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Myrna Been, Mayor

**ATTEST:**

  
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Penney Henson, Town Clerk