

**ORDINANCE NO. 5.26**

**AN ORDINANCE EXTENDING 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**, in response to notification 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, the Town enacted Ordinance No. 5.25 establishing a moratorium on the issuance of building permits for construction of new structures that include the use of water or wastewater services; and

**WHEREAS**, the CDPHE has advised the Town that it needs to extend the moratorium to enable the Town to continue in its efforts to address the concerns raised by the CDPHE, 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. The moratorium established by Ordinance No. 5.25 shall continue and remain in effect for a period of six (6) months from the effective date of this Ordinance.
2. 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.
3. 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.

4. 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.


**INTRODUCED, PASSED AND ADOPTED AT A REGULAR COUNCIL MEETING ON SEPTEMBER 7, 2006 AND SIGNED THIS 11TH DAY OF SEPTEMBER, 2006.**

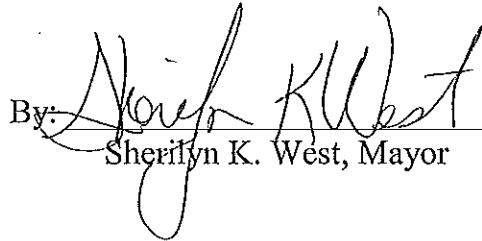


Votes Approving: 7  
Votes Opposed: 0  
Absent: 0  
Abstained: 0

**ATTEST:**

**TOWN COUNCIL OF THE  
TOWN OF LARKSPUR, COLORADO**

  
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Penny J. Henson, Town Clerk

By:   
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Sherilyn K. West, Mayor