

ORDINANCE NO. 6
Series 2014

August 19, 2014: Introduced as Council Bill 4, Series 2014 by Councilor Scott Roswell, seconded by Councilor Klasina VanderWerf and considered in full text on first reading. Passed by a vote of 6 yes and 0 no.

September 2, 2014: Considered in full text on second reading. Passed by a vote of 6 yes and 0 no.

**A BILL FOR AN ORDINANCE
OF THE CITY OF CHERRY HILLS VILLAGE
REPEALING AND RE-ENACTING SECTION 17-4-30 OF CHAPTER 17 OF THE CHERRY
HILLS VILLAGE MUNICIPAL CODE CONCERNING ENGINEERING AND CONSTRUCTION
CRITERIA AND ADOPTING BY REFERENCE THE ARAPAHOE COUNTY
INFRASTRUCTURE DESIGN AND CONSTRUCTION STANDARDS, THE ARAPAHOE
COUNTY STORMWATER MANAGEMENT MANUAL, THE URBAN STORM DRAINAGE
CRITERIA MANUAL, THE COLORADO DEPARTMENT OF TRANSPORTATION ROADWAY
DESIGN GUIDE AND THE COLORADO DEPARTMENT OF TRANSPORTATION STANDARD
SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION**

WHEREAS, the City of Cherry Hills Village ("City") is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and Article 23, Title 31 of the Colorado Revised Statutes, the City has authority to regulate the development of land within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, the City has adopted subdivision regulations codified in Chapter 17 of the Municipal Code that, in relevant part, impose requirements on the construction of public improvements based on engineering and construction criteria set forth in regulatory codes adopted by other agencies; and

WHEREAS, the City has determined that it is necessary to update the engineering and construction criteria through the adoption by reference of various County and state agency codes to ensure that infrastructure installed in the City meets current standards; and

WHEREAS, the City Council is authorized pursuant to section 4.6 of the Home Rule Charter to adopt codes by reference in accordance with state law

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. Section 17-4-30 of the Cherry Hills Village Municipal Code, entitled "Engineering and Construction Criteria," is hereby repealed and re-enacted to read as follows:

Sec. 17-4-30. Engineering and construction criteria.

- (a) Codes Adopted. Pursuant to and in the manner provided by law, there is hereby adopted by reference the following codes and standards:

1. "Arapahoe County Infrastructure Design and Construction Standards" dated December 15, 2006 and revised on December 31, 2007, published by the Arapahoe County Board of County Commissioners;

2. "Arapahoe County Stormwater Management Manual" dated January 30, 2007 and revised on July 5, 2011, published by the Arapahoe County Board of County Commissioners;

3. "Urban Storm Drainage Criteria Manual" dated June 2001 and revised in April 2008, published by the Urban Drainage and Flood Control District;

4. "Roadway Design Guide" dated June 20, 2005 and revised in April 2014, published by the Colorado Department of Transportation; and

5. "Standard Specifications for Road and Bridge Construction" dated May 3, 2011 and revised on May 23, 2014, published by the Colorado Department of Transportation.

These Codes shall constitute the minimum engineering and construction criteria applicable to the construction of public improvements within the City. Alternative standards may be established by the City if they are determined to be consistent with the Master Plan, meet engineering standards including but not limited to the construction and excavation standards listed in Section 11-2-220 of Chapter 11 of the Code, and ensure the general safety, health and welfare of the public.

(b) Amendments to the Codes Adopted. The above referenced Codes are hereby amended to substitute the word "City" and for all references to "Arapahoe County"; "County"; "Board of County Commissioners". All references to the applicability of the Codes to "unincorporated Arapahoe County" shall mean the "City of Cherry Hills Village."

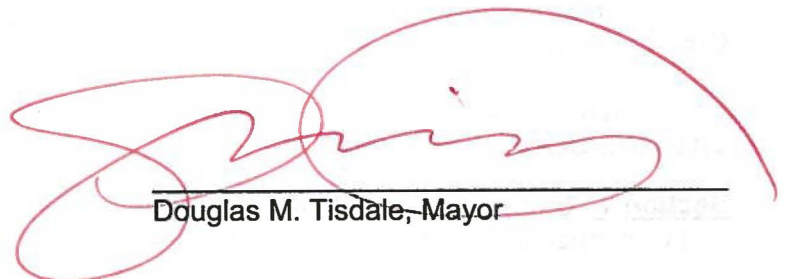
(c) Penalties. Any person who violates any provisions of the codes adopted in this Section 17-4-30 shall be subject to the penalties and enforcement set forth in Section 17-2-80(c) of the Code. In addition, the City Manager may issue a notice, order and demand to immediately cease work or any other action found by the City Manager to be in violation of the codes adopted herein.

Section 2. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 3. Effective Date. This Ordinance shall become effective ten (10) days after publication on second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

Adopted as Ordinance No. 6, Series 2014, by the City Council of the City of Cherry Hills Village, Colorado this 7th day of October, 2014.

(SEAL)


Douglas M. Tisdale, Mayor

ATTEST:

APPROVED AS TO FORM:


Laura Smith, City Clerk


Linda C. Michow, City Attorney

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CITY OF CHERRY HILLS VILLAGE
ADOPTION OF ORDINANCE
ORDINANCE 6, SERIES 2014

A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE REPEALING AND RE-ENACTING SECTION 17-4-30 OF CHAPTER 17 OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE CONCERNING ENGINEERING AND CONSTRUCTION CRITERIA AND ADOPTING BY REFERENCE THE ARAPAHOE COUNTY INFRASTRUCTURE DESIGN AND CONSTRUCTION STANDARDS, THE ARAPAHOE COUNTY STORMWATER MANAGEMENT MANUAL, THE URBAN STORM DRAINAGE CRITERIA MANUAL, THE COLORADO DEPARTMENT OF TRANSPORTATION ROADWAY DESIGN GUIDE AND THE COLORADO DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.

Copies of the Ordinances are on file at the office of the City Clerk and may be inspected during regular business hours.

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