

RESOLUTION NO. 21
SERIES 2019

INTRODUCED BY: KATY BROWN
SECONDED BY: RANDY WEIL

**A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
DELEGATING THE CITY'S DAMAGE PREVENTION SAFETY PROGRAM RELATED TO THE
LOCATION OF UNDERGROUND FACILITIES TO THE STATE UNDERGROUND DAMAGE
PREVENTION SAFETY COMMISSION**

WHEREAS, the City of Cherry Hills Village is a home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City's Home Rule Charter;

WHEREAS, the Colorado General Assembly enacted SB 18-167, which amended state enforcement provisions and requirements related to the location of underground facilities, and established an Underground Damage Prevention Safety Commission within the Colorado Department of Labor and Employment, Division of Oil and Public Safety, (the "State Commission");

WHEREAS, pursuant to Section 9-1.5-104.2, C.R.S., the State Commission is tasked with advising governments and utility notification associations on policies relating to best practices and standards designed to protect the public health and safety by preventing damage to underground utilities during excavations, as well as reviewing alleged violations related to underground utilities;

WHEREAS, Section 9-1.5-104.2(1)(d), C.R.S., provides that the governing body of home rule entities must either adopt their own damage prevention safety program similar to that established by state law, or adopt by resolution, ordinance, or other official action, a waiver that delegates its damage prevention safety program to the State Commission; and

WHEREAS, the City Council of the City of Cherry Hills Village believes it is in the best interest of the City to adopt a waiver delegating its damage safety prevention program to the State Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE THAT:

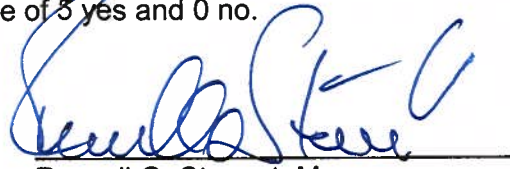
Section 1. The Recitals of this Resolution are incorporated herein by this reference.

Section 2. The City Council hereby approves and adopts a waiver that delegates the City's damage safety prevention program to the Colorado Department of Labor and Employment, Division of Oil and Public Safety, Underground Damage Prevention Safety Commission.

Section 3. This Resolution shall be effective immediately.

Introduced, passed and adopted at the
regular meeting of City Council this 16th day
of July, 2019, by a vote of 5 yes and 0 no.

(SEAL)



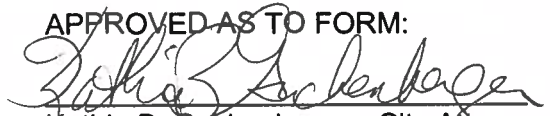
Russell O. Stewart, Mayor

ATTEST:



Laura Gillespie, City Clerk

APPROVED AS TO FORM:



Kathie B. Guckenberger, City Attorney