

O-2007-13

AN ORDINANCE

AMENDING SECTION 14.20.010 OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO ENGINEERING REGULATIONS, CONSTRUCTION SPECIFICATIONS AND DESIGN STANDARDS; FURTHER ADOPTING BY REFERENCE THE TRANSPORTATION ENGINEERING DESIGN STANDARDS DATED MARCH, 2007

WHEREAS, it is necessary and desirable that the construction of public facilities and construction work within the public ways of the City be performed in accordance with uniform acceptable engineering standards and procedures: and

WHEREAS, failure of such construction to conform to acceptable and uniform engineering standards and procedures is or may be detrimental to and may endanger the public health, safety and welfare; and

WHEREAS, adherence to such standards and procedures is essential to the protection of the public investment in such facilities and public ways; and

WHEREAS, by Ordinance 0-86-107, the City adopted Engineering Regulations, Construction Specifications and Design Standards, (sometimes herein referred to as "Engineering Regulations"); and

WHEREAS, the "Engineering Regulations" include the Transportation Engineering Design Standards dated June 1985 as an addendum; and

WHEREAS, the Transportation Engineering Design Standards have been updated and are dated March, 2007.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Section 14.20.010 of the Lakewood Municipal Code is hereby amended to read as follows:

Pursuant to Title 31, Article 16, C.R.S., the Engineering Regulations, Construction Specifications and Design Standards dated September 1986, were adopted by reference including, as addenda, the Storm Drainage Criteria Manual dated August 1982, and the Transportation Engineering Design Standards dated June, 1985. The Engineering Regulations, Construction Specifications and Design Standards are hereby amended by the adoption by reference of the secondary code of the Transportation Engineering Design Standards dated March 2007 and repealing the Transportation Engineering Design Standards dated June, 1985.

SECTION 2. Chapter 14.20 of the Lakewood Municipal Code is amended by the addition of a new Section 14.20.060 to read as follows:

14.20.060 Penalties for violations of the Engineering Regulations, Construction Specifications and Design Standards.

Any person who violates any of the provisions of the Engineering Regulations, Construction Specifications and Design Standards adopted by this chapter or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order, as affirmed or modified by the board of appeals or by a court of competent jurisdiction, within the time fixed in this chapter, shall severally for each and every violation and noncompliance respectively, be punishable by a fine of not more than one thousand dollars or by imprisonment for not more than three hundred and sixty-five days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or deficits within a reasonable time, and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

SECTION 3. One copy of the Transportation Engineering Design Standards dated March, 2007, shall be on file with the City Clerk's office and is open to public inspection during regular office hours.

SECTION 4. This ordinance shall take effect thirty (30) days after final publication.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Lakewood City Council on the 9th day of April, 2007; published by title in the Rocky Mountain News and in full on the City of Lakewood's website, www.lakewood.org, on the 12th day of April, 2007; set for public hearing on the 14th day of May, 2007; read, finally passed and adopted by the City Council on the 14th day of May, 2007, and, signed and approved by the Mayor on the 15th day of May, 2007.

Stephen A. Burkholder, Mayor

ATTEST:

Margy Greer, City Clerk

APPROVED AS TO FORM:

Roger Noonan, City Attorney

Date