

ORDINANCE NO. __-2017
Series 2017

AN ORDINANCE OF THE TOWN OF ERIE, COLORADO, REPEALING THE 2017 EDITION STANDARDS AND SPECIFICATIONS FOR THE DESIGN AND CONSTRUCTION OF PUBLIC IMPROVEMENTS; ADOPTING BY REFERENCE THE 2018 EDITION STANDARDS AND SPECIFICATIONS FOR DESIGN AND CONSTRUCTION OF PUBLIC IMPROVEMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, It has been determined by the Board of Trustees of the Town of Erie, Colorado, that it is necessary and expedient to repeal the 2017 EDITION Standards and Specifications for Design and Construction of Public Improvements as previously adopted by the Town, and to adopt, by reference, the 2018 EDITION Standards and Specifications for Design and Construction of Public Improvements, published by the Town of Erie in December of 2017, setting forth the specific design and construction specifications required for the construction of public improvements in the Town of Erie; and,

WHEREAS, the Colorado state statutes provide that the 2018 EDITION Standards and Specifications for Design and Construction of Public Improvements as set forth above may be adopted by reference; and,

WHEREAS, after the introduction of this adopting Ordinance a public hearing was scheduled and held following notice of the public hearing published twice, once as least fifteen (15) days preceding the public hearing and once at least eight (8) days preceding the public hearing, as required by Colorado statute; and,

WHEREAS, three (3) copies of the 2018 EDITION Standards and Specifications for Design and Construction of Public Improvements were and are on file in the Town of Erie Clerk's office; and,

WHEREAS, all penalty clauses, if any, contained in the 2018 EDITION Standards and Specifications for Design and Construction of Public Improvements are set forth in full herein and shall be published along with this adopting Ordinance in full upon adoption; and,

WHEREAS, it is deemed to be in the best interest of the public health, safety and welfare of the residents of the Town of Erie for the Town of Erie to adopt, by reference, the 2018 EDITION Standards and Specifications for Design and Construction of Public Improvements.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. The 2018 EDITION Standards and Specifications for Design and Construction of Public Improvements as previously adopted by the Town are hereby repealed in their entirety.

Section 2. The 2018 EDITION Standards and Specifications for Design and Construction of Public Improvements, three (3) copies of which are on file in the Town of Erie Clerk's office, are hereby adopted by reference.

Section 3. The 2018 EDITION Standards and Specifications for Design and Construction of Public Improvements adopted herein by reference contain no separate penalty clauses.

Section 4. All references to Town Standards and Specifications as contained in the Erie Municipal Code shall refer to the 2018 EDITION Standards and Specifications for Design and Construction of Public Improvements as adopted by reference herein.

Section 5. Severance Clause. If any article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees of the Town of Erie, Colorado hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part of parts may be declared invalid or unconstitutional.

Section 6. Repeal. All other ordinances or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed. The repeal established herein shall not be construed to revive any ordinance Code provision or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 7. Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage.

INTRODUCED, PASSED, ADOPTED AND ORDER PUBLISHED IN FULL BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE THIS 12TH DAY OF DECEMBER, 2017.

PUBLISHED IN FULL ON THE 20TH DAY OF DECEMBER, 2017.

TOWN OF ERIE, COLORADO, a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk