

RESOLUTION NO. 2019-

A RESOLUTION ADOPTING A WAIVER DELEGATING THE TOWN'S DAMAGE PREVENTION SAFETY PROGRAM TO THE UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION

WHEREAS, the Town of Castle Rock is a home rule municipal corporation duly organized and existing under laws of the State of Colorado and the Town's Charter; and

WHEREAS, the Colorado General Assembly enacted H.B. 18-167 which, among other things, established within the Colorado Department of Labor and Employment, Division of Oil and Public Safety, an Underground Damage Prevention Safety Commission ("Commission"); and

WHEREAS, pursuant to Section 9-1.5-104.2, C.R.S., the 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; and

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

WHEREAS, the Town Council of the Town of Castle Rock believes it is in the best interest of the Town to adopt a waiver delegating its damage safety prevention program to the Commission; and

WHEREAS, the Town Council of the Town of Castle Rock reserves the right and authority to rescind the Waiver via a Resolution adopted by Town Council.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. The Town Council hereby approves and adopts a waiver that delegate the Town's damage safety prevention program to the Colorado Department of Labor and Employment, Division of Oil and Public Safety, Underground Damage Prevention Safety Commission.

PASSED, APPROVED AND ADOPTED this 2nd day of July, 2019 by the Town Council of the Town of Castle Rock, Colorado, on first and final reading by a vote of ____ for and ____ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

David L. Corliss, Town Manager