

CITY OF LEADVILLE, COLORADO
Ordinance No. 2
Series of 2018

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEADVILLE,
COLORADO, ADDING A NEW CHAPTER 12.32 AND AMENDING CHAPTER 15.24
AND VARIOUS SECTIONS OF TITLE 16 OF THE LEADVILLE MUNICIPAL CODE
AND ADOPTING THE LAKE COUNTY ROADWAY DESIGN STANDARDS AND
CONSTRUCTION SPECIFICATIONS AS THE CITY OF LEADVILLE ROADWAY
DESIGN STANDARDS AND THE URBAN STORM DRAINAGE CRITERIA MANUAL
AS THE CITY OF LEADVILLE STORM DRAINAGE MANUAL**

WHEREAS, the City Council of the City of Leadville (“City Council”) possesses the authority pursuant to C.R.S. § 31-15-401 and its general police powers to pass and enforce regulations which may be necessary or expedient for the promotion of the health, safety and welfare of the citizens of Leadville; and

WHEREAS, the City is authorized pursuant to C.R.S. § 31-16-202 to adopt, in whole or in part, any code by reference pursuant to the requirements of C.R.S. §§ 31-16-101, *et seq.*, and §§ 31-16-201, *et seq.*; and

WHEREAS, Lake County has promulgated Roadway Design Standards and Construction Specifications, codified and published in Chapter 10 of the Lake County Land Development Code (“Roadway Design Standards”); and

WHEREAS, the purpose and intent of the Roadway Design Standards is to establish a uniform road development policy; provide safe, attractive travel corridors, efficient traffic flow and efficient maintenance; set forth policies, procedures, design standards and construction specifications for use by design engineers for road construction; cover basic roadway design issues; and set forth minimum requirements, which should be used as limits and not the general rule for design and should not preclude good engineering design and judgement; and

WHEREAS, the Urban Drainage and Flood Control District has promulgated and published the Urban Storm Drainage Criteria Manual (“Storm Drainage Manual”); and

WHEREAS, the purpose and intent of the Storm Drainage Manual is to enhance the general health and welfare of the public and avoid uneconomic flood losses and disruption by providing technical criteria to be used as guidelines, standards and methods for sound planning and design of drainage facilities and by assisting and streamlining the planning and design process of drainage facilities; and

WHEREAS, the City Council wishes to add a new Chapter 12.32 to Title 12 of the Leadville Municipal Code to adopt by reference the Roadway Design Standards; and

WHEREAS, the City Council also wishes to add a new Section 15.24.020 to Chapter 15.24 of Title 15 of the Leadville Municipal Code that adopts by reference the standards set forth in the Storm Drainage Manual; and

WHEREAS, the City Council desires to amend Sections 16.12.060, 16.12.070, and 16.32.020 to incorporate the Roadway Design Standards into the subdivision regulations set forth in Title 16 of the Leadville Municipal Code; and

WHEREAS, the City Council held a public hearing, with proper notice provided, to consider adoption of the Roadway Design Standards and the Storm Drainage Manual; and

WHEREAS, copies of the Roadway Design Standards and the Storm Drainage Manual are available in the City Clerk's Office at 800 Harrison Avenue, Leadville, Colorado for review and inspection by the public; and

WHEREAS, the City Council has determined, based on the evidence and testimony presented at the public hearing, that the adoption of the Roadway Design Standards, as amended herein, and the Storm Drainage Manual will further the health, safety and welfare of the inhabitants of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF LEADVILLE, COLORADO, AS FOLLOWS:

Section 1. A new Chapter 12.32, entitled "Roadway Design Standards and Construction Specifications", is hereby added to Title 12 of the Leadville Municipal Code to read in full as follows:

CHAPTER 12.32 – ROADWAY DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS

12.32.010 – Adoption.

The Lake County Roadway Design Standards and Construction Specifications, codified in Chapter 10 of the Lake County Land Development Code, as amended from time to time and published by the Lake County Board of County Commissioners, 505 Harrison Avenue, P.O. Box 964, Leadville, CO 80461, is hereby adopted by reference as if fully set out in this chapter. The Lake County Roadway Design Standards and Construction Specifications as adopted herein shall be referred to as the "Roadway Design Standards" in this code.

12.32.020 – Amendments.

Additions, deletions, and amendments to the Roadway Design Standards are hereby adopted as follows:

- A. All references to "Lake County" or "County" shall mean "Leadville" or "City", as applicable.

- B. All references to “county road system” shall mean “city street system”.
- C. All references to “County Roadway Design Standards” shall mean the Roadway Design Standards as adopted and amended through this chapter.
- D. All references to “County Master Plan” shall mean the “Leadville Comprehensive Plan”, as amended from time to time by the City.
- E. All references to “county right-of-way” shall mean “city right-of-way”.
- F. All references to “arterial road” shall mean “arterial street” as defined in Section 16.04.170 of this code.
- G. All references to “collector road” shall mean “collector street” as defined in Section 16.04.170 of this code.
- H. All references to “local road” shall mean “local street” as defined in Section 16.04.170 of this code.
- I. All references to “Lake County Soil Conservation Service” shall mean the Storm Drainage Manual, as adopted by the city in Section 15.24.020 of Title 15 of this code.

12.32.030 – Conflict.

In the event of any conflict between the Roadway Design Standards, as adopted herein, and any other provision or requirement of this code, the more stringent standard, criteria, or regulation shall apply.

Section 2. A new Section 15.24.020, entitled “Storm Drainage”, is hereby added to Chapter 15.24 of Title 15 of the Leadville Municipal Code to read in full as follows:

15.24.020 – Storm drainage.

- A. Adoption. The Urban Storm Drainage Criteria Manual, inclusive of Volumes 1-3, as promulgated, amended from time to time, and published by the Urban Drainage and Flood Control District, 2480 West 26th Avenue, Suite 156-B, Denver, Colorado 80211, is hereby adopted by reference as if fully set out in this section. The Urban Storm Drainage Criteria Manual as adopted herein shall be referred to as the “Storm Drainage Manual” in this code.

- B. Intent. It is the intent of the city that no permit, subdivision application, or other type of development application shall be approved by the city that fails to meet the standards and criteria set forth in the Storm Drainage Manual, as determined by the city.
- C. Conflict. If any regulation or requirement set forth in this code conflicts with the criteria or standards set forth in the Storm Drainage Manual, the stricter regulations, requirements, or criteria shall control.

Section 3. Section 16.12.060, entitled “Preliminary plan—Contents of application”, of Chapter 16.12 of Title 16 of the Leadville Municipal Code is hereby amended to add a new subsection J to read in full as follows:

J. Storm drainage. The preliminary drainage report and any other applicable preliminary application requirement must comply with the Storm Drainage Manual, as adopted by the city in Section 15.24.020 of this code. It is the intent of the city that no preliminary application plan shall be approved by the city that does not meet the requirements and criteria set forth in the Storm Drainage Manual.

Section 4. Section 16.12.070, entitled “Final plat—Contents of application”, of Chapter 16.12 of Title 16 of the Leadville Municipal Code is hereby amended to add a new subsection E to read in full as follows:

E. Storm drainage. The final drainage report and any other applicable final plat application requirements, including engineering plans and specifications, must comply with the Storm Drainage Manual, as adopted by the city in Section 15.24.020 of this code. It is the intent of the City of Leadville that no final plat application shall be approved by the city that does not meet the requirements and criteria set forth in the Storm Drainage Manual.

Section 5. Section 16.32.020, entitled “Design Standards and Specifications”, of Chapter 16.32 of Title 16 of the Leadville Municipal Code is hereby amended to add a new paragraph D to read in full as follows:

16.32.020 - Design standards and specifications.

- D. If any regulation, requirement, standard or specification set forth in the Roadway Design Standards conflicts with any other provision of this Title 16, the more stringent regulation, requirement, standard or specification shall control.

Section 6. Remaining provisions. Except as specifically amended hereby, all other provisions of the Leadville Municipal Code shall continue in full force and effect.

Section 7. Codification Amendments. The codifier of Leadville's Municipal Code is hereby authorized to make such numerical, technical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Leadville Municipal Code.


Section 8. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 9. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code provision heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to the taking effect of this ordinance.

Section 10. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Leadville, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 11. Effective Date. This ordinance shall become effective thirty (30) days after publication following final passage

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED in full on first reading this 15th day of May, 2018.



Greg Labbe, Mayor

ATTEST:




Bethany Maher, Deputy City Clerk

PUBLISHED IN FULL FOLLOWING FIRST READING in The Herald Democrat, a newspaper of general circulation in the City of Leadville, Colorado, on May 17, 2018 and May 24, 2018.

PASSED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY, with any amendments, this 6 day of June, 2018.

CITY OF LEADVILLE, COLORADO



Greg Labbe, Mayor

ATTEST:



Bethany Maher, Deputy City Clerk