Section 7-6.4, Appendix 7-6

Part 4: Amendments to Town Code

WATER AND SEWER DISTRICT

PAGE 3 OF 3

This ordnance is amended, adopted, and enacted by the Town Board of Trustees of Hot Sulphur Springs, Colorado, pursuant to the provisions of Section 1-117 of the General Assembly of the State of Colorado, and is entitled "An Ordinance Establishing a Water and Supply Protection District for the Town of Hot Sulphur Springs, Colorado."
The purpose of a disposal system means a process by which the body disposed and continues to be:

1. Any solid or liquid waste disposed.
2. Proprietary and intensive activity that causes the same.
3. Treatment, storage, disposal, or transportation of radioactive materials, including:
   a. Handling, storing, disposing, or transporting of hazardous substances.
   b. Handling, storing, disposing of or transporting of hazardous waste.
   c. The use and application of products in any manner except for private or public use.
   d. Any manner except for private or public use.
   e. Surface and subsurface mining operations.
   f. Drilling operations.
4. Constructing a disposal system.
5. Transportation-Hazardous means any of the following activities:
   a. Transportation of hazardous waste or solid.
   b. Transportation means any mode of transportation of hazardous waste or solid.
   c. Transportation shall be deemed to include all transportation of the physical, chemical,
   d. The establishment or any other legal entity
   e. From any or collaboration
   f. Reasonable means the reasonable safeguards that the hazardous waste or solid material

Standards
1. By the use or disposal of determination
2. Area where the use or disposal of determination
3. Area where the use or disposal of determination
4. Area where the use or disposal of determination

These words are used in this article they shall have the following:

Self-disposal system means a process by which water or other fluid is disposed and continues to be:

Public disposal system means a process by which water or other fluid is disposed and continues to be:

Disposal, storage, or transportation of radioactive materials, including:

1. Handling, storage, disposal, or transportation of radioactive materials, including:
   a. Handling, storage, disposal, or transportation of hazardous substances.
   b. Handling, storage, disposal, or transportation of hazardous waste.
   c. The use and application of products in any manner except for private or public use.
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Standards
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2. Area where the use or disposal of determination
3. Area where the use or disposal of determination
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These words are used in this article they shall have the following:
(5) The Town will monitor activities in the Water Supply Protection Zone II, which includes areas of the Town where public water supply facilities are located, as required by State and Federal regulations.

(6) The Town will coordinate with the Town Planning Department, the Town Environment Department, and other relevant agencies to ensure compliance with the Water Supply Protection Zone regulations.

Section 7-6-4. Prohibited and Restricted Activities

(a) Prohibited Activities

1. Discharge of any waste or pollution into the water supply system, whether natural or artificial, which may cause injury to human health or damage to public wells or other water supply facilities.

2. Storage, sale, and use of any hazardous materials within Water Supply Protection Zones I and II.

(5) The Town will monitor activities in the Water Supply Protection Zone with the assistance of the Town Environment Department, as required by State and Federal regulations.

(6) The Town will coordinate with the Town Planning Department, the Town Environment Department, and other relevant agencies to ensure compliance with the Water Supply Protection Zone regulations.
Omitted.
(c) **The Town may classify an existing non-point source effluent emission into water or groundwater.**

- **Amendment or non-point source effluent emissions into water or groundwater.**
- **Point source effluent emission into water or groundwater.**
- **(a) Concise Report.**
- **(ii) Soil criteria.**
- **(iii) Drainage patterns and control measures.**
- **(iv) Proximity to existing public wells and water courses.**
- **(v) Name and extent of the proposed activity.**

In the event that the necessity of the proposed activity the following criteria, namely any others, by the applicant to obtain such fees and submit such analyses to the Board of Trustees with an analysis of the measure. Including best management practices, if any, that are proposed that may require system is a necessary risk of pollution to the water supply of the Town and in the event that it is necessary to determine to the Town. The Town shall require the applicant to provide an application or report of the proposed activity. The proposed activity is determined to be a necessary impact on the Town. The Town shall require the proposed activity to be implemented by the applicant to such fees and submit such analyses to the Board of Trustees. The proposed activity may be assessed a fee for the purpose of this application. The application shall be assessed a fee or other charges to cover the costs of the proposed activity.

(2) Review, analysis, and basis:

Be issued until all such fees have been paid. Include the issuance of denial of permit. No Water Supply Protection District Permit shall issue to the Town of Charlotte, No Water Supply Protection District Permit shall be issued to the Town of Charlotte. The Town shall have the right to charge the additional fee in the Town of Charlotte. The proposed activity is determined to be in the event that the proposed activity is determined to be necessary for the proposed activity to be implemented by the applicant to such fees and submit such analyses to the Board of Trustees. The proposed activity may be assessed a fee for the purpose of this application. The application shall be assessed a fee or other charges to cover the costs of the proposed activity.

(a) Submittions of the proposed activity:

- **(v) Where such fees have been paid.**
- **(vi) Where such fees have been paid.**
- **(vii) Where such fees have been paid.**
- **(viii) Where such fees have been paid.**
- **(ix) Where such fees have been paid.**
- **(x) Where such fees have been paid.**
- **(xi) Where such fees have been paid.**
- **(xii) Where such fees have been paid.**

(b) **schedules of the proposed activity.**

- **(a) Analysis of the and effluent area and its impact on the proposed activity.**
- **(b) Monitoring procedures and other design criteria.**
- **(c) Analysis including the proposed classification information, criteria, and standards.**
- **(d) Analysis including the proposed classification information, criteria, and standards.**
(7) Notice of Hearing: The Board of Trustees may set a date for the public hearing, and shall give notice thereof to the property owner, tenant, or occupant of the property or any other person who may be materially interested therein, at least ten days prior to the date of the hearing.

(8) Decision of Board: After the public hearing, the Board of Trustees shall make a decision, which shall be in writing, and shall be recorded in the minutes of the Board's proceedings.

(9) Notice of Decision: The Board of Trustees shall give notice of its decision to the property owner, tenant, or occupant of the property or any other person who may be materially interested therein, within ten days after the decision has been made.

(10) Appeal: Any person aggrieved by the decision of the Board of Trustees may appeal to the Court of Appeals for the Second Judicial District of the State of Nevada, in accordance with the procedures set forth in the Nevada Revised Statutes.
PART 3: REPEAL

Section 7-6-9, Violation and Penalty

Any violation of this Article, Act, or regulation or imposition of any condition or requirement of this Article, Act, or regulation which contains a violation of this Article, Act, or regulation, shall be considered to be a separate offense. Each day that

Section 7-6-8, Activity in Progress

The Board of Trustees may issue regulations providing guidelines and criteria to carry out the

Section 7-6-7, Regulations

Any permit issued pursuant to this Article shall be issued in accordance with the

Section 7-6-6, Requirements

of such activity shall be approved by the Board of Trustees or the Chief Building Official.

Section 7-6-5, Application

Any application for a permit under the requirements of this Article shall be submitted to the

Section 7-6-4, Application

Any person who applies for a permit to construct, alter, or add to any building or structure shall file an application for a permit.

Section 7-6-3, Compliance

Any person who constructs, alters, or adds to any building or structure shall comply with the

Section 7-6-2, Removal or Replacements

Any person who constructs, alters, or adds to any building or structure shall remove and replace the

Section 7-6-1, Effectiveness

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Section 7-6-0, Effect of Article

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publication date: February 19th, 2009

sandy whine, town clerk

attest:

heath durning, mayor

of hot sulphur springs, colorado, at a special meeting held on the 24th day of february, 2009, and ordered published by the newspaper on february 19th, 2009, as trustees of the town of hot sulphur springs, colorado, at the meeting of february 5th, 2009, and

introduced, read, passed and adopted as an emergency measure and

force and effect immediately upon adoption.

part 4. declaration of emergency: effective date.

which declared to be declared unconstitutional.

phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and
CERTIFICATION

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The information and exhibits herewith submitted are true and correct to the best of my knowledge. The

ADDITIONAL CONTACTS

<table>
<thead>
<tr>
<th>Phone/Fax:</th>
<th>City/State/Zip:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td></td>
</tr>
</tbody>
</table>

Number of Proposed Commercial Lots:
Number of Existing Commercial Lots:
Number of Proposed Residential Lots:
Number of Existing Residential Lots:
Location Agreement of Property Under Consideration: (additional sheet if necessary)
Legal Description of Property (lots, blocks, faces, sections, townships, name, or metes & bounds - attach)

PROPOSED ZONING:

Existing Zoning:

Proposed Zoning:

PROJECT INFORMATION

© Final Plan, Planned Development Plan
© Subdivision Exemption
© Site Plan
© Preliminary Plan
© Major Subdivision Plan
© Development Permit
© Other

HEARING DATE:

APPLICATION FEE:

DATE RECEIVED:

PROJECT NAME:

LAND USE APPLICATION FORM
Town of Hot Sulfur Springs

3450 Colorado Avenue
P.O. Box 66
Hot Sulfur Springs, CO 80445

Phone (970) 723-3933 • Fax (970) 723-4449

This notice is provided in accordance with C.R.S. 31-23-215. Such notice is to be sent pursuant to C.R.S. 31-23-215. Such notice is to be sent to all owners of property within two hundred feet (200) of the subject property.

This notice is to be sent to all owners of property within two hundred feet (200) of the subject property.

The application letter cannot be sent until a public hearing date has been scheduled by the Town.

PUBLIC NOTICE

The notice is provided in accordance with C.R.S. 31-23-215. Such notice is to be sent pursuant to C.R.S. 31-23-215. Such notice is to be sent to all owners of property within two hundred feet (200) of the subject property.

At least fourteen (14) days in advance of the public hearing, the applicant shall provide written notice to

BRID DESCRIPTION OF DEVELOPMENT:

If other than owner, attach letter authorizing agent on behalf of owner.

Date:

Authorized Signature:

Town of Hot Sulfur Springs must be submitted prior to having this application processed.

I, the undersigned, do hereby certify that I have read all regulations and requirements of the Town of Hot Sulfur Springs and agree to comply with all Town Codes and Regulations. I understand that all materials and fees required by the Town of Hot Sulfur Springs payment policies and inspections and investigations of the subject property during the period of processing this application.

GOTORADO
Subscribed and sworn to before me this day of 20___

______________________________
County of

______________________________
State of Colorado

______________________________
Applicant/Owner

______________________________
Date

Notice was distributed in accordance with Town of Hot Sulphur Springs code. Applicant requesting

hearing hereby affirm that

hearing to be completed after completion of notice distribution and forwarded to Town Hall prior to the date of

Affidavit of Notice

______________________________
Applicant

Sincerely,

Endorsed for your review is a copy of the proposal as presented to the Town of Hot Sulphur Springs may be contacted at 970-725-3933 for further information.

513 Aspen St. Hot Sulphur Springs, CO

TIME ASSIGNED BY TOWN (date assigned by Town) at the Town of Hot Sulphur Springs Town Hall located at

This request for a property located at Town of Hot Springs has scheduled a public hearing to consider

This letter is to advise you that

Dear Sir/Madam:
NOTIFICATION OF SEVERED MINERAL ESTATES

Approval document

Town board approval of the application or issuance of the applicable permit, certificate or other permit, if applicable, or issued to the applicant. All invoices shall be paid in full prior to final approval and any other additional costs incurred by the Town for the services of professional consultants, or other services rendered, shall be paid in full prior to final approval of the applicable permit, certificate or other permit, if applicable.

The applicant is responsible for payment of At least be paid in full prior to final approval of the applicable permit, certificate or other permit, if applicable.

The applicant is responsible for payment of any additional costs incurred by the Town for the services of professional consultants, or other services rendered, shall be paid in full prior to final approval of the applicable permit, certificate or other permit, if applicable.

Contact the Planning Department at 970-725-3933 if you have any questions or need assistance.

A Subdivision Improvement Agreement may be necessary. This document must be executed and recorded prior to or concurrent with plat recording.

The Town of Hot Sulphur Springs Subdivision is subject to the Colorado Division of Water, the Colorado Department of Transportation, the U.S. Army Corps of Engineers, and other agencies for permits and project coordination.

The Town of Hot Sulphur Springs Subdivision and Town of Hot Sulphur Springs Subdivision Review Board, in consultation with the Colorado Division of Water, the Colorado Department of Transportation, the U.S. Army Corps of Engineers, and other agencies for permits and project coordination.

It is preferred to synchronize the review procedures for a permit or subdivision, or review individual requests for permits and subdivision permits and planning for each individual request for permits and subdivision permits. Please review these procedures and requirements. Please review these procedures and requirements. Please review these procedures and requirements. Please review these procedures and requirements.

NOTES:

My commission expires:

Notary Public

(SEAL)

Witness my hand and official seal.

By

Town of Hot Sulphur Springs

COLOrado
Please use CERTIFICATE OF NOTICE TO MINERAL ESTATE OWNER form below.

The applicant must certify the same to the local government as a condition of approval of the application.

1. Amend as amended.

Thirty (30) days in advance of the initial public hearing, the applicant shall provide notice to all surface owners, mineral owners and lessee of mineral owners in accordance with C.R.S. 31-23-45 and 24-65.5.

District Plan of Development Permit, Subdivision Final Plan, Major Subdivision Preliminary Plan, Subdivision Exemption, Planned Development, Minor Mineral Estate Owner's and Surface Owner's in connection with the following lands use applications: Minor Mineral Estate Owner's notification to mineral estate owners.
My commission expires:

Notary Public

(SEAL)

witness my hand and official seal.

By

Subscribed and sworn to before me this ___ day of __________, 20___.

County of

STATE OF COLORADO

OR Applicant (it different than Surface Owner) 

Surface Owner

Date

Applicable:

The undersigned hereby certifies that notice of such application has been provided to all mineral estate owners, lessees of mineral estate owners and any other mineral estate owners within the development area that may be affected by the proposed development.

C.R.S. §3-24-655.5-101, et seq. and C.R.S. §3-1-23-2.15 impose certain requirements applicable to the development as follows:

The undersigned is the applicant and/or the surface owner:

CERTIFICATE OF NOTICE TO MINERAL ESTATE OWNERS

TOWN OF HOT SPRINGS, STATE OF COLORADO
AN ORDINANCE ESTABLISHING A WATER SUPPLY PROTECTION DISTRICT FOR THE TOWN OF TOKIOMINERON" (ALSO KNOWN AS "TOKIOMINERON") ESTABLISHING A PERMIT SYSTEM TO REGULATE CERTAIN ACTIVITIES WHICH CREATE A FRENCHES RISK OF DAMAGE TO THE WATER SUPPLY PUBLIC AND SEEKING PERMITS FOR VIOLATION THREATEN, AMENDABLE AP- PPLICABLE PROVISIONS OF THE CODE OF THE TOWN OF TOKIOMINERON, AND DECLARING AN EMERGENCY.

Whereas, residents and students within the Town of Tokiomineron rely upon surface water for their domestic water supply and

WHEREAS, there is documented evidence that surface water supplies across the country are being, or once abandoned used or contaminated by various human activities;

WHEREAS, surface water pollution often migrates considerable distance before detection in domestic water supply and

WHEREAS, the Colorado Legislature has honored our people the ability to regulate and protect their water supply within the limits above over water sources and is asmall imports and regulatory measures necessary to carry out said authority.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF TOKIOMINERON, COLORADO, THAT

AMENDMENT TO TOWN CODE: The code of the Town of Tokiomineron, Colorado, is hereby amended by adding a new Article 7.4 titled Code and Water Supply Protection District, which shall read as follows:

Article 7.4 Section 7.4-1 Scope of Water Supply Protection District.

Scope of the provisions of this Water Supply Protection District is established in the full exercise of the powers of the Town of Tokiomineron, Colorado, to protect the health, safety, welfare and beauty of the residents thereof, and to carry out the policy of the Town Board of Trustees with respect to the overall management, development, and preservation of water resources within the Town of Tokiomineron, Colorado, which shall be considered a public service.

Section 7.4-2 Area Covered by Water Supply Protection District.

The provisions of this Water Supply Protection District shall be applied over the entire territory encompassed by the Town.

Section 7.4-3 Ordained and Enacted.

This Ordinance is passed by the Town Board of Trustees of Tokiomineron, Colorado, in accordance with the requirements of the Municipality Ordinances, and which is not being effectively managed by the aforementioned government authority, the person responsible for such activity shall be reported to the Town Board of Trustees and the appropriate enforcement authorities.

The area described as a water supply protection district shall be used for the purpose of protecting the natural resources and ensuring the continued availability of water for domestic, agricultural, and industrial uses.

The Ordinance is effective upon publication and shall remain in effect until revoked or amended by a subsequent Ordinance or until repealed.

This Ordinance shall be published in the legal newspaper of the Town of Tokiomineron, Colorado, and shall become effective upon publication.

TOWN OF TOKIOMINERON, COLORADO

ORDINANCE NO. 2020-2263

January 1, 2020

Section 7.4-4 Enforcement.

The provisions of this Ordinance shall be enforced by the Town Manager or his designee, and any violation thereof shall be punishable by a fine not exceeding $500.00.

The Town Manager shall have the authority to issue citations for violations of this Ordinance and to seek injunctive relief for violations thereof.

Any person or entity that violates any of the provisions of this Ordinance shall be liable for all costs and expenses incurred in connection with the enforcement of this Ordinance.

Enforcement of this Ordinance shall be by the Town Manager or his designee, who shall have the power to issue citations for violations and to seek injunctive relief for violations thereof.

This Ordinance shall be published in the official newspaper of the Town of Tokiomineron, Colorado, and shall become effective upon publication.

TOWN OF TOKIOMINERON, COLORADO

ORDINANCE NO. 2020-2263

January 1, 2020

Section 7.4-5 Penalties and Procedures.

(a) Application and Fees: An applicant for a Water Supply Protection District Permit shall submit the following to the Town:

1. A completed application form as approved by the Town. If the applicant is not the owner of the subject property, the owner shall be notified and shall execute an agreement authorizing the applicant to apply for such permit.

2. A non-refundable application fee of $100.00 shall be payable upon the submission of the application.

(b) A final and complete description of the proposed activity for which a permit is sought. Including, if applicable, a description of any equipment or machinery to be used in the activity, and the proposed site of the activity.

(c) An affirmative statement that the applicant does not have any outstanding lien or mortgage on the property for which the applicant is seeking approval.

(d) Any site of plans and specifications which shall contain the following information:

1. A site plan in scale showing the situs and legal description for the subject property and showing the location of all Public Works or water facilities in the area relating to the proposed activity.

2. A specific description of the proposed activity, including but not limited to grading, planting, and any other work necessary for the construction.

3. An accurate statement of the location of any existing wells through which water shall be derived in connection with the proposed activity.

4. An accurate statement of the location of any existing wells through which water shall be derived in connection with the proposed activity.

5. A statement of the location of any existing wells through which water shall be derived in connection with the proposed activity.

6. A statement of the location of any existing wells through which water shall be derived in connection with the proposed activity.

7. A statement of the location of any existing wells through which water shall be derived in connection with the proposed activity.

8. A statement of the location of any existing wells through which water shall be derived in connection with the proposed activity.

(c) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(d) A notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(e) A notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(f) A notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

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(i) A notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(j) A notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(k) A notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(l) A notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(m) A notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(n) A notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

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(x) A notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(y) A notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

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**Section 3.10 Penalties and Procedures:***

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(b) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(c) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(d) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(e) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(f) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(g) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(h) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(i) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(j) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(k) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

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(m) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(n) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

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(r) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(s) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(t) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(u) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.

(v) Notice and instructions for obtaining approval shall be sent to the applicant, stating that the proposed activity shall be approved.
ORDINANCE NO. 14-2006.

AN ORDINANCE OF THE TOWN OF GRAND LAKE, COLORADO, AMENDING SECTION II, ARTICLE II, SECTION 3 OF THE ORDINANCE NO. 6-1998, EXTENDING TO AND INCLUDING FEBRUARY 28, 2008, THE FRANCHISE TO FURNISH, SELL AND DELIVER GAS TO THE TOWN AND TO ALL PERSONS, BUSINESSES AND INDUSTRY WITHIN THE TOWN GRANTED BY THE TOWN OF GRAND LAKE, COLORADO TO PUBLIC SERVICE COMPANY OF COLORADO; SETTING FORTH DETAILS IN RELATION THERETO; AND, DECLARING AN EMERGENCY THEREFORE.

WHEREAS, the franchise to furnish, sell and distribute gas to the Town and to all persons, businesses and industry within the Town granted by the Town of Grand Lake, Colorado, to Public Service Company of Colorado by Ordinance No. 6-1998, July 14, 1998, ("franchise"), terminates on August 27, 2008, and an extension thereof has been requested; and

WHEREAS, the Board of Trustees of the Town of Grand Lake, Colorado believes that the franchise should be extended and including February 28, 2009; and

WHEREAS, the Board of Trustees of the Town of Grand Lake, Colorado finds that such an extension of the franchise will allow for adequate time for additional negotiations and consolidation of a new franchise; and

WHEREAS, the Board of Trustees of the Town of Grand Lake, Colorado finds that such an extension of the franchise is appropriate in view of the fact that there are ongoing discussions between the Town and Public Service Company of Colorado (Xcel Energy), regarding a new franchise.

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

Section 1. Article II, Section 2.3, of Ordinance No. 6-1998, July 14, 1998, is hereby repealed and amended, to read as follows:

"2.3 Term of Franchise. This franchise shall take effect October 1, 1998. The term of this franchise shall be for twenty (20) years from (4) months, beginning with said effective date of this franchise and expiring on February 28, 2008."

Section 2. Nothing herein shall be construed to prevent amendment of the franchise at any time during the extended term hereinafter to be determined by law, or to prohibit any other arrangements that may be agreed upon or entered into during the extended term hereinafter to address matters related to the franchise.

Section 3. Severence Clause. If an article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such section shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees of the Town of Grand Lake, Colorado hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

Section 4. Repeal. All other ordinances, or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed.

Section 5. Repeal. The current franchise agreement with Public Service Company of Colorado expires on August 28, 2004. There has not been adequate time and opportunity to enter into additional negotiations required for the consideration and approval of a new franchise. Such time and opportunity for additional negotiations are necessary to ensure that the negotiations and with the franchise agreement most beneficial to the Town and its residents.

Section 6. Emergency Declared. For the reasons stated herein, the Board of Trustees for the Town of Grand Lake, Colorado hereby declares an emergency to exist concerning the subject matter of this Ordinance and its immediate effect is necessary in order to preserve and protect for the public the health, safety, and welfare of the Town and for the financial well-being of the Town.

PASSED, ADOPTED AND APPROVED AS AN EMERGENCY ORDINANCE, AND ORDERED PUBLISHED IN FULL, BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE THIS 13TH DAY OF OCTOBER, 2008.

PUBLISHED IN FULL on the 27TH day of October, 2008.

TOWN OF GRAND LAKE, COLORADO, a Colorado municipal corporation

By: [Signature]

ATTEST:

By: [Signature]

FRANCHISEE CONSENT:

Public Service Company of Colorado hereby accepts and consents to the extension by Ordinance No. 6- 08 of the franchise to furnish, sell and distribute gas and electricity to the Town and to all persons, businesses and industry within the Town granted by the Town of Grand Lake, Colorado, which extension is effective October 15, 2008.

By: [Signature]

Riley mathis
An Agent for Public Service Company of Colorado

- Xcel Energy Service Inc.

Regional Vice President,
Customer and Community Service Department

STATE OF COLORADO

COUNTY OF GRAND

On this 13th day of October, 2008, the foregoing instrument was acknowledged by [Signature]

By: [Signature]

Witnesst my hand and official seal.

My Commission expires: [Date]

[Signature]

Notary Public
PROOF OF PUBLICATION

MIDDLE PARK TIMES

I, Kimberly S. Burner, do solemnly swear that I am the publisher of the Sky-Hi News, that the same is a weekly newspaper printed, in whole or in-part, and published in the County of Grand, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Grand for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement, that said newspaper has been admitted to the United States mail as second-class matter under the provisions of the act of March 3, 1879, or any amendment thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice of advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of consecutive insertions; and that the first publication of said notice was in the issue of said newspaper dated February 19th, A.D. 2009, and that the last publication of said notice was in the issue of newspaper dated February 19th, A.D. 2009.

In witness whereof I have hereunto set my hand this day of February, A.D. 2009.

__________________________, Publisher.

Subscribed and sworn to before me, a notary public in and for the County of Grand, State of Colorado this 20th day of February, A.D. 2009.

__________________________, Notary Public
I, Kimberly S. Burner, do solemnly swear to the Sky-Hi News, that the same is a weekly-in-whole or in-part, and published in the County of Grand for a period of more than one week next prior to the first publication of the advertisement, that said newspaper has been published and is continuous in publication, and advertisements within the State of Colorado.

The annexed legal notice of advertisement is the regular and entire issue of every newspaper for the period of consecutive insertions; and that the first publication of said notice was in the issue.

In witness whereof I have hereunto set my hand this day of February, 2006.

Subscribed and sworn to before me, a notary public, County of Grand, State of Colorado.

EXHIBIT A LEGAL DESCRIPTION OF PROPERTY BEING REZONED.

Published in the Middle Park Times February 5, 2008. (524817)