

TOWN OF PARACHUTE, COLORADO
RESOLUTION NO. 2018-50

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO ADOPTING A WAIVER DELEGATING THE TOWN'S DAMAGE PREVENTION SAFETY PROGRAM TO THE UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION

WHEREAS, the Town of Parachute, in the County of Garfield and State of Colorado (the "Town"), is a home rule municipal corporation duly organized and existing under laws of the State of Colorado (the "State") and the Town Charter (the "Charter"); and

WHEREAS, The Colorado General Assembly enacted HB 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 (the "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 of the Excavation Code; and

WHEREAS, Section 9-1.5-104.2 (1)(c)-(d), C.R.S. provides that Home Rule entities are not subject to the Commission's authorities, but must either adopt their own Damage Prevention Safety Program, or adopt by Resolution or Ordinance a waiver that delegates such authority to the Commission; and

WHEREAS, the Town Council of the Town of Parachute believes it is in the best interest of the Town to adopt the waiver delegating its Damage Safety Prevention Program to the Commission.

NOW THEREFORE, BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.


Section 2. The Town Council hereby approves and adopts a waiver that delegates 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.

INTRODUCED, PASSED, APPROVED, AND ADOPTED by a vote of 5 to 0 of the Town Council of the Town of Parachute, Colorado at a regular meeting held at Town Hall in

the Town of Parachute, Colorado on the 13 day of December, 2018 and approved by
the Mayor on the 13 day of December, 2018.

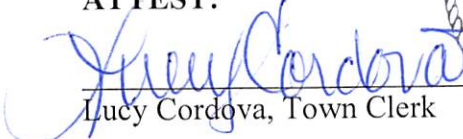
**TOWN COUNCIL OF THE
TOWN OF PARACHUTE, COLORADO**

By



Roy B. McClung, Mayor

ATTEST:



Lucy Cordova, Town Clerk

