

ORDINANCE NO. 24-_____

AN ORDINANCE AMENDING SECTION 203 (APPLICATION FOR LICENSE; FEES; TERM; BOND AND INSURANCE REQUIREMENTS; SUSPENSION OR REVOCATION) OF PART 2 (EXCAVATIONS) OF ARTICLE 3 (STREETS AND PUBLIC WAYS) OF CHAPTER 3 (PUBLIC PROPERTY AND PUBLIC WORKS) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO EXCAVATOR STOP WORK ORDERS.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 203 (Application For License; Fees; Term; Bond and Insurance Requirements; Suspension or Revocation) of Part 2 (Excavations) of Article 3 (Streets and Public Ways) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

3.3.203: APPLICATION FOR LICENSE; FEES; TERM; BOND AND INSURANCE REQUIREMENTS; SUSPENSION OR REVOCATION:

* * *

E. * * *

1. In addition to any other remedies or actions permitted by law, the City Engineer may order an excavator to stop work if **any of** the following conditions are observed:

a. The excavator fails to obtain a location and injures **and/or** damages persons or property;

b. * * *

c. **The excavator performs work without an approved permit;**

d. **The excavator performs work not in compliance with an approved permit;**

ee. The excavator's conduct constitutes an immediate hazard to the public health, safety and general welfare sufficient to rise to the level of an emergency.

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Section 2. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2024.

Finally passed: _____

Randy Helms, Council President

Mayor's Action:

- ☐ Approved on _____.
- ☐ Disapproved on _____, based on the following objections:

Blessing A. Mobolade, Mayor

Council Action After Disapproval:

- ☐ Council did not act to override the Mayor's veto.
- ☐ Finally adopted on a vote of _____, on _____.
- ☐ Council action on _____ failed to override the Mayor's veto.

Randy Helms, Council President

ATTEST:

Sarah B. Johnson, City Clerk