

ORDINANCE # 2009-001

AN ORDINANCE ESTABLISHING A WATER SUPPLY PROTECTION DISTRICT TO
PROTECT THE MUNICIPAL WATER SUPPLY FOR THE TOWN OF CRESTONE

WHEREAS, the Town of Crestone currently receives its water supply from a system of private and public wells; and

WHEREAS, the Town is currently developing a public potable water supply system with the assistance of a loan/grant from the Colorado Department of Local Affairs; and

WHEREAS, it is the responsibility of the Board of Trustees of the Town to protect the Town's underground water supply from contamination; and

WHEREAS, pending and planned oil and gas drilling activities in the area have the potential to influence and contaminate the Town's water supply and the Board of Trustees has the duty to control and regulate environmental threats to the water supply system in order to maintain the health of the water supply (wellhead and watershed protection) including water quality and quantity and assure a safe and sufficient water supply for the Town of Crestone

NOW THEREFORE, be it hereby ordained by the Board of Trustees of the Town of Crestone that a Water Supply Protection District is established for the Town of Crestone in accordance with the following provisions:

There is hereby adopted by reference that certain Code of Regulations designated as *Water Supply Protection District Regulations* attached to this ordinance as Exhibit A and incorporated herein by reference, which Water Supply Protection District Regulations have been composed by Town Staff of the Town of Crestone, Town Hall Crestone, Colorado 81131, three copies of which are on file and available for public inspection at the same address.

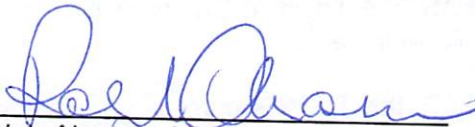
SAVING CLAUSE: If any part, section, subsection, sentence, clause, or phrase of this Ordinance or of the "Water Supply Protection District Regulations" adopted herein by reference, for any reason, held to be invalid, such decision shall not affect the validity of the remaining sections of this Ordinance or said "Water Supply Protection District Regulations". The Board of Trustees hereby declares that it would have passed and adopted this Ordinance and said "Water Supply Protection District Regulations" in each part, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more parts, sections, subsections, sentences, clauses, or phrases become invalid.

PENALTY CLAUSE: Any person, firm, business association, or corporation violating any of the provisions of Ordinance and "Water Supply Protection District Regulations" shall be deemed guilty of an Ordinance violation, and each such person shall be deemed guilty of a separate offense for each and every day and portion thereof during which any violation of any of the provisions of this Ordinance is committed, continued, or permitted and, upon conviction, shall be subject to a fine of not more than \$1,000.00, or by imprisonment in jail not exceeding one year, or by both such fine and imprisonment.

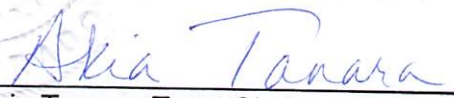
HEALTH and SAFETY CLAUSE: The Board of Trustees of the Town of Crestone, specifically find that this Ordinance is necessary for the immediate preservation of the public

peace, health and safety due to pending drilling activity in the area addressed by this Ordinance which may contaminate the water supply of the Town and shall become effective and shall be enforced upon, from, and after this 11th day of May, 2009.

INTRODUCED, read in full, adopted, approved and signed this 11th day of May, 2009.


Ralph Abrams, Mayor

ATTEST:


Akia Tanara, Town Clerk

APPROVED AS TO FORM:

Eugene L. Farish, #2557
Crestone Town Attorney

READINGS

Approved and passed First Reading: April 13, 2009
First Publication: April 23, 2009, Saguache Crescent, Saguache, CO

Passed Second and Final Reading: May 11, 2009
Second and Final Publication: not required

CERTIFICATION

I HEREBY CERTIFY that the within Ordinance was introduced, read in full, approved and adopted at the regular meeting of the Board of Trustees of the Town of Crestone, Colorado on the 11th day of May, 2009 and published by reference in The Crestone Eagle, a legal newspaper in the Town of Crestone on June 1, 2009.


Akia Tanara, Town Clerk