

ORDINANCE NO. 2011-006

AN ORDINANCE DECLARING ANY ACTIVITY A NUISANCE WHICH ENDANGERS
THE TOWN'S WATER SUPPLY

WHEREAS, the Town of Crestone enacted Ordinance #2009-001 (An Ordinance Establishing a Water Supply Protection District to Protect the Municipal Water Supply for the Town of Crestone) on May 11, 2009; and

WHEREAS, Section 14A of said Ordinance prohibited the storage of petroleum products within 500 horizontal feet of any "waterbody" (which included municipal wells); and

WHEREAS, the Board of Trustees has determined that additional specificity is necessary to protect the developing Town water supply system from contamination by above and below ground petroleum storage tanks; and

WHEREAS, Ordinance 2003-005 (An Ordinance Making Illegal and Abating Certain Nuisances in the Town of Crestone, Colorado) prohibited any activity polluting the groundwater of adjacent properties, substantially injuring the health or safety of the public and the discharge of any noxious liquid or substances into any adjacent ground, lot or public place in the Town; and

WHEREAS, Ordinance 2011-004 regulated the storage of gasoline and other flammable liquids within the Town of Crestone so as to prevent contamination with the Town's underground water supply; and

WHEREAS, Ordinance 2003-005 is in need of further amendment so as to prohibit any activity which endangers the Town's water supply; and

WHEREAS, the residents of the Town of Crestone depend exclusively on groundwater from wells for a safe drinking water supply; and

WHEREAS, the Town has an obligation to protect the Town's municipal water supply (and areas from which the Town's wells draw water) from pollution.

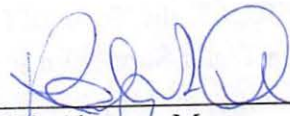
NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Crestone:
Ordinances 2003-005; 2004-008; 2006-012 and 2011-004 are amended to read as follows:

P. Any activity which endangers the Town's water supply is hereby declared to be a nuisance.

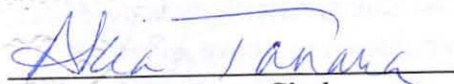
IT IS HEREBY DECLARED THAT THIS ORDINANCE IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF PUBLIC PEACE, HEALTH AND SAFETY AND

SHALL BECOME EFFECTIVE AND BE ENFORCED FROM AND AFTER PASSAGE OF THE SAME.

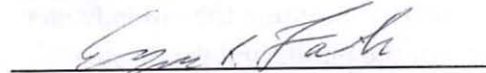
INTRODUCED, read in full, adopted, approved and signed this 11th day of July, 2011.


Ralph Abrams, Mayor

Attest:

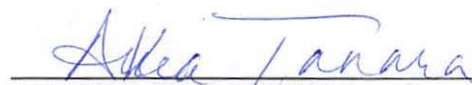

Akia Tanara, Town Clerk

APPROVED AS TO FORM:


Eugene L. Farish, #2557
Crestone Town Attorney

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 July, 2011, and published by title in The Crestone Eagle, a legal newspaper in the Town of Crestone on August 1, 2011.


Akia Tanara, Town Clerk