

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB14

ORDINANCE NUMBER: 2018-14

TITLE: AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE CITY OF BLACK HAWK FOR FIRE SERVICES TO THE NORTH CLEAR CREEK WATER TREATMENT PLANT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The City of Black Hawk hereby approves the Memorandum of Understanding between the City and the Colorado Department of Public Health and Environment for Fire Services to the North Clear Creek Water Treatment Plant, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, and authorizes the Mayor to execute the same on behalf of the City.

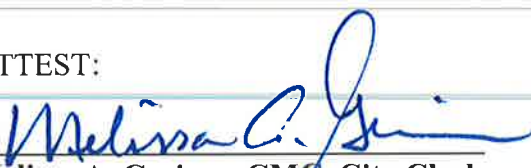
Section 2. Safety Clause. The Board of Aldermen hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Aldermen further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.


Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 8th day of August, 2018.

ATTEST:


Melissa A. Greiner, CMC, City Clerk


David D. Spellman, Mayor





COLORADO

**Department of Public
Health & Environment**

Dedicated to protecting and improving the health and environment of the people of Colorado

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

AND

THE CITY OF BLACK HAWK FIRE DEPARTMENT

Purpose

The purpose of this Memorandum of Understanding (MOU) is to clarify the City of Black Hawk Fire Department policies and practice of fire code review, inspections, and final approval of new construction and alterations to the existing facilities at the North Clear Creek Water Treatment Plant (NCCWTP) owned by the Colorado Department of Public Health and Environment (Department) located in the City of Black.

Applicability; Term

This MOU will be in effect and apply to all new and existing construction at the NCCWTP on the date this MOU is executed by all parties, and shall expire upon the date which is five years following the Effective Date, unless this MOU is earlier terminated as provided herein or replaced with an updated MOU entered into by the parties.

The parties acknowledge that as of the Effective Date, the State of Colorado (State) requires the Department to provide a memorandum of understanding with with each local fire authority in which the Department owns facilities. The City of Black Hawk Fire Department agrees to cooperate with the Department in implementing, updating, and replacing this MOU as needed, in order for the Department to satisfy the State's requirements.

The parties agree that this MOU may be subject to amendments jointly approved, and either party may terminate this MOU upon written notice.

Relationship

It is understood that the Department falls under the jurisdiction of the City of Black Hawk Fire Department. It is also understood that the City of Black Hawk Fire Department's initial responsibilities shall lie with the City of Black Hawk.



Applicable Codes and Regulations

As of the Effective Date, all new construction and alterations to existing buildings at the NCCWTP are subject to the 2015 International Fire Code, which Code may be amended in the future by the City of Black Hawk Fire Department (the Code).

New Construction Plan Review

The City of Black Hawk Fire Department shall timely review plans for all new construction and alterations to any existing buildings at the NCCWTP and approve such plans if in compliance with the Code, including but not limited to, fire department access and hydrant water supply. Applicable fees will apply for this service.

Fire Inspections

The City of Black Hawk Fire Department shall conduct inspections on an as-needed basis and subject to applicable fees for such inspections to the extent permitted by the Code and may issue warnings or citations for Code violations.

Building Inspections

The City of Black Hawk Fire Department shall inspect and approve new construction and alterations to existing buildings at the NCCWTP for Code compliance prior to the issuance of a Notice of Approval of Use/Occupancy. Applicable fees will apply for this service.

Authorized Representatives

By signature below, the party certifies that the individuals listed in this document as representatives of each party are authorized to act in their respective areas for matters related to this MOU.

COLORADO DEPARTMENT OF
PUBLIC HEALTH AND
ENVIRONMENT

State Buildings Program Delegate
Steve Laudeman
4300 Cherry Creek Drive
Denver, Colorado 80246
303-692-3381

Signature

Date

CITY OF BLACK HAWK

Mayor David D. Spellman
201 Selak Street
PO Box 68
Black Hawk, CO 80422

Signature

Date

