

CHAPTER 338

PUBLIC UTILITIES

SENATE BILL 00-196

BY SENATORS Wattenberg, Blickensderfer, Perlmutter, Sullivant, and Weddig;
also REPRESENTATIVES George, Decker, Gagliardi, Lee, Smith, and Stengel.

AN ACT

CONCERNING THE REQUIREMENT THAT SUBDIVISION REGULATIONS OF LOCAL GOVERNMENTS ENSURE
THE PROVISION OF ADEQUATE PUBLIC UTILITY SERVICE IN THE DEVELOPMENT OF SUBDIVISIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 30-28-133 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

30-28-133. Subdivision regulations. (3) Subdivision regulations adopted by a board of county commissioners pursuant to this section shall require subdividers to submit to the board of county commissioners data, surveys, analyses, studies, plans, and designs, in the form prescribed by the board of county commissioners, of the following items:

(e) EVIDENCE THAT PROVISION HAS BEEN MADE FOR FACILITY SITES, EASEMENTS, AND RIGHTS OF ACCESS FOR ELECTRICAL AND NATURAL GAS UTILITY SERVICE SUFFICIENT TO ENSURE RELIABLE AND ADEQUATE ELECTRIC OR, IF APPLICABLE, NATURAL GAS SERVICE FOR THE PROPOSED SUBDIVISION. SUBMISSION OF A LETTER OF AGREEMENT BETWEEN THE SUBDIVIDER AND UTILITY SERVING THE SITE SHALL BE DEEMED SUFFICIENT TO ESTABLISH THAT ADEQUATE PROVISION FOR ELECTRIC OR, IF APPLICABLE, NATURAL GAS SERVICE TO A PROPOSED SUBDIVISION HAS BEEN MADE.

SECTION 2. 31-23-214, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

31-23-214. Subdivision regulations. (3) SUBDIVISION REGULATIONS ADOPTED UNDER PROVISIONS OF THIS SECTION SHALL REQUIRE THAT A SUBDIVIDER, AS DEFINED IN SECTION 30-28-101 (9), C.R.S., SUBMIT TO THE COMMISSION EVIDENCE THAT PROVISION HAS BEEN MADE FOR FACILITY SITES, EASEMENTS, AND RIGHTS OF ACCESS

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

FOR ELECTRICAL AND NATURAL GAS UTILITY SERVICE SUFFICIENT TO ENSURE RELIABLE AND ADEQUATE ELECTRIC OR, IF APPLICABLE, NATURAL GAS SERVICE FOR ANY PROPOSED SUBDIVISION. SUBMISSION OF A LETTER OF AGREEMENT BETWEEN THE SUBDIVIDER AND UTILITY SERVING THE SITE SHALL BE DEEMED SUFFICIENT TO ESTABLISH THAT ADEQUATE PROVISION FOR ELECTRIC OR, IF APPLICABLE, NATURAL GAS SERVICE TO A PROPOSED SUBDIVISION HAS BEEN MADE.

SECTION 3. Effective date. This act shall take effect July 1, 2000.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 1, 2000