

ORDINANCE NO. 2004-3

TOWN OF RICO

AUTHORIZING A VOLUNTARY CLEAN-UP APPLICATION WITH ATLANTIC RICHFIELD COMPANY, RICO RENAISSANCE AND RICO PROPERTIES.

WHEREAS, Atlantic Richfield Company has prepared a VCUP application to the Colorado Department of Public Health and Environment, 2004, for the purpose of testing soils for lead contamination and removing lead contaminated soils in the Town of Rico, and Atlantic Richfield, Rico Renaissance and Rico Properties have asked the Town of Rico to sign the VCUP Application as a co-applicant;

WHEREAS, lead contaminated soils may present a health risk to Rico residents and the removal of lead contaminated soils will benefit the health, safety and general welfare of the Rico community; and,

WHEREAS, a Voluntary Clean-up program in cooperation and partnership with Atlantic Richfield, Rico Renaissance and Rico Properties will promote beneficial coordination of many important community planning issues in addition to removal of lead contaminated soils;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO, the following:

SECTION 1. VCUP APPLICATION AUTHORIZED. Clean-Up Plan application to the Colorado Department of Public Health and Environment with the Town as a co-applicant with Atlantic Richfield, Rico Renaissance and Rico Properties, for the purpose of conducting the Sample and Analysis Plan as proposed by Atlantic Richfield and with such revisions and direction as set forth in the May 11th, 2004, VCUP review letter by Mark Walker, CDPHE, Voluntary Cleanup Program and Phase I cleanup described therein, subject to CDPHE approval of all required future work plans described in the application. The Mayor, Manager and/or Town Clerk are authorized to execute documents necessary to submit this VCUP Application to the Colorado Department of Public Health and Environment.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective immediately upon final adoption.

SECTION 3. POSTING AND PUBLISHING. This Ordinance shall be posted at the Rico Post Office and Rico Town Hall and published in the Rico Sun-Times.

INTRODUCED, READ, APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO on the 18th day of February, 2004.

READ AND APPROVED ON SECOND AND FINALLY READ AFTER CONDUCTING A PUBLIC HEARING BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO on the 19th day of May, 2004.


By: Tom Clark, Mayor


Attest: Linda Yellowman, Town Clerk

[Town Seal]


Approved as to Form:

Eric James Heil, Esq., Town Attorney