

DEPARTMENT OF PLANNING AND DEVELOPMENT MEMORANDUM
#08-44

September 25, 2008

TO: Honorable Mayor Kathleen M. Novak and City Council members

FROM: David Allen, Acting City Manager *DA*
James Hayes, Director of Planning and Development *JH*
Rick Davis, Chief Building Official *RS*

SUBJECT: Inspection of Elevators and Escalators

RECOMMENDATION:

Attached to this memorandum is a proposed Resolution which, if approved, would affirm that the City of Northglenn shall not perform inspections of conveyances within the City as allowed by Senate Bills 07-123 and 08-224, and authority for such regulation, inspection, and enforcement shall remain with the Colorado Division of Oil and Public Safety. Staff recommends approval of this proposed Resolution.

BACKGROUND:

The City of Northglenn was planning to regulate and inspect conveyances, as defined in SB 07-123, by adopting appropriate elevator standards, by entering into a Memorandum of Agreement (MOA) with the Colorado Division of Oil and Public Safety, and by entering into an Intergovernmental Agreement (IGA) with the Denver Regional Council of Governments ("DRCOG"). The City and DRCOG were unable to reach a mutually agreeable resolution regarding the collection of inspection fees, and were therefore unable to execute an IGA for inspection services. Therefore, to comply with the requirements of SB 07-123, the City will delegate its authority to the Colorado Division of Oil and Public Safety.

POTENTIAL OBJECTION:

City Staff is not aware of any specific opposition to the resolution.

BUDGET/TIME IMPLICATIONS:

This resolution has no budgetary impacts.

STAFF REFERENCE:

If Council members have any comments or questions they may contact James Hayes, 303-450-8937, or jhayes@northglenn.org.

SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-144
Series of 2008

Series of 2008

A RESOLUTION ESTABLISHING THAT THE CITY OF NORTHGLENN IS CONCEDING RESPONSIBILITY FOR THE INSPECTION OF CONVEYANCES WITHIN THE CITY TO THE COLORADO DIVISION OF OIL AND PUBLIC SAFETY

WHEREAS, pursuant to Senate Bills 07-123 and 08-224, the City of Northglenn was planning to regulate and inspect conveyances, as that term is defined in Senate Bill 07-123, by adopting appropriate elevator standards, by entering into a memorandum of agreement with the Colorado Division of Oil and Public Safety, and by entering into an intergovernmental agreement with the Denver Regional Council of Governments (“DRCOG”); and

WHEREAS, the City and DRCOG were unable to reach a mutually agreeable resolution regarding the collection of inspection fees, and were therefore unable to execute an agreement for inspection services; and

WHEREAS, the City is therefore unable to meet the requirements of Senate Bills 07-123 and 08-224 for the City to obtain authority to regulate and inspect conveyances; and

WHEREAS, the City desires to clarify that until it establishes an acceptable inspection program, either using its own inspectors or those of a third-party, it will not be regulating and inspecting conveyances, and authority shall remain with the Colorado Division of Oil and Public Safety.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The City of Northglenn shall not perform inspections of conveyances within the City as allowed by Senate Bills 07-123 and 08-224, and authority for such regulation, inspection, and enforcement shall remain with the Colorado Division of Oil and Public Safety.

DATED at Northglenn, Colorado, this ____ day of _____, 2008.

KATHLEEN M. NOVAK
Mayor

ATTEST:

JOHANNA SMALL, CMC
Acting City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney