

19.002 - COMPLIANCE WITH COLORADO'S 811 PROGRAM POLICY

SUBJECT: This Policy sets forth how the Association will comply with Colorado's 811 Program, as set forth in C.R.S. § 9-1.5-101, *et seq* ("811 Law"). The Association further wishes to indemnify the Association's "811 Administrator" as set forth herein.

EFFECTIVE DATE: Aug 8, 2019

1. General. The Association operates a public community water supply system that services only single-family residential service connections, which constitutes an "underground facility" under the 811 Law. As a result, the Association is required to be a member of the "notification association" as part of the 811 Law. This Policy sets forth Owner and Association responsibilities.
2. Owner Responsibility. Owners shall not make or begin excavation without first notifying the notification association and, if necessary, the Association of the excavation. The Association will identify its underground facilities (i.e. waterlines) as required by State law. Notice may be given in person, by telephone, by electronic methods approved by the notification association, or in writing if delivered.
3. Association Obligations.
 - A. When the Association receives notice prior to excavation, the Association, shall, at no cost to the excavator and within two business days, not including the day of actual notice, use reasonable care to advise the excavator of the location, number, and size of any underground facilities in the proposed excavation area, including laterals in the public right-of-way, by marking the location of the facilities with clearly identifiable markings within eighteen inches horizontally from the exterior sides of the facilities. The markings must include the depth, if known, and shall be made pursuant to the uniform color code as approved by the American Public Works Association. The markings must meet the marking standards as established by the State safety commission. The documentation required by the 811 Law shall be provided to the excavator through the notification association and must meet or exceed any quality standards established by the safety commission. In addition to the markings, the Association shall provide for each of its underground facilities: (i) Documentation listing the Association's name and the size and type of each marked underground facility; and (B) Documentation of the location of the underground facilities in the form of a digital sketch, a hand-drawn sketch, or a photograph that includes a readily identifiable landmark, where practicable. The marking of customer-owned laterals in the public right-of-way is for informational purposes only, and the Association is not liable to any party for damages or injuries resulting from damage done to customer-owned laterals.
 - B. When the Association receives a subsurface utility engineering notification or other request for information from a designer, the Association shall respond to the request

within ten business days after the request, not including the day of actual notice, in one or more of the following ways: (i) Provide underground facility location records that give the available information on the location, not to include depth, of underground facilities within the project limits; (ii) Provide a mark on the ground that gives the approximate location, not to include depth, of its underground facilities within the project limits; or (iii) Provide the available information as to the approximate location, not to include depth, of its underground facilities within the project limits.

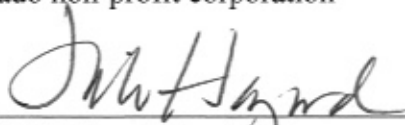
- C. All new underground facilities, including laterals up to the structure or building being served, installed on or after August 8, 2018, must be electronically locatable when installed.
 - D. Effective January 1, 2021, the Association shall provide general information regarding all of the locations of any underground facilities that the Association owns or operates, for excavation notification purposes only, and the Association's contact information, both of which shall be updated annually, to the notification association, and the notification association shall maintain the information on file in a manner that ensures the confidentiality and security of the information.
4. 811 Administrator. The Association shall designate on an annual basis a person to fulfill the Association's duties under the 811 Law and this Policy, referred to as the "811 Administrator. To qualify for appointment, the 811 Administrator shall demonstrate the ability to perform such duties in a safe and prudent manner. The 811 Director shall have limited liability in the same manner as a director under C.R.S. § 7-128-401. The Association shall indemnify the 811 Administrator in the performance of his/her duties in the same manner as a director under C.R.S. § 7-128-401.

CERTIFICATION:

The undersigned, being the President of the Kings Row Homeowners Association, Inc., a Colorado non-profit corporation, certifies that the foregoing rules and regulations were adopted by the Executive Board of the Association, at a duly called and held meeting of the Board on Aug 8 2019, and in witness thereof, the undersigned has subscribed his/her name.

KINGS ROW HOMEOWNERS ASSOCIATION, INC.,
a Colorado non-profit corporation

By:


Julie Hazard, President