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State of Colorado

EXECUTIVE CHAMBERS

136 State Capitol
Denver
80203

RICHARD D. LAMM
Governor

EXECUTIVE ORDER EMERGENCY PROCLAMATION

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WHEREAS, the coordinator of environmental problems has recommended that I take action to prevent or minimize a significant risk of serious danger to the public health arising from the construction of the Gold Run residential apartment buildings within and adjacent to the floodway on the south side of Boulder Creek between 28th and 30th streets in the City of Boulder; and

WHEREAS, with the assistance and participation of various state agencies and other persons, I have conducted a thorough investigation and evaluation of the situation with regard to the dangers posed by such construction; and

WHEREAS, such investigation has established that a 100-year flood in the Boulder Creek floodway between 28th and 30th streets poses a significant danger to the Gold Run apartment buildings and to any occupants of such apartments; and

WHEREAS, based upon this investigation and evaluation, I have concluded that such construction and human occupancy of such apartment buildings poses a significant risk of serious danger to the public health;

NOW, THEREFORE, pursuant to the authority vested in me by C.R.S. 1973, 24-20-103, I hereby issue this EMERGENCY PROCLAMATION, AND ORDER that:


1. Sherrelwood, Inc., developer of the Gold Run apartments, and all of its principals, employees, agents, and contractors, including persons and companies engaged in any kind of construction work on the Gold Run apartments, immediately halt any and all construction work on the Gold Run apartments.
2. Sherrelwood, Inc., and all of its principals, employees, agents, and contractors shall not apply for any further building permits, occupancy permits, or approvals of any kind whatsoever from the City of Boulder or from any other governmental entity in the State of Colorado.
3. The City of Boulder and all of its departments, agencies, officials, employees, and agents shall not issue any further permits or grant any approvals whatsoever for the Gold Run apartments.

4. Appropriate state officials and employees shall assist the City of Boulder and the developer of the Gold Run apartments to develop engineering modifications to the apartment buildings and the apartment site which shall be sufficient to ensure that the apartment buildings can remain structurally sound and protected from floodwaters during a 100-year flood in the Boulder Creek floodway between 28th and 30th streets, including, but not limited to, protection against damage from debris, scouring, and pressure on structural components.
5. Under this proclamation and pursuant to C.R.S. 1973, 24-31-101, the Attorney General of the State of Colorado is hereby required to enforce this order in court immediately upon receiving information that any person or entity appears to violate any of its terms or provisions.

This emergency proclamation goes into effect on May 5, 1979, and terminates on May 20, 1979, unless extended for an additional 15-day period beyond this termination date.



GIVEN under my hand and the
Executive Seal of the State
of Colorado, this fourth day
of May, A.D., 1979.


Richard D. Lamm
Governor