

Ordinance No. 334
Town of Rico

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO REPEALING AND REPLACING ORDINANCE NO. 315, INCLUDING REPEAL OF THE TEMPORARY DEVELOPMENT RESTRICTION ON MINOR SUBDIVISIONS AND LOT SPLITS

WHEREAS, the Board of Trustees adopted Ordinance No. 315 to temporarily restrict certain development within the town; and

WHEREAS, Section 1(A) of Ordinance No. 315, which set forth restrictions on certain development activities and on the application for certain development permits, automatically expired on April 30, 1997 and was not renewed by the Board; and

WHEREAS, Section 1(B) of Ordinance No. 315 established a temporary development restriction on the final platting of any new subdivisions, including minor subdivisions and lot splits, and the creation of condominium ownership interests in property or structures, and also restricted the extension of water lines to provide service to any area not currently part of the historic town grid plat or existing approved subdivisions; and

WHEREAS, while Section 1(B) of Ordinance No. 315 is still in effect, the Board desires to amend such provision to exempt minor subdivisions and lot splits from the temporary development restriction.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO, AS FOLLOWS:

Section 1

Repeal and Replacement of Ordinance No. 315

Ordinance No. 315 is hereby repealed and replaced as set forth herein.

Section 2

Temporary Development Restriction

No application for the following activities shall be accepted or considered until such time as the Town has received final approval from the State of Colorado of the design and specifications for a municipal sewage system and has obtained adequate funding for the construction of such system:

1. Application for approval of a planned unit development or a subdivision, other than a minor subdivision or lot split.

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2. Extension of water lines to any unplatted property within the municipal boundaries, or to any property located outside of the municipal boundaries.

Section 3

The officers of the Town are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance.

Section 4

This ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.

Section 5

If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining provisions of this ordinance.

Section 6

This ordinance is necessary to protect the public health, safety and welfare of the residents of the Town, and covers matters of local concern.

Section 7

The Board of Trustees deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available at the office of the town clerk for public inspection and copying.

Section 8

A public hearing on the ordinance shall be held on the 14 day of January, 1998, Rico County Courthouse, 2 Commercial Street, Rico, Colorado.

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INTRODUCED, READ, ORDERED PUBLISHED BY TITLE ONLY, AND REFERRED BY A MAJORITY VOTE OF THE BOARD to public hearing before the Board of Trustees of the Town of Rico, Colorado on the 14th day of January, 1997.

TOWN OF RICO

ATTEST:

By: Robert E Cummings
Robert Cummings
Mayor

Linda Yellowman
Linda Yellowman
Town Clerk

HEARD AND FINALLY ADOPTED by the Board of Trustees of the Town of Rico, Colorado this 14 day of January, 1998.

TOWN OF RICO

ATTEST

By: Robert E Cummings
Robert Cummings
Mayor

Linda Yellowman
Linda Yellowman
Town Clerk