

TOWN OF TIMNATH

ORDINANCE NO. 27-2008

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO, AMENDING CHAPTER 16, ARTICLE 3 SECTION 16.3.10 OF THE TIMNATH TOWN CODE CONCERNING PROCEDURE FOR AMENDMENTS TO ZONING AND REZONING OF PROPERTY

WHEREAS, Section 16.3.10.C.10 of the Town of Timnath ("Town") Municipal Code ("Code") provides that zoning amendments shall be decided by resolution of the Board [now "Council"]; and

WHEREAS, the Town of Timnath, Colorado Home Rule Charter ("Charter") section 3.1 provides that all legislative acts of a permanent nature shall be done by ordinance; and

WHEREAS, amendments to zoning or rezoning of property constitutes a permanent legislative act; and

WHEREAS, the Town Council wishes to amend the Code section 16.3.10.C.10 to require that amendment to zoning and rezoning be completed by ordinance, rather than resolution.

THE COUNCIL OF THE TOWN OF TIMNATH, COLORADO, ORDAINS:

Section 1. The last sentence of Chapter 16, Article 3, Section 16.3.10.C.10 of the Timnath Municipal Code ("Code") is hereby deleted in its entirety and amended to read as follows:

"Decisions by the Council with all conditions shall be by Ordinance."

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

Section 3. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 4. Effective Date. This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, SET FOR PUBLIC HEARING AND SECOND READING AT 7:00 P.M. ON APRIL 16TH, 2008, AT THE TIMNATH TOWN HALL, 4100 MAIN STREET,

RECEPTION#: 20080070316, 11/12/2008 at
11:05:44 AM,
1 OF 2, R \$11.00 TD Pgs: 0
Scott Doyle, Larimer County, CO

Please Return to: ✓
Town of Timnath
4800 Goodman Street
Timnath, CO 80547


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TIMNATH, COLORADO AND ORDERED PUBLISHED BY TITLE THIS 2ND OF APRIL, 2008.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON THE 16TH DAY OF APRIL, 2008.

TOWN OF TIMNATH, COLORADO


Donna Benson, Mayor

ATTEST:


Linda N. Salas, Town Clerk