

TOWN OF BERTHOUD

ORDINANCE NO. 1254

AN ORDINANCE AMENDING CHAPTER 30, SECTIONS 5 OF THE DEVELOPMENT CODE OF THE TOWN OF BERTHOUD, FOR THE PURPOSES OF AMENDING AND REVISING THE DEVELOPMENT CODE.

WHEREAS, it is deemed to be in the interest of the public health, safety and general welfare to revise the Development Code of the Town to provide for better construction and building standards; and

WHEREAS, Town staff, Planning Commissioners and members of the Development Community have reviewed the existing code, and have made recommendations to improve the current Development Code requirements; and,

WHEREAS, the Board of Trustees, after proper notice, has held a public hearing on this ordinance providing for the adoption of said code pursuant to C.R.S. § 31-16-203; and

WHEREAS, the Development Code and amendments thereto have been submitted to the Board of Trustees in writing and the Board of Trustees has determined that such code and amendments thereto should be adopted as herein set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1. That Chapter 30, Sections 5 of the Berthoud Development Code is hereby repealed, and the Municipal Code Sections set forth in Exhibits "A", attached, are hereby adopted in its stead;

Section 2. If any 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 Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4: The repeal or modification of any provision of the Municipal Code of the Town of Berthoud by this ordinance shall not release, extinguish, alter, modify, or

change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 5: The Provisions of this Ordinance shall take effect thirty days after publication as required by law, and shall apply to all lighting plans, development, and construction permitted after such date.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 13 day of November, 2018.



TOWN OF BERTHOUD, COLORADO

Michelle Adams Deputy Town Clerk
Christian Samora Town Clerk