

ORDINANCE NO. 6

SERIES 2008

AN ORDINANCE AMENDING THE TOWN'S
WATERSHED PROTECTION DISTRICT
ORDINANCE

WHEREAS, the Town of Crested Butte, Colorado (the "**Town**") is a home rule municipal corporation duly and regularly organized and validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado;

WHEREAS, the Town, by Ordinance No. 5, Series 80, amended by Ordinance No. 1, Series 1996 (collectively, the "**Watershed Ordinance**"), established a Watershed Protection District for the purpose of protecting the municipal waterworks of the Town from injury and the municipal water supply from pollution pursuant to Section 31-15-707(1)(b), C.R.S.;

WHEREAS, the Town Council has determined that protecting the Town's waterworks from development that poses a threat to or causes actual pollution or injury to said waterworks and water supply is of vital importance to the environment, health, safety and general welfare of the residents and visitors of the Town;

WHEREAS, the Town Council has been in the process of revising the Watershed Ordinance to, among other things, more comprehensively address and regulate development that poses a threat to or causes actual pollution or injury to the Town's waterworks and water supply;

WHEREAS, the Town staff has recommended to the Town Council that in order to adequately protect the Town's waterworks from development that poses a threat to or causes actual pollution or injury to said waterworks and water supply, certain amendments and changes to the Watershed Ordinance are necessary and appropriate; and

WHEREAS, the Town Council has determined that the below amendments to the Watershed Ordinance will assist the Town in properly and adequately protecting the Town's waterworks from development that poses a threat to or causes actual pollution or injury to said waterworks and that said amendments are in the best interest of the health, safety and general welfare of the residents and visitors of the Town and that, therefore, the Town Council shall make following amendments to the Watershed Ordinance contemplated herein.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,

Section 1. Amending Article 14-5, Watershed Protection District, by Replacing Said Article in its Entirety. Existing Article 14-5, Watershed Protection District, is hereby deleted and replaced entirety with the attached new Article 14-5 entitled "Watershed Protection

District". Said new Article 14-5 is attached hereto as **Exhibit "A"**, entitled Town of Crested Butte Watershed Protection Ordinance.

Section 2. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

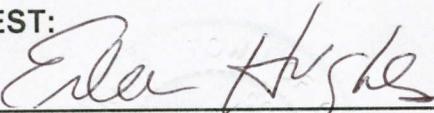
Section 3. Savings Clause. Except as amended hereby, the Town of Crested Butte Municipal Code of 1987, as amended, shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 7th DAY OF April, 2008.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 19th DAY OF May, 2008.

TOWN OF CRESTED BUTTE, COLORADO

By: 
Alan Bernholtz, Mayor

ATTEST:

Eileen Hughes, Town Clerk

(SEAL)

EXHIBIT "A"

Attach Town of Crested Butte Watershed Protection Ordinance here