

ORDINANCE NO. 15

SERIES 2005

**AN ORDINANCE AMENDING THE CODE WITH RESPECT
TO THE SALE OF CRESTED BUTTE CEMETERY LOTS**

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

WHEREAS, Section 17-1 of the Town Code (the "Code") sets forth regulations with respect to the Crested Butte Cemetery (the "Cemetery"); and

WHEREAS, the Town Council wishes to update those regulations, and to make certain changes with respect to cemetery lots; and

WHEREAS, the price of cemetery lots has not been increased since 1991; and

WHEREAS, the current price of cemetery lots is considerably lower than the price of lots at other cemeteries in Colorado, and

WHEREAS, the Town Council values the Crested Butte Cemetery and wishes to charge a fair price for cemetery lots; and

WHEREAS, the revenues generated from the sale of cemetery lots will help with expenses associated with the Cemetery.

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

Section 1. Changing the Price of a Lot at the Crested Butte Cemetery. Article 17-1-2 of the Code, which sets forth the price of a cemetery lot, is hereby amended by deleting the first sentence of this paragraph and replacing it with the following:

"Any person who shall desire to purchase a lot in the Cemetery shall pay to the Town of Crested Butte the sum of One Thousand and No/100 (\$1,000.00).

Section 2. Savings Clause. Except as hereby amended, the 1987 Crested Butte Municipal Code shall remain valid, and in full force and effect. Any provision of any ordinance previously adopted by the Town of Crested Butte which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

Section 3. 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. If any section, provision or part of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this Ordinance and the application thereof to other persons or circumstances shall not be affected thereby.

INTRODUCED, AND FIRST READ BEFORE THE TOWN COUNCIL THIS 17 DAY OF October, 2005.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS 7 DAY OF November, 2005.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
James A. Schmidt, Mayor

ATTEST:

Eileen Hughes, Town Clerk
(SEAL)