

ORDINANCE NO. 17

SERIES 2008

AN ORDINANCE AMENDING THE TOWN CODE PROVISIONS RELATIVE TO THE REGULATION OF NOISE IN ORDER TO RENUMBER SAID PROVISIONS

WHEREAS, the Town of Crested Butte, Colorado (the "Town") is a home rule municipality 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 Crested Butte Town Code of 1986, as amended (the "Town Code"), contains regulations regarding the management and prevention of certain noise, said regulations codified at Article 6-4 thereof (the "Noise Regulations");

WHEREAS, the Staff has determined that at the time of adoption of the Noise Regulations, Article 6-4 of the Town Code already existed, containing regulations regarding wildlife protection (the "Wildlife Protection Regulations");

WHEREAS, the Town staff has determined that in order to correct this discrepancy in numbering of the aforementioned regulations, the Noise Regulations should be renumbered while the Wildlife Protection Regulations should remain under Article 6-4; and

WHEREAS, the Town Council has determined that the below amendments to the Town Code accomplish the desired goals of the Town staff as described above and are in the best interest of the health, safety and general welfare of the residents and visitors of the Town.

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

Section 1. Amending Article 6-4, REGULATION OF NOISE. Reference to "Article 6-4, REGULATION OF NOISE" is hereby amended to read as "Article 6-6, REGULATION OF NOISE". All sections appearing within said Article shall be renumbered to Sections 6-6.


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. The Crested Butte Town Code of 1987, as previously amended and amended hereby, 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 date of adoption hereof.

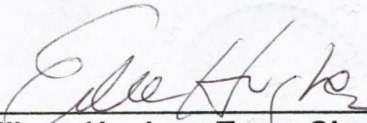
INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 18th DAY OF August, 2008.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 2nd DAY OF September, 2008.

TOWN OF CRESTED BUTTE, COLORADO

By: 
Alan Bernholtz, Mayor

ATTEST:


Eileen Hughes, Town Clerk

(SEAL)