

**ORDINANCE NO. 15**

**SERIES 2008**

**AN ORDINANCE REPEALING ARTICLE 5-8 OF  
THE TOWN CODE RELATIVE TO NEWS RACKS  
LICENSING AND PERMITS**

**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 in Article 5-8 regarding the licensing and permitting of news racks and boxes (the "**News Racks Licensing Regulations**");

**WHEREAS**, the Staff has determined that the News Racks Licensing Regulations are, among other things, overly burdensome and regulatory given the nature of the Crested Butte community;

**WHEREAS**, the Town staff has further determined that, because of their overly burdensome nature in taking into consideration the community of their application, said News Racks Licensing Regulations are ineffective and should be repealed and removed from the Town Code; and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. Repealing Article 5-8, NEWS RACKS LICENSING AND PERMITS.**  
Article 5-8, NEWS RACKS LICENSING AND PERMITS is hereby repealed and of not force and effect as of the date of adoption of this ordinance.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.

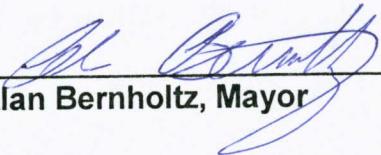
**Section 3. Savings Clause.** The Crested Butte Town Code of 1986, as previously amended and amended hereby, shall remain valid and in full force and effect. Any provision of any

ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the date of adoption hereof.

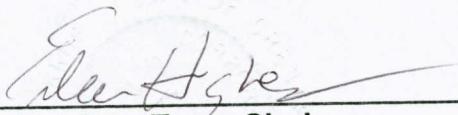
INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 18<sup>th</sup> DAY OF August, 2008.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 2<sup>ND</sup> DAY OF September, 2008.

TOWN OF CRESTED BUTTE, COLORADO

By:   
Alan Bernholtz, Mayor

ATTEST:

  
Eileen Hughes, Town Clerk

(SEAL)