

ORDINANCE NO. 18

SERIES 2007

AN ORDINANCE ADOPTING THE SECOND AMENDED GUIDELINES, RULES, REQUIREMENTS AND ADMINISTRATIVE PROCEDURES GOVERNING AFFORDABLE HOUSING IN BLOCKS 77 AND 78 OF THE PARADISE PARK AFFORDABLE HOUSING SUBDIVISION, TOWN OF CRESTED BUTTE AND THE AMENDMENT TO THE FINAL PLAT OF THE PARADISE PARK SUBDIVISION, TOWN OF CRESTED BUTTE, COLORADO

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;

WHEREAS, the Town has established those certain Amended Guidelines, Rules, Requirements and Administrative Procedures Governing Affordable Housing in the Paradise Park Affordable Housing Subdivision recorded in the Office of the Clerk and Recorder for Gunnison County, State of Colorado at Reception No. 544060 (the "**Guidelines**");

WHEREAS, the Town has platted the Paradise Park Subdivision pursuant to the Final Plat of the Paradise Park Subdivision, Town of Crested Butte, Colorado as recorded in the Office of the Clerk and Recorder for Gunnison County, State of Colorado at Reception No. 523289;

WHEREAS, the Town staff has determined that it is necessary to make certain modifications and amendments to the Guidelines to include provisions applicable to the purchase and rental of certain property in the Paradise Park Affordable Housing Subdivision by the Town Manager, Town personnel and other persons, and to make certain other technical changes to the Guidelines;

WHEREAS, said modifications, amendments and changes to the Guidelines require that the Town amend the final plat of the Paradise Park Subdivision; and

WHEREAS, the Town Council has determined that said modifications, amendments and technical changes to the Guidelines and said amendment to the final plat of the Paradise Park Subdivision in connection with said modifications, amendments and changes are in the best interests of the health, safety, and 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. The Town Council hereby adopts the Second Amended Guidelines, Rules, Requirements and Administrative Procedures Governing Affordable Housing in Blocks 77 and 78 of the Paradise Park Affordable Housing Subdivision, Town of Crested Butte attached hereto as **Exhibit "A"** (the **"Second Amended Guidelines"**).

Section 2. The Town Council hereby approves the Amendment to Final Plat of the Paradise Park Subdivision attached hereto as **Exhibit "B"** to accommodate the changes made to the Guidelines in the Second Amended Guidelines.

Section 3. 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 4. The 1987 Crested Butte Municipal Code, except as previously amended and further 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 enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 23rd DAY OF July, 2007.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS 4th DAY OF September, 2007.

TOWN OF CRESTED BUTTE

By: _____
Alan Bernholtz, Mayor

ATTEST:

By: _____
Eileen Hughes, Town Clerk

[SEAL]

EXHIBIT "A"
(Second Amended Guidelines)

EXHIBIT "B"
(Amendment to Final Plat of the Paradise Park Subdivision)