

**ORDINANCE NO. 1**

**SERIES 2010**

**AN ORDINANCE AMENDING CHAPTER 4 OF THE  
CRESTED BUTTE MUNICIPAL CODE TO PROVIDE  
PROCEDURES FOR COLLECTION OF DELINQUENT  
CHARGES, ASSESSMENTS, FEES AND TAXES.**

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

**WHEREAS**, the Crested Butte Municipal Code (the "Code") contains numerous requirements for payment of charges, assessments, fees and taxes to the Town; and

**WHEREAS**, the Colorado Revised Statutes at C.R.S. 31-20-105 and 31-20-106 provide that a municipality may, if it so provides by ordinance, certify certain delinquent amounts to the County Treasurer for collection in the same manner as property taxes; and

**WHEREAS**, the Town Council finds that it is in the interest of the Town that delinquent amounts owing to the Town be promptly paid and that adoption of an ordinance amending the Code to provide for certification of such amounts to the County Treasurer is an effective procedure for the same.

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

**Section 1. Article 8, Chapter 4 Adopted.** Chapter 4 of the Code is hereby amended by adoption of the following new Article 8 which shall read as follows:

**ARTICLE 8**

**Collection of Delinquent Amounts**

**Sec. 4-8-10. Collection procedure.**

In addition to any other lawful means, the Town may collect and recover any charges, assessments, fees and taxes, or other amounts not paid to the Town in good funds as due, by certifying such delinquent amounts to the Gunnison County Treasurer pursuant to C.R.S. 31-20-105 and 31-20-106, to be collected in the same manner as real property taxes against the property to which such delinquent amounts are appropriately attributed. Delinquent amounts which may be so certified shall include but not be

limited to amounts due under the Crested Butte Municipal Code, including Town building, land use, nuisance, licensing, permitting, and utility regulations and ordinances and Town fees, expenses and charges for review and processing of licenses, permits, land use, zoning and annexation applications.

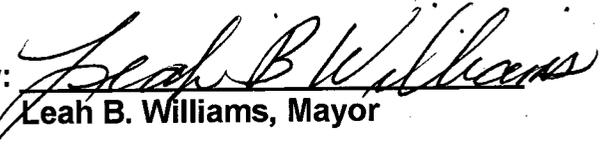
**Section 2. Severability.** If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions 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 Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision thereof that is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 1<sup>st</sup> DAY OF FEBRUARY, 2010.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 16<sup>th</sup> DAY OF FEBRUARY, 2010.

TOWN OF CRESTED BUTTE, COLORADO

By:   
Leah B. Williams, Mayor

ATTEST:

  
Eileen Hughes, Town Clerk

