

**AN EMERGENCY ORDINANCE OF THE TOWN COUNCIL
OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO
EXTENDING ORDINANCE NO. 2016-05 ESTABLISHING A TEMPORARY
MORATORIUM PROHIBITING THE REZONING
OF SINGLE FAMILY LOTS**

ORDINANCE NO. 2016-07

RECITALS

1. The Town Council adopted Ordinance 2016-05 on April 21, 2016 enacting a temporary moratorium to allow sufficient time to conduct a public hearing(s) to listen to and consider the concerns of its constituents regarding possible amendments to the Section 17.3.4(F)(4) of the Town's Community Development Code which allows the further subdivision of single-family lots to create additional lots and the transfer of additional density to be transferred onto a single-family lot under certain limited conditions. By the terms of Ordinance 2016-05, the temporary moratorium expires on August 1, 2016, unless extended by a duly adopted ordinance by the Town Council.
2. The Town Council now finds that it is in the best interests of the Town to extend the moratorium to allow the Town Council to consider a proposed ordinance amending the Community Development Code to address certain issues concerning single-family lot subdivision as set forth herein.
3. There is an emergency that warrants the enactment of this Ordinance and extension of the temporary moratorium. Failure to impose proper regulations may allow subdivision of single-family lots to proceed.
4. This moratorium was enacted after a public hearing in compliance with Colorado statutes.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO, THAT:

1. Extension of Temporary Moratorium.

The moratorium is hereby extended until the earlier of the 30 days following the second reading and adoption of an ordinance amending Section 17.3.4(F)(4) of the Community Development Code or November 1, 2016, unless otherwise extended by a duly adopted ordinance by the Town Council.

2. Effective Date.

Pursuant to Article V, Section 5.8 of the Charter, this temporary moratorium is effective immediately upon adoption as it is necessary for the immediate preservation

of the public health and safety of the citizens of the Town for the reasons recited herein.

3. Ordinance Effect.

This Ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided, and the same shall be construed and concluded under such prior ordinances.

4. Severability.

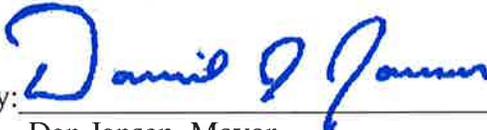
The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of this Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Ordinance.

5. Publication of Notice.

Pursuant to Article V, Section 5.8 of the Charter, the Town Clerk shall publish a notice of this Ordinance within five (5) days after enactment of this Ordinance.

INTRODUCED, READ AND ADOPTED at public hearing before the Town Council of the Town of Mountain Village, Colorado, on the 21st day of July, 2016.

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: 

Dan Jansen, Mayor

ATTEST:



Jackie Kennefick, Town Clerk

Approved As To Form:



James Mahoney, Assistant Town Attorney

I, Jackie Kennefick, the duly qualified and acting Town Clerk of the Town of Mountain Village, Colorado ("Town") do hereby certify that:

1. The attached copy of Emergency Ordinance No. 2016-07("Ordinance") is a true, correct and complete copy thereof.
2. The Ordinance was introduced, read and adopted at a public hearing by the Town Council of the Town of Mountain Village, Colorado, (the "Town Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on July 21, 2011, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor	X			
Martin McKinley	X			
Bruce MacIntire	X			
Dan Caton	X			
Laila Benitez	X			
Cath Jett			X	
Michelle Sherry	X			

3. The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me as Town Clerk, and duly numbered and recorded in the official records of the Town.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this 21st day of July, 2016.


 Jackie Kennefick, Town Clerk

(SEAL)

