

ORDINANCE NUMBER 224

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HUGO, LINCOLN COUNTY, COLORADO, TO AMEND LAND USE ORDINANCE NUMBER 171, AS AMENDED, TO REDEFINE “BUILDING” FOR PURPOSES OF ISSUANCE OF PERMIT

Whereas, the Town of Hugo, hereinafter referred to as the “Town”, in the County of Lincoln, State of Colorado, is the body corporate operating as a statutory town pursuant to the general statutes of the State of Colorado; and

Whereas, Colorado Revised Statutes, C.R.S. 31-23-301(1) gives to the municipalities the authority to regulate the location and use of buildings; and

Whereas, one of the means of regulating the location and use of buildings is to require a building permit as to any building to be constructed or an addition to an existing building within the boundaries of the Town; and

Whereas, the definition of “building” is, therefore, of importance in the regulation process; and

Whereas, the Board of Trustees, hereinafter referred to as the “Board” has determined that for purposes of clarity and to avoid confusion, the definition of “Building” as set forth in Ordinance 171, Article XIV, Section 14.5 should be amended, at least as to the issue of whether a building permit should be issued;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HUGO, COLORADO:

SECTION 1 - AMENDMENT OF ORDINANCE 171, ARTICLE XIV, SECTION 14.5.

Upon adoption of this Ordinance, Section 14.5, “Building”, shall be amended to state as follows:

“Building – any structure built for the shelter or enclosure of persons, animals, chattels, or property of any kind, has one or more stories and a roof. However, any structure covering less than fifty square feet is not included in the definition of building unless the structure is attached to an existing structure. “

SECTION 2 – SEVERABILITY.

If any one or more sections or parts of this Ordinance shall be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, it being the intention that the various provisions hereof are severable.

SECTION 3 – REPEALER.

All acts, orders, resolutions, ordinances, or parts thereof, of the Town of Hugo that is inconsistent or in conflict with this Ordinance is hereby repealed to the extent only of such inconsistency or conflict.

SECTION 4 – RECORDING AND AUTHENTICATION.

Following adoption, this Ordinance shall be authenticated by the signature of the Mayor and the Town Clerk and shall be recorded in the Town of Hugo book of ordinances. This Ordinance shall take effect thirty (30) days after publication as required by law.

INTRODUCED, READ, ADOPTED, AND ORDERED PUBLISHED this 14th. day of September, 2009.

MAYOR

ATTEST:

TOWN CLERK

Published on September 17, 2009 in the Eastern Colorado Plainsman.