

ORDINANCE NUMBER 255

AN ORDINANCE DECLARING A MORATORIUM ON THE PLACEMENT AND SITING OF CARGO/STORAGE CONTAINERS WITHIN THE TOWN OF HUGO, AND DECLARING AN EMERGENCY.

Whereas, a number of cargo containers have been moved into the Town of Hugo; and

Whereas, the majority of cargo containers that have been moved into the Town of Hugo appear to be located for long-term storage; and

Whereas, cargo containers are becoming a more popular storage option, necessitating the imposition of a reasonable moratorium prohibiting the use and placement of cargo containers in the Town of Hugo; and

Whereas, the moratorium is necessary to permit the development of regulations regarding the time, place and manner in which such containers may be permitted in the Town of Hugo; and

Whereas, such a moratorium is necessary for the preservation of the public peace, health or safety, bears a fair relation to the public health, safety, morals, or welfare, and has a definite tendency to promote or protect the foregoing; and

Whereas, the restriction upon the use of property by moratorium is found to be a valid exercise of the police power vested in the Town of Hugo; and

Whereas the Board of Trustees finds and determines that the imposition of such a moratorium, based on the foregoing facts, circumstances and standards, is in the public interest.

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

Section 1. The foregoing recitals are incorporated herein as set above

Section 2. A moratorium for a period commencing on the effective date of this ordinance and expiring on February 1, 2020 is put in place on the siting, use and location of cargo/storage containers within the Town of Hugo, Colorado.

Section 3. For the purpose of this ordinance, a "cargo/storage container" (sometimes referred to as shipping containers or Conexus) is a structure in which materials and goods were shipped by various means, has been retired from such service, and is offered for sale to the public for storage purposes or other uses.

Section 4. An emergency exists because a large number of cargo/storage containers are being located within the Town of Hugo and it is therefore necessary for the immediate preservation of the public peace, health, and safety that this ordinance takes effect immediately after adoption.

INTRODUCED, READ, ADOPTED, AND ORDERED PUBLISHED this 1st day of August, 2019.

Tom Lee; Mayor

ATTEST:

Maria Nestor; Town Clerk

