

ORDINANCE NUMBER 263

AN ORDINANCE TO AMEND ORDINANCE 242, SECTION 5.9.1 CONCERNING THE USE OF TILES, BRICKS, GRAVEL, CRUSHED ROCK, SHELLS, OR OTHER SIMILAR MATERIALS AT THE EVERGREEN CEMETERY, WHICH IS OWNED BY THE TOWN OF HUGO, LINCOLN COUNTY, COLORADO.

WHEREAS, the Board of Trustees of the Town of Hugo, hereinafter referred to as the "Board" and the "Town" respectively, previously adopted Ordinance Number 242 titled "An Ordinance to Establish Rules and Regulations for the Evergreen Cemetery, Owned by the town of Hugo, Lincoln County, Colorado and to Further Establish Fines and/or Penalties for the Violation of the Rules and Regulations"; and

WHEREAS, Colorado Revised Statute 31-25-702 grants to the governing body of any municipality the power to establish cemeteries and to pass rules and regulations governing cemeteries whether within or without the municipal boundaries;

WHEREAS, the Board wishes to amend Section 5.9.1;

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

Section 1. Restatement of Section 5.9.1 of Ordinance 242. On the adoption of this ordinance, Section 5.9.1 of Ordinance 242 shall be restated and amended to state as follows:

5.9.1 The use of tiles, bricks, gravel, crushed rock, shells, or other similar materials must be approved by the Public Works Director and installed at a height appropriate for mowing.

Section 2. SEVERABILITY. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section 3. Repealer. All acts, orders, resolutions, ordinances, or parts thereof, of the Town that are inconsistent or in conflict with the ordinance are hereby repealed to the extent only of such inconsistency or conflict.

Section 4. Recording and Authentication. Immediately upon its passage, this ordinance shall be recorded in the Town of Hugo Book of Ordinances kept for that purpose, authenticated by the signatures of the Mayor and Clerk, shall be published as required by law.

ADOPTED AND APPROVED THIS ____ day of _____, 2020

Lora Bledsoe, Mayor

ATTEST:

Maria Nestor, Town Clerk