

**TOWN OF ERIE**  
**ORDINANCE NO. \_\_\_\_-2019**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE AMENDING TITLE 4 OF THE ERIE MUNICIPAL CODE BY THE ADDITION OF A NEW CHAPTER 12, RELATING TO REGISTRATION OF UNIT OWNERS' ASSOCIATIONS**

**WHEREAS**, the Colorado Common Interest Ownership Act, C.R.S. § 38-33.3-101, *et seq.* ("CCIOA"), regulates homeowners' associations, which are referred to in CCIOA as unit owners' associations;

**WHEREAS**, CCIOA requires unit owners associations to register with the state;

**WHEREAS**, the Town wishes to require local registration of unit owners' associations, in addition to the state registration requirement, which does not conflict with CCIOA, but instead acts as a supplementary local regulation; and

**WHEREAS**, the Board of Trustees finds it is in the best interest of the public health, safety and welfare to adopt this Ordinance.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:**

Section 1. Title 4 of the Erie Municipal Code is hereby amended by the addition of a new Chapter 12 to read as follows:

**Chapter 12**  
**UNIT OWNERS' ASSOCIATIONS**

**4-12-1: APPLICABILITY:**

This Chapter shall apply to every unit owners' association organized under C.R.S. § 38-33.3-301, *et seq.* (each an "Association"), whether organized as a nonprofit corporation, not-for-profit corporation, for-profit corporation or limited liability company, and whether a master Association or a subordinate Association.

**4-12-2: REGISTRATION REQUIRED:**

A. General. Every Association operating on behalf of any property located in the Town shall register with the Town Clerk in January of each year on a form provided by the Town Clerk, including without limitation the following information:

1. The legal name of the Association;
2. The names all current Association board members and directors;

3. The name of the Association's management company, managing agent, registered agent or designated agent, along with current contact information, including an address, email address, website (if any) and telephone number;

4. The physical address and mailing address of the Association; and

5. The number of units in the Association.

B. Updates. The registration shall be updated within thirty (30) days after any change to any information provided with the initial registration.

#### **4-12-3: VIOLATION AND PENALTY:**

It is unlawful to violate any provision of this Chapter. Violations of this Chapter shall be non-criminal violations subject to the penalties set forth in Section 1-4-4.A. of this Code.

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 4. Effective Date. This Ordinance shall take effect 30 days after publication following adoption.

**INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 8<sup>th</sup> day of October, 2019.**

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Jennifer Carroll, Mayor

**ATTEST:**

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Jessica Koenig, Town Clerk