

TOWN OF ERIE
ORDINANCE NO. ____-2020

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
ERIE DELETING CHAPTER 4 OF TITLE 9 OF THE ERIE MUNICIPAL
CODE REGARDING SPECIAL DISTRICTS**

WHEREAS, special district formation is subject to state law pursuant to C.R.S. § 32-1-101, *et seq.*, and the Town must follow the procedures set forth therein when approving a special district service plan;

WHEREAS, Chapter 4 of Title 9 of the Erie Municipal Code imposes requirements that are inconsistent with state law;

WHEREAS, Chapter 4 of Title 9 of the Erie Municipal Code requires applicants to use the Town's model service plan, but the Town's model service plan is outdated; and

WHEREAS, the Board of Trustees finds it in the best interest of the public health, safety and welfare to delete Chapter 4 of Title 9 of the Code.

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

Section 1. Chapter 4 of Title 9 of the Erie Municipal Code is hereby deleted in its entirety.

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 14th day of January, 2020.

Jennifer Carroll, Mayor

ATTEST:

Joanne Salser, Deputy Town Clerk