

ORDINANCE NO. 2008-005

AN ORDINANCE ADOPTING SUBDIVISION REGULATIONS OF THE
TOWN OF CRESTONE, COLORADO

WHEREAS, The Board of Trustees of the Town of Crestone, Colorado, has been made aware of the necessity for subdivision regulations for the purpose of providing for the proper arrangement of streets in relation to other existing or planned streets and to the master plan for adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, recreation, light and air and for the avoidance of congestion of population, including minimum area and width of lots, and providing for conformance with the major street plan in territories subject to subdivision jurisdiction beyond the Town limits; and

WHEREAS, the Planning Commission of the Town of Crestone, Colorado, has considered the subdivision regulations, which have been compiled and published and which are titled "Subdivision Regulations of the Town of Crestone, Colorado", to which reference is hereby made, and has conducted a public hearing, pursuant to the provisions of C.R.S. § 31-23-214(2), for the consideration of adoption of such regulations and has, thereafter, adopted such regulations; and

WHEREAS, the Board of Trustees of the Town of Crestone are of the opinion that the same should be enacted as an Ordinance of the Town;

NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Crestone, Colorado:

Section I. Statutes

Pursuant to C.R.S. § 31-23-214, Colorado Revised Statutes, there is hereby adopted by reference hereto, "Subdivision Regulations of the Town of Crestone, Colorado", which have been compiled and published, and incorporated into this ordinance as if set out in full herein, ten copies of which are on file in the office of the Town Clerk, Crestone Town Hall, 199 N. Alder Street, Crestone, Colorado. The subject matter of the adopted regulations includes the proper arrangement of streets, open spaces, and other matters as above described. The "Subdivision Regulations," as finally adopted, shall be available for sale to the public through the office of Town Clerk at a moderate price.

Section II. Penalties

The following penalty clause is set forth in full and adopted:

1. It shall be unlawful for any person, firm, business association, or corporation to contract, sell, or subdivide land or participate in such contracting, selling, or subdividing or to otherwise violate any of the provisions of the "Subdivision Regulations of the Town of Crestone, Colorado".
2. Any person, firm, business association, or corporation violating any of the provisions of this code shall be deemed guilty of an ordinance violation, and each such person shall be deemed guilty of a separate offense for each and every day and portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted and, upon conviction, shall be subject to a fine of not more than \$1,000.00, or by imprisonment in jail not exceeding one year, or by both such fine and imprisonment.

Section III. Saving Clause

If any part, section, subsection, sentence, clause, or phrase of this ordinance or of the "Subdivision Regulations of the Town of Crestone, Colorado" adopted hereby is, for any reason, held to be invalid,



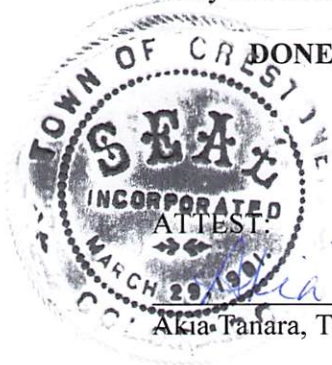
such decision shall not affect the validity of the remaining sections of this ordinance or said "Subdivision Regulations of the Town of Crestone, Colorado". The Board of Trustees hereby declares that it would have passed this ordinance and adopted said "Subdivision Regulations" in each part, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more parts, sections, subsections, sentences, clauses, or phrases become invalid.

Section IV. Repeal

Any or all ordinances or parts of ordinance of the Town of Crestone, in conflict or inconsistent herewith, are hereby repealed, provided however that the repeal of any ordinance or part of ordinances of the Town of Crestone shall not revive any section of the ordinance or ordinances heretofore repealed or superseded.

Due to the lack of existing subdivision regulations in the Town of Crestone, Colorado, it is hereby declared that this Ordinance is necessary to the immediate preservation of the public peace, health, and safety and shall take effect and be enforced from and after the adoption of this Ordinance.

DONE and SIGNED this 12th day of January 2009.



Ralph Abrams
Ralph Abrams, Mayor

Akia Tanara
Akia Tanara, Town Clerk

APPROVED AS TO FORM:

Eugene L. Farish
Eugene L. Farish, #2557
Crestone Town Attorney

READINGS

Approved and passed First Reading: December 8, 2008
First Publication: December 25, 2008

Passed Second and Final Reading: January 12, 2009
Second and Final Publication: January 1, 2009

CERTIFICATION

I hereby certify that the within Ordinance was introduced, read in full, approved and adopted at the regular meeting of the Board of Trustees of the Town of Crestone, Colorado on the 12th day of January, 2009 and published by title in the Crestone Eagle, a legal newspaper in the Town of Crestone, on February 1, 2009. ^{in full}

Akia Tanara
Akia Tanara, Town Clerk