

ORDINANCE NO. 27

Series 1995

AN ORDINANCE AMENDING SECTION 9-2-4-13 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE REQUIREMENT FOR THE DEDICATION OF PARK LANDS, OPEN SPACE AND RECREATIONAL SITES IN CONNECTION WITH THE SUBDIVISION OF LAND

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. The introductory Paragraph of Section 9-2-4-13 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

9-2-4-13: **Dedication Of Park Lands, Open Space And Recreational Sites Or The Payment Of Fees In Lieu Thereof:** All subdividers shall provide land for open space purposes, or cash contributions in lieu of land, or a combination of both, at the option of the Town which are roughly proportional in both nature and extent to the impacts created by the proposed subdivision. Unless a different dedication or payment is required by the Planning Commission on the basis of competent evidence presented, it shall be presumed that the requirements of this Section satisfy the rough proportionality requirement; provided, however, that this requirement shall not apply to a person who undertakes to resubdivide a parcel for which an open space dedication has previously been made, or a person who undertakes to subdivide a structure. This land dedication or cash or combination thereof shall be provided in accordance with the following criteria and formula:

Section 2. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 3. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

Section 4. The Town Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the provisions of Section 31-23-214, C.R.S., and the powers possessed by home rule municipalities in Colorado.

Section 5. This Ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 22nd day of August, 1995. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 12th day of September, 1995, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


Stephen C. West, Mayor

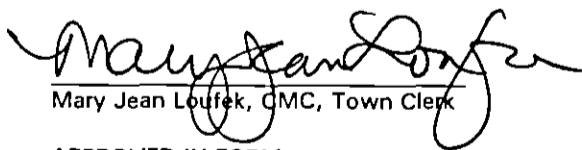
This Ordinance was published in full in The Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on August 30, 1995.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE WITH AMENDMENTS this 12th day of September, 1995.

A copy of this Ordinance is available for inspection in the office of the Town Clerk.

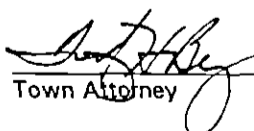
ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


Stephen C. West, Mayor

APPROVED IN FORM

 9/12/95
Town Attorney Date

This Ordinance was published by title with amendments in The Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on September 20, 1995.