

ORDINANCE NO. 23

Series 1998

AN ORDINANCE AMENDING THE BRECKENRIDGE DEVELOPMENT CODE BY ADOPTING PROVISIONS CONCERNING RESTRICTIVE COVENANTS REQUIRED AS A CONDITION OF APPROVAL OF A DEVELOPMENT PERMIT

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

Section 1. There is hereby added to the Breckenridge Town Code a new Section 9-1-26, to be entitled "Restrictive Covenants", which shall read in its entirety as follows:

9-1-26: RESTRICTIVE COVENANTS: Any restrictive covenant required as a condition of approval of a Development Permit shall be in form and substance acceptable to the Town Attorney. Upon approval by the Town Attorney, any such covenant may be executed by the Town Manager or Director on behalf of the Town. At the time of the recording, a required restrictive covenant shall not be subordinate to any senior lien or encumbrance, except the lien of the general property taxes.

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 authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

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 28th day of July, 1998. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 11th day of August, 1998, 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

READ ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE this 11th day of August, 1998.

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

Town Attorney Date 8/11/98

This Ordinance was published by title in The Summit County Journal a newspaper of general circulation within the Town of Breckenridge, on August 20, 1998.