

ORDINANCE NO. 18

Series 2006

AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "TOWN OF BRECKENRIDGE OFF-STREET PARKING ORDINANCE", CONCERNING USE RESTRICTIONS FOR OFF-STREET PARKING FACILITIES, AND PENALTIES FOR VIOLATIONS OF THE OFF-STREET PARKING ORDINANCE

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

Section 1. Section 9-3-11 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

9-3-11: USE RESTRICTIONS FOR OFF-STREET PARKING FACILITIES:

- A. Off-street parking spaces required by this chapter shall be used for the parking of operable passenger vehicles of residents, customers, patrons, and employees only, and shall not be used as parking for vehicles which are being used as a residence, for storage of vehicles or materials or for the parking of trucks used in conducting the business or use. The parking requirements for such excluded vehicles shall be determined according to the provisions of this chapter relating to special reviews.
- B. In residential areas, required off-street parking spaces may not be used by vehicles that do not fit entirely within the parking space.
- C. Required Off-street parking spaces shall not be used for the parking or storage of trailers, boats, detached campers, snowmobiles, disabled or inoperable vehicles or other types of vehicles or objects that render the parking space unusable for the parking of a motor vehicle.
- D. No required off-street parking spaces shall be used for the sale, repair, dismantling or servicing of any vehicle, equipment, materials or supplies.
- E. An off-street parking space that is not required by this chapter may be used for any lawful purpose.

Section 2. Section 9-3-18 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

9-3-18: VIOLATIONS; PENALTIES:

- A. It is an "infraction" as defined in section 1-3-2 of this code for any person to violate any of the provisions of this chapter. Every person found liable for a violation of any provision of this chapter shall be punished as provided in section 1-4-1-1 of this code.
- B. During the duration of any development permit for a development for which off-street parking is required pursuant to this chapter, the failure of the permittee to comply with the requirements of this chapter shall also be deemed to be a violation of the development permit, and such development permit shall be subject to revocation as provided in Section 9-1-17-9 of this code.
- C. In addition to other remedies available to the town, the town may commence an action pursuant to section 1-8-10 of this code to enjoin the alleged violation of any provision of this chapter.

Section 3. 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 4. 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 5. 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 6. 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 February, 2006. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 14th day of March, 2006, 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



Ernie Blake, Mayor


This Ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on March 10, 2006.

The public hearing on this ordinance was held on March 14, 2006.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY, this 14th day of March, 2006. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE

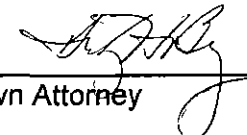


Mary Jean Loufek, CMC, Town Clerk



Ernie Blake, Mayor

APPROVED IN FORM



Town Attorney

3/14/06

Date

This ordinance was published by title only in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on March 24, 2006.