

ORDINANCE NO. 1

Series 2009

AN ORDINANCE AMENDING SECTION 5-5-4 OF THE BRECKENRIDGE TOWN CODE CONCERNING EXCEPTIONS TO THE GENERAL PROHIBITION AGAINST OPEN FIRES AND BURNING WITHIN THE TOWN OF BRECKENRIDGE

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

Section 1. Section 5-5-4 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

5-5-4: EXCEPTIONS:

Nothing contained in this chapter shall prohibit a fire contained within: a) a liquid fueled or gas fueled stove; b) a fireplace or stove located within a fully enclosed building or structure; c) a charcoal grill located at a private residence, or d) a commercially designed and manufactured outdoor fireplace that is assembled, located, and operated in accordance with the manufacturer's instructions. Nothing in this section authorizes the burning of rubbish, other than wood that is not discarded or waste building material.

Section 2. There is hereby added to the Breckenridge Town Code a new section 5-5-4-1, to be entitled "Objectionable Open Burning", which shall read in its entirety as follows:

5-5-4-1: OBJECTIONABLE OPEN BURNING: Open burning conducted pursuant to Section 5-5-4 that is offensive or objectionable because of smoke or odor emissions is unlawful.

Section 3. Section 5-1-7(K) of the Breckenridge Town Code is hereby repealed.

Section 4. 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 5. 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.

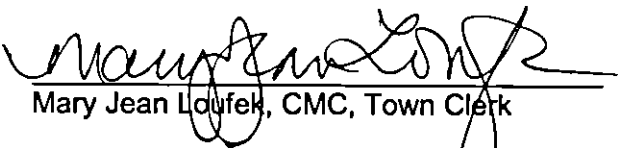
Section 6. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the provisions of Section 31-15-601, C.R.S., and the powers possessed by home rule municipalities in Colorado.

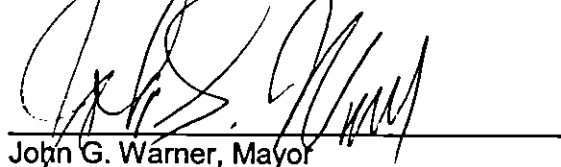
Section 7. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 9th day of December, 2008. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 13th day of January, 2009, 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


John G. Warner, Mayor

This Ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on December 19, 2008.

The public hearing on this ordinance was held on January 13, 2009.

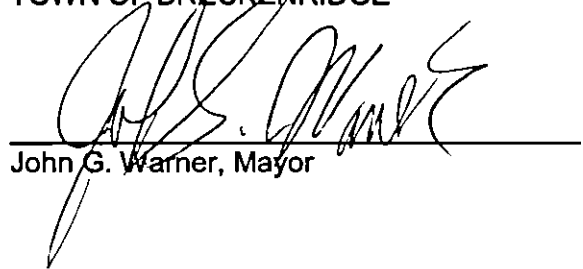
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE WITH AMENDMENTS, this 13th day of January, 2009. This ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE

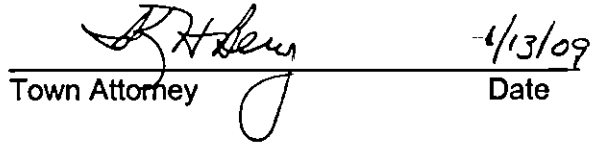


Mary Jean Loufek CMC, Town Clerk



John G. Warner, Mayor

APPROVED IN FORM



Town Attorney

4/13/09
Date

This ordinance was published by title only in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on January 23, 2009.

ORDINANCE NO. 2

Series 2009

AN ORDINANCE AMENDING SECTION 9-1-21 OF THE BRECKENRIDGE TOWN CODE BY ADOPTING THE "TOWN OF BRECKENRIDGE TRAILS PLAN (REVISED AUGUST 2008)" AS A CORRELATIVE DOCUMENT TO THE BRECKENRIDGE DEVELOPMENT CODE

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

Section 1. The reference to the "Breckenridge Trails Plan" in Section 9-1-21 of the Breckenridge Town Code is amended to read as follows:

- Town of Breckenridge Trails Plan (Revised August 2008)

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 5. 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.

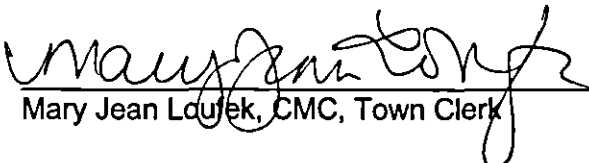
Section 6. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act, Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv) Section 31-15-401, C.R.S.(concerning municipal police powers); (v) Chapter 4 of Title 9 of the Breckenridge Town Code; (vi) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (vii) the powers contained in the Breckenridge Town Charter.

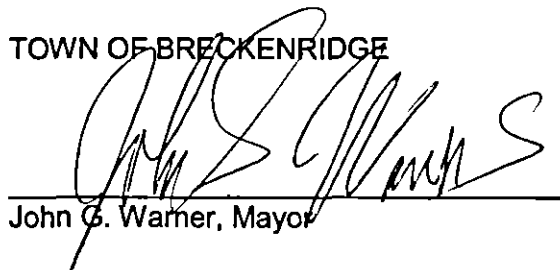
Section 7. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 9th day of December, 2008. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 13th day of January, 2009, 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


John G. Warner, Mayor

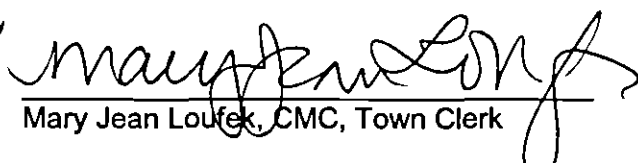
This Ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on December 19, 2008.

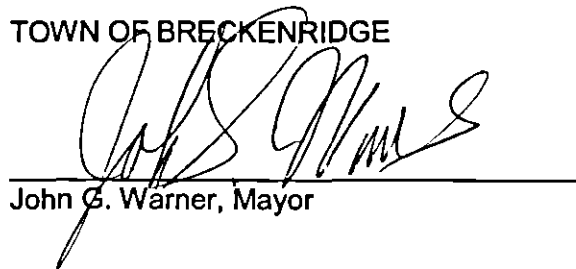
The public hearing on this ordinance was held on January 13, 2009.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY, this 13th day of January, 2009. This ordinance is available for inspection in the office of the Town Clerk.


ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


John G. Warner, Mayor

APPROVED IN FORM


Town Attorney

1/13/09
Date

This ordinance was published by title only in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on January 23, 2009.