

ORDINANCE NO. 17

Series 2011

AN ORDINANCE MAKING MISCELLANEOUS AMENDMENTS TO CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE", CHAPTER 2 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE SUBDIVISION STANDARDS", AND CHAPTER 10 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE CONCERNING DEVELOPMENT AND SUBDIVISION APPLICATION FEES

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

Section 1. The definition of "Classification" set forth in Section 9-1-5 of the Breckenridge Town Code is amended so as to read in its entirety as follows:

CLASSIFICATION:

A particular classification that a development may be placed in for review under the provisions of this code. In those instances where a development does not fall under one of the four (4) classifications, the director shall place the project where he deems appropriate. The director shall also have the right to move a project to a higher or lower classification if he feels the purpose of this code would best be served by the reclassification. He must reclassify a project within five (5) days of receipt of an application.

Section 2. Section 9-1-28 of the Breckenridge Town Code is amended to read in its entirety as follows:

9-1-28: RULES AND REGULATIONS:

The director shall have the authority from time to time to adopt, amend, alter and repeal administrative rules and regulations as may be necessary for the proper administration of this chapter. Such regulations shall be adopted in accordance with the procedures established by title 1, chapter 18 of this code.

Section 3. Section 9-2-2 of the Breckenridge Town Code is amended by the addition of the following definition:

CLASSIFICATION:

A particular classification that a subdivision application may be placed in for review under the provisions of this chapter. In those instances where a subdivision application does not fall under one of the three (3) classifications, the director shall place the application where he deems appropriate. The director shall also have the right to move a project to a higher or lower classification if he feels the purpose of this chapter would best be served by the reclassification. He must reclassify an application within five (5) days of receipt of the application.

Section 4. Section 9-2-3-9 of the Breckenridge Town Code is amended to read in its entirety as follows:

9-2-3-9: RULES AND REGULATIONS:

The director shall have the authority from time to time to adopt, amend, alter and repeal administrative rules and regulations as may be necessary for the proper administration of this chapter. Such regulations shall be adopted in accordance with the procedures established by title 1, chapter 18 of this code.

Section 5. Chapter 10 of Title 9 of the Breckenridge Town Code is amended by the addition of a new Section 9-10-5-1, which shall read in its entirety as follows:

9-10-5-1: APPLICATION FEE FOR RECLASSIFIED DEVELOPMENT PERMIT:
If a development permit application is reclassified to a higher classification, the applicant shall pay the full application fee for the class of application to which the application was reclassified, less the amount of the original application fee previously paid. If a development permit application is reclassified to a lower classification, the applicant shall pay only the application fee for the class of application to which the application was reclassified, and shall receive a refund equal to the difference between the amount of the original application fee previously paid (if any) and the fee for the reclassified application.

Section 6. 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 7. 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) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (vi) the powers contained in the Breckenridge Town Charter.

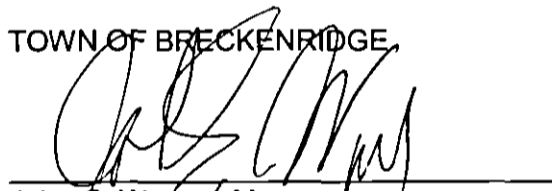
Section 8. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 22ND day of March, 2011. A Public Hearing on the ordinance shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado, on the 26TH day of April, 2011 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

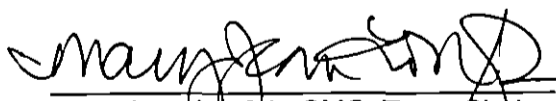
This Ordinance was published in full on the Town of Breckenridge website on March 24, March 25, March 26, March 27, and March 28.

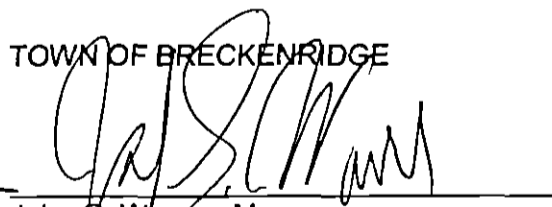
The public hearing on this ordinance was held on April 26, 2011.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 26th day of April, 2011. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

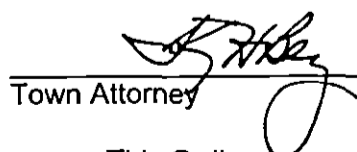
ATTEST:


TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


John G. Warner, Mayor

APPROVED IN FORM


Town Attorney


Date

This Ordinance was published on the Town of Breckenridge website on April 28, April 29, April 30, May 1, and May 2, 2011. This ordinance shall become effective on June 1, 2011