

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 02-02
Series of 2002

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TITLE: A BILL FOR AN ORDINANCE AMENDING SECTION 16-31 OF THE TOWN OF HUDSON MUNICIPAL CODE REGARDING THE BOARD OF ADJUSTMENT.

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. Section 16-31, subsection (a) of the Hudson Municipal Code is amended by the addition thereto of a new subsection (a)(3) to read as follows:

(a)(3) In the event that the board of trustees is unable to appoint a necessary number of persons to act as a board of adjustment, or in the event the board of adjustment is unable to obtain a quorum to hear its calendar of cases, the board of trustees is hereby authorized to act as the board of adjustment as follows:

- A. In the event the board of adjustment does not have the necessary number of members to conduct its business at the time a hearing is to be scheduled in front of the board of adjustment, the secretary of the board shall cause the hearing to be conducted in front of the board of trustees, acting as the board of adjustment.
- B. In the event a hearing is scheduled to be heard in front of the board of adjustment, and a quorum is not obtained on the hearing date, the secretary of the board shall cause the hearing to be continued until the next regular board of trustees meeting, and the board of trustees shall then act as the board of adjustment on the application. The secretary of the board shall verbally notify those in attendance at any meeting of the board of adjustment at which a quorum is not obtained of the continuance until the next regular board of trustees meeting.
- C. The board of trustees acting as the board of adjustment shall have all of the power and authority of the board of adjustment as set forth in this section 16-31, except that the concurring vote of five (5) members of the board of trustees shall be necessary to reverse any order, requirement, decision or determination of the building inspector or to decide in favor of an applicant upon any matter which it is required to pass under the zoning ordinance, or to effect any variance herein.

Section 2. Section 16-31, subsection (c)(1) of the Hudson Municipal Code is amended to read as follows:

(1) To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, decision or determination made by an administrative official or agency based on or made in the enforcement of this chapter. The board shall, by this grant of authority, be specifically authorized to hear and decide appeals of the building inspector, and to hear and decide appeals of the Hudson Fire District under this chapter, to the extent the Hudson Fire District is enforcing the Uniform Fire Code, as adopted by the Town.

Section 3. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 13th day of February, 2002.



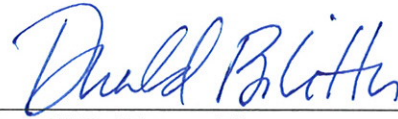
ATTEST:

Judy Larson
Judy Larson, Town Clerk

TOWN OF HUDSON, COLORADO

Donald B. Litton
Donald B. Litton, Mayor

PASSED ON SECOND AND FINAL READING this 27th day of February, 2002, AND ORDERED PUBLISHED ONCE IN FULL.



Donald B. Litton, Mayor



ATTEST:



Judy Larson, Town Clerk

APPROVED AS TO FORM:



Corey Y. Hoffmann, Town Attorney