

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 06-10
Series of 2006

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**TITLE: A BILL FOR AN EMERGENCY ORDINANCE AMENDING
SECTION 16-102(c) OF THE TOWN OF HUDSON MUNICIPAL
CODE REGARDING PUBLIC NOTICE PROCEDURES**

WHEREAS, the Board of Trustees of the Town of Hudson finds and determines that adequate public notice for land use applications is provided by a combination of publication in a newspaper of general circulation, the erection of a sign on the property in question, and notice by first class mail; and

WHEREAS, the Board of Trustees of the Town of Hudson further finds that notice by certified mail is an unnecessary expense, and is an undue hardship on land use applicants.

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

Section 1. Section 16-102, subsection (c) of the Hudson Municipal Code is hereby repealed and reenacted to read as follows:

(c) At least fifteen (15) days prior to a public hearing, a written notice shall be sent by regular first class United States Mail to all owners of property within five hundred (500) feet of the site for which the land use application is made. The written notice shall contain the following information:

(1) The entire notice of public hearing outlined in Subsection (b) above, including the legal description; and

(2) A narrative outlining the proposed land use application before the planning commission, board of adjustment and/or board of trustees.

Section 2. Section 16-102, subsection (d)(1) of the Hudson Municipal Code is hereby repealed and reenacted to read as follows

(d) (1) Sign. At least fifteen (15) days prior to a public hearing, a notice shall be posted on the property for which the land use application is made. These notices shall consist of at least one (1) sign facing each adjacent public right-of-way. In the case of a variance request, only one (1) sign shall be posted on site in the general vicinity the variance is being considered.

These notices shall be in the form of signs measuring not less than three feet by four feet (3' x 4'), with the "NOTICE OF PUBLIC HEARING" lettering a minimum of three (3) inches high, and on posts no less than four (4) feet above the ground. All remaining lettering shall be clearly legible from the right of way. These notices shall read:

NOTICE OF PUBLIC HEARING

Notice is hereby given that the property upon which this sign is posted shall be considered at a public hearing for (type of application request) pursuant to the Hudson Municipal Code.

The public hearing is to be held before the (Name of board) on (date), 20__, at (time a.m./p.m.), or as soon as possible thereafter. The public hearing shall be held at Hudson Town Hall, 557 Ash Street, Hudson, Colorado. Further information is available through the town clerk's office at (303) 536-9311.

ALL INTERESTED PERSONS MAY ATTEND.

Section 3. Emergency Clause. The Board of Trustees hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the health, safety and welfare of the Town of Hudson due to the unnecessary hardship caused on current land use applicants.

Section 4. 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 5. 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 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

INTRODUCED, READ IN FULL, and ADOPTED ON THIS FIRST AND ONLY READING AND ORDERED PUBLISHED this 16th day of August, 2006.



TOWN OF HUDSON, COLORADO




Neal Pontius, Mayor

ATTEST:



Judy Larson, Town Clerk

APPROVED AS TO FORM:



Corey Y Hoffmann, Town Attorney