ORDINANCE NO. 38, Series 2012
INTRODUCED BY: COUNCILOR ALEXANDRA LYNCH

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, AMENDING SECTION 26-20-10 OF THE CODE OF ORDINANCES OF LAFAYETTE, COLORADO

WHEREAS, the Planning Commission held a public hearing on the proposed amendments to Chapter 26 of the Code of Ordinances on November 27, 2012; and

WHEREAS, after studying the proposed amendments to Chapter 26 of the Code of Ordinances the Planning Commission recommended approval of the following amendments; and

WHEREAS, a public hearing concerning this ordinance was held before the City Council on December 4, 2012; and

WHEREAS, the City Council desires to adopt the Planning Commissions recommendation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, AS FOLLOWS:

Section 1. That Section 26-20-10 Modification of requirements of the Code of Ordinances of the City of Lafayette, Colorado, is amended to read as follows:

> The city council may, by resolution, increase or decrease the required number of off-street parking spaces for a particular property and use after taking into consideration the following factors:
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> (a) Expected number of cars owned by occupants of dwellings in a planned unit development.
> (b) Parking needs of any non-dwelling uses.
> (c) Varying time period of use.
> (d) The conveyance, dedication or lease to the City, or to the Lafayette Urban Renewal Authority, of real property for the purpose of providing public parking in a location, and under conditions, as are approved by City Council.

Section 2. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

Section 4. The repeal or modification of any provision of the Code of Ordinances of Lafayette, Colorado by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty,

forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 5. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 6. Violations of this ordinance shall be punishable in accordance with Section 1-10 of the Municipal Code of the City of Lafayette, Colorado.

Section 7. This ordinance shall become effective upon the latter of the 10th day following enactment, or the day following final publication of the ordinance.

INTRODUCED AND PASSED ON FIRST READING THE 4TH DAY OF DECEMBER, 2012.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THE 7TH DAY OF JANUARY, 2012.

CITY OF LAFAYETTE, COLORADO

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Carolyn D. Cutler,
Mayor

ATTEST:

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Susan Koster, CMC
City Clerk

APPROVED AS TO FORM:

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David S. Williamson,
City Attorney