ORDINANCE NO. 12, Series 2013 INTRODUCED BY: COUNCILOR BRAD WIESLEY

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, REPEALING SECTION 120-13 (f) OF THE LAFAYETTE CODE OF ORDINANCES PERTAINING TO INSTALLATION OR PLANTING OF LAWN GRASSES

WHEREAS, by Ordinance No. 07, Series 2013, enacted by the Lafayette City Council on April 2, 2013, City Council enacted certain temporary measures that were necessary to address anticipated drought conditions; and

WHEREAS, recent weather events have increased the local snow pack in Boulder Creek and South Boulder Creek to 86% and 92% of normal, respectively, significantly increasing the water supply to Lafayette; and

WHEREAS, City Council wishes to amend the temporary conservation measures so as to allow the installation or planting of lawn grasses and turf grasses, yet retain the remaining temporary conservation measures as were enacted by Ordinance No. 07, Series 2013.

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

- <u>Section 1.</u> Paragraph (f) of Section 120-13 of the Lafayette Code of Ordinances is hereby repealed.
- <u>Section 2.</u> The repealer as provided in Section 1 above shall not affect the remaining provisions of Section 120-13 of the Code of Ordinances of the City of Lafayette, which remain in full force and effect.
- <u>Section 3.</u> 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.
- <u>Section 4.</u> 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other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.
- <u>Section 5.</u> 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,

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proceedings or prosecutions.

<u>Section 6.</u> This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

<u>Section 7.</u> 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 21ST DAY OF MAY, 2013.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THE 4TH DAY OF JUNE 2013.

	CITY OF LAFAYETTE, COLORADO
	Carolyn D. Cutler, Mayor
ATTEST:	APPROVED AS TO FORM:
Susan Koster, CMC	David S. Williamson,
City Clerk	City Attorney