

**TOWN OF GRAND LAKE
ORDINANCE NO. 10-2016**

**AN ORDINANCE AMENDING THE TOWN OF GRAND LAKE MUNICIPAL CODE
CHAPTER 11, ARTICLE 4, SECTION 7: [BOARDWALKS, SIDEWALKS, AND
COMMUNITY GREENWAYS] BOARDWALKS TO BE MANDATORY IN CERTAIN
PARTS OF TOWN**

WHEREAS, the Town of Grand Lake, Colorado (the “Town”) has previously adopted Municipal Code 11-4-7 Boardwalks to be Mandatory in Certain Parts of Town; and,

WHEREAS, the Town has previously adopted Municipal Code 11-4-9 Community Greenways; and,

WHEREAS, the installation of mandatory boardwalks and community greenways typically occur concurrently; and,

WHEREAS, the 2013 Downtown Assessment recommended to *create a master plan for the downtown including a defined area for the historic boardwalk treatment. Historic boardwalks should only be located in the downtown core*; and,

WHEREAS, the Town Planning Commission forwarded onto the Town Board of Trustees (the “Board”) a recommendation by Resolution 15-2015; and,

WHEREAS, the Board is authorized to regulate the policies and regulations of the Town.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE THAT:

PART 1. the code of the Town of Grand Lake, Colorado, is hereby amended to read as follows:

11-4-7(C) Boardwalk Fee in Lieu

For mandatory boardwalks and related community greenway unable to be installed by the applicant, owner, or developer; a fee payment shall be in-lieu of the required boardwalks and community greenway and shall be non-refundable. This fee shall be determined by the Town and may be amended from time to time by resolution adopted by the Board of Trustees. The fee shall be paid in full concurrent with the Town's approval of a Building Permit Application, or a fee-in-lieu may be in equal and portioned payments over a five-year period. Portioned payments shall be assessed to the property tax statement of the subject parcel(s) and shall carry with the parcel(s) until the full payment has been made.

PART 2. Repeal: Existing Ordinances or parts of Ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any Ordinance hereby repealed prior to the taking of this Ordinance.

PART 3. Severability: 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 of the remaining portions of this Ordinance. The Board of Trustees declares that it would have passed this Ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.


DULY MOVED, SECONDED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE THIS 8th DAY OF AUGUST, 2016.


(S E A L)

Votes Approving:	5
Votes Opposing:	0
Votes Abstaining:	0
Absent:	2

ATTEST:

TOWN OF GRAND LAKE


Katie Nicholls,
Town Clerk


James C. Peterson
Mayor