

ORDINANCE NO. 10

Series 2022

May 3, 2022: Introduced as Council Bill 10, Series 2022 by Mayor Pro Tem Katy Brown, seconded by Councilor Randy Weil and considered in full text on first reading. Passed by a vote of 5 yes and 0 no.

May 17, 2022: Considered in full text on second reading. Passed by a vote of 5 yes and 0 no.

A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE AMENDING ARTICLE XI OF CHAPTER 18 OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE REGARDING FEDERAL HOLIDAYS AND CONSTRUCTION ACTIVITY WITHIN CHERRY HILLS VILLAGE

WHEREAS, the City of Cherry Hills Village ("City") is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and Article 15, Title 31 of the Colorado Revised Statutes, the City is authorized to regulate businesses and to make all regulations that may be necessary or expedient for promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, pursuant to Ordinance 7, Series 2020, the City Council amended Section 18-11-60 of the Cherry Hills Village Municipal Code ("Municipal Code") to prohibit outside construction activity and allow construction activity occurring within a fully enclosed structure between the hours of 8 a.m. to 4 p.m. on federal holidays; and

WHEREAS, Juneteenth (June 19th) was adopted as a new federal holiday in 2021; and

WHEREAS, in consideration of the health, safety, and welfare of the public, the City Council desires to amend Section 18-11-60(1) of the Municipal Code to incorporate the most current observed federal holidays in the regulation of construction practices set forth in Chapter 18 of the Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. Sub-section (1) of Section 18-11-60 of the Municipal Code, entitled *Construction times*, is hereby amended to read as follows, with additions shown in underline and deletions shown in ~~strikethrough~~, with the remainder of Section 18-11-60 to remain intact:

Sec. 18-11-60. – Construction times

(1) Construction activity may be performed subject to the following restrictions:

Day	Hours
Monday through Friday	7 a.m. to 6 p.m.
Saturday	8 a.m. to 4 p.m.
<u>Sunday and federal holidays as listed by the United States Office of Personnel Management (observed): New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, and Christmas Day</u>	No outside construction activity permitted at any time. Construction activity occurring within a fully enclosed structure is permitted between the hours of 8 a.m. to 4 p.m.

Section 2. **Severability.** If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or

applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion be declared invalid.

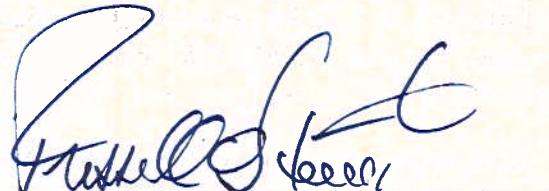
Section 3. Safety. This Ordinance is deemed necessary for the protection of the health, welfare, and safety of the community.

Section 4. Codification Amendments. The codifier of the City's Municipal Code, Municode, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Cherry Hills Village Municipal Code.

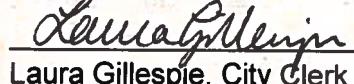
Section 5. Effective Date. This Ordinance shall become effective ten (10) days after publication after second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

Adopted as Ordinance No. 10 Series 2022, by the City Council of the City of Cherry Hills Village, Colorado this 17th day of May, 2022.

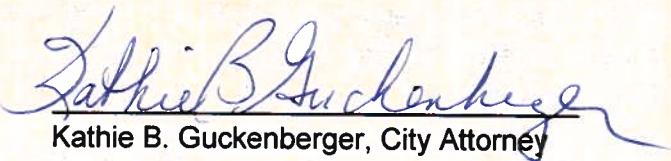
(SEAL)


Russell O. Stewart, Mayor

ATTEST:


Laura Gillespie, City Clerk

Approved as to form:


Kathie B. Guckenberger, City Attorney

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CITY OF CHERRY HILLS
VILLAGE
ADOPTION OF ORDINANCE
ORDINANCE 10, SERIES 2022

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THE CITY OF CHERRY HILLS
VILLAGE AMENDING CHAPTER 18 OF THE MUNICIPAL
CODE REGARDING FEDERAL
HOLIDAYS AND CONSTRUC-
TION ACTIVITY WITHIN CHERRY
HILLS VILLAGE

Copies of the Ordinances are on
file at the office of the City Clerk
and may be inspected during regu-
lar business hours.

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