

ORDINANCE NO. 05 Series 2006

May 16, 2006: Introduced as Council Bill 05 Series 2006 by Councilmember Doug Tisdale, seconded by Councilmember Klasina VanderWerf, and considered by the title only on first reading. Passed unanimously.

June 6, 2006: Considered in full text on second reading. Passed unanimously

A BILL FOR AN ORDINANCE AMENDING SECTION 18-10-10 OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE CONCERNING CONSTRUCTION TIMES

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

WHEREAS, the City of Cherry Hills Village is authorized to regulate building construction for property within the boundaries of the City; and

WHEREAS, the City of Cherry Hills Village is experiencing an increase in construction activity in areas of the City that are already predominantly developed; and

WHEREAS, the City Council finds that construction activities in areas of the City that are already predominantly developed have an adverse impact on the quality of life of the residents of the City; and

WHEREAS, the City Council desires to amend the City Code to better balance the rights of individuals to construct improvements on their property against the impact of such construction on existing residents.

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

Section 1. That Section 18-10-10 of the Municipal Code, concerning construction times, is hereby amended to read as follows:

Sec. 18-10-10. Construction times.

Each building permit recipient shall conduct and carry out construction work in such a manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. Construction work may be performed with the following restrictions:

(1) Construction work may be performed between the hours of 7:00 a.m. and 6:00 p.m. during the weekdays, Monday through Friday.

(2) Construction work may be performed between the hours of 8:00 a.m. and 4:00 p.m. on ~~weekends or holidays~~ Saturdays. There shall be no construction activities of any kind outside of fully enclosed areas on Sundays or Federal legal holidays; provided, however, any construction within such fully enclosed area on Sundays or Federal legal holidays be performed between the hours of 8:00 a.m. and 4:00 p.m.

(3) Construction vehicles or construction delivery trucks may not park and leave their engines idling between the hours of 6:00 p.m. and 8:00 a.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.

Section 3. Effective Date. This ordinance shall take effect in accordance with the City of Cherry Hills Village Home Rule Charter.

Adopted as Ordinance No. 05, Series 2006, by the City Council of the City of Cherry Hills Village, Colorado, and signed and approved by its Mayor and Presiding Officer this 6th day of June, 2006.


Michael J. Wozniak

Michael J. Wozniak, Mayor

ATTEST:


Jennifer Pettinger

Jennifer Pettinger, CMC, City Clerk

APPROVED AS TO FORM:


Thad Renaud

Thad Renaud, City Attorney

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