

ORDINANCE NO. 6 SERIES OF 2024

AN ORDINANCE OF THE TOWN OF WILLIAMSBURG, COLORADO, DETERMINING THAT ALL FINES, RATES, AND FEES SHALL BE ESTABLISHED BY ORDINANCE AND AMENDING CERTAIN SECTIONS OF THE 2004 CODE BOOK TO REPLACE REFERENCES TO "RESOLUTION" WITH "ORDINANCE."

WHEREAS, the Colorado Revised Statutes, Title 31, and other applicable state laws require that municipal fines, rates, and fees be established by ordinance to ensure transparency, public participation, and the legal validity of such actions; and

WHEREAS, the Town of Williamsburg desires to comply fully with state law by ensuring that all fines, rates, and fees imposed by the Town are enacted through ordinances rather than resolutions; and

WHEREAS, the Town's 2004 Code Book currently contains certain sections that refer to the establishment of fines, rates, and fees by "resolution," and such references need to be corrected to comply with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WILLIAMSBURG, COLORADO:

The following sections of the 2004 Code Book are hereby amended by replacing the word "resolution" with the word "ordinance" wherever it appears with regard to the establishment of fines, rates, or fees:

1. **Chapter 4, Article III, Section 4-23(g)** is amended to read: "[Updated text with 'ordinance' replacing 'resolution']." (g) The fee for such license shall be established by ~~resolution~~ **ordinance** of the Board of Trustees, which shall be paid to the Town Clerk prior to the issuance of such license.
2. **Chapter 6, Section 6-3(b)** is amended to read: "[Updated text with 'ordinance' replacing 'resolution']." Such application fee shall be set by ~~resolution~~ **ordinance** of the Board of Trustees.
3. **Chapter 7, Article VI, Section 7-103** is amended to read: "[Updated text with 'ordinance' replacing 'resolution']." The fees for dog licenses shall be set by ~~resolution~~ **ordinance** of the Board of Trustees from time to time.
4. **Chapter 8, Section 8-6 (2)** is amended to read: "[Updated text with 'ordinance' replacing 'resolution']." Every person convicted of a violation of any provision adopted in this Article shall be punished by a fine not exceeding three hundred dollars (\$300.00) and/or useful public service as is allowed by specific ~~resolution~~ **ordinance**.
5. **Chapter 10, Section 10-102(c)** is amended to read: "[Updated text with 'ordinance' replacing 'resolution']." AT the time of permit application, a fee set by ~~resolution~~ **ordinance** shall be payable to the Town.

6. **Chapter 11, Article II, Section 11-14** is amended to read: "[Updated text with 'ordinance' replacing 'resolution']." Such fee schedule shall be separately established by ~~resolution~~ **ordinance** of the Board of Trustees.
7. **Chapter 11, Article IV, Section 11-71(b) and Section 11-114** are amended to read: "[Updated text with 'ordinance' replacing 'resolution']." AT the time of making application, the applicant shall pay a permit fee as established by ~~resolution~~ **ordinance** by the Board of Trustees and shall file the bond required herein.
8. **Chapter 16, Section 16-52(c)(1)** is amended to read: "[Updated text with 'ordinance' replacing 'resolution']." The applicant shall submit to the Planning Department the rezoning petition, the review fee as established by ~~resolution~~ **ordinance** of the Board of Trustees, a minimum of twenty (20) folded copies of the preliminary rezoning map and the required supportive information.

Section 4. Severability.

If any provision of this ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.

Section 5. Effective Date.

This ordinance shall take effect immediately upon adoption and publication as required by law.

ADOPTED by the Board of Trustees of Williamsburg, Colorado, on this 12th day of November, 2024.

Brian Dreitz, Mayor Pro Tem

ATTESTATION & CERTIFICATION

10/15//2024 - Introduced, read & passed on first reading
10/10/24 - Posted on website and Public Notice Boards located at:

- Quincy and Iron Horse Road, Williamsburg, CO
- Wilmont Road and Smith Gulch Road, Williamsburg, CO
- 1 John Street, Williamsburg, CO

XX/XX/24 - Passed and adopted on second reading
XX/XX/24 - Posted on website and Public Notice Boards located at:

- Quincy and Iron Horse Road, Williamsburg, CO
- Wilmont Road and Smith Gulch Road, Williamsburg, CO
- 1 John Street, Williamsburg, CO

11/12/24- Effective Date

Ashley Smith, Town Clerk
Town of Williamsburg (Attest)