

RESOLUTION NO. 2016-04-02

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO UPDATE THE REVOCABLE RIGHT OF WAY PERMITS PREVIOUSLY ISSUED BY THE CITY OF FORT MORGAN

WHEREAS, the City of Fort Morgan (“City”) has issued several revocable right of way permits to various entities for a variety of uses over the course of several years, which has led to disparity between permits, unnecessary confusion, aged or missing documentation, and enforcement issues; and,

WHEREAS, the Charter of the City of Fort Morgan Article VII Section 16 provides that “The council may grant a permit at any time, in or upon any street, alley or public place, provided such permit may be revocable by the council at its pleasure at any time, whether such right to revoke be expressly reserved in such permit or not”; and,

WHEREAS, the issuance of right of way permits is further governed by Fort Morgan Municipal Code Chapter 11 Article 3, which details the process used by the City to issue right of way permits; and,

WHEREAS, it would be in the best interests of the City to harmonize and standardize the revocable right of way permits currently issued throughout the City of Fort Morgan and create a renewal process to ensure continued compliance with the terms, understandings, and expectations of the City; and,

WHEREAS, the City Council finds this action necessary to the safety, health and welfare of the public pursuant to the City’s police powers.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

Sec. 1: City Council hereby authorizes and directs the City Manager to develop a process and execute the same, whereby known and potential revocable right of way permit holders are given notice of the revocation of all revocable right of way permits previously issued throughout the City.

Sec. 2: City Council hereby authorizes and directs the City Manager to develop a process and execute the same, to standardize and reissue revocable right of way permits to appropriate uses as directed by the Fort Morgan Municipal Code, and further create a process providing for the regular review and renewal of permits to protect the interests of the City.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 5th day of April, 2016, the vote upon roll call being as follows:

Ayes: Mayor Shaver, Councilmembers, Anderson, Lindell, Marler, Northrup and Segura

Nays: None

Absent /Abstain: Councilmember Castoe (Absent Excused)



THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

BY: 
Mayor Ronald Shaver

ATTEST: 
John Brennan, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, John Brennan, City Clerk for the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Resolution** is a true, perfect and complete copy of the **Resolution** adopted by the Council of Fort Morgan, Colorado, and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have affixed the seal of the City of Fort Morgan this 5th day of April, 2016.


John Brennan, City Clerk