

ORDINANCE NO. 1116

AN ORDINANCE AMENDING THE EXISTING ARTICLE 4 AND 6, CHAPTER 20, "LAND USE CODE" FORT MORGAN MUNICIPAL CODE (2010)

WHEREAS, this Ordinance is intended to amend Article 4 and Article 6, Chapter 20 of the Fort Morgan Municipal Code, (2010)

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF FORT MORGAN,

Section 1. Article 4 and Article 6, Chapter 20, is hereby amended to read as follows:

Sec. 20-4-60. Accessory structures and uses.

(a) Accessory structures shall comply with the following limitations:

- (1) If a garage is located closer than ten (10) feet to the main building, the garage shall be regarded as a part of the main building for the purposes of determining side and rear yards.

...

Sec. 20-6-20. Yards.

...

- (i) Permitted accessory buildings may be located in the required rear yard for a principal building, so long as the accessory building meets all applicable requirements of the building and fire codes.

Section 2. Validity. If any part or parts of this Ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each part hereof irrespective of the fact that any one part or parts be declared invalid.

Section 3. Repeal. All or parts of Ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any Ordinance hereby repealed prior to the effective date of this Ordinance.

Section 4. Interpretation. This Ordinance shall be so interpreted and construed as to effectuate its general purpose. Article and section headings of the Ordinance shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any Article or Section thereof.

Section 5. Certification. The City Clerk shall certify to the passage of this Ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

Section 6. Severability. In the event any part of this Ordinance is found to be unenforceable by a Court of competent jurisdiction, it shall not affect the enforceability of the other portions of the Ordinance.

Section 7. Effective date. The City Council hereby finds, determines, and declares that this ordinance is necessary for the immediate preservation of the public peace,

health, and safety. This Chapter 20, "Land Use Code" shall be effective as to all violations of the Code committed five (5) days after final publication.

READ, PASSED ON FIRST READING AND ORDERED PUBLISHED the 5th day of July, 2011.

THE CITY COUNCIL OF THE CITY
OF FORT MORGAN, COLORADO

/s/ Terry L. McAlister

Mayor Terry McAlister

ATTEST:

/s/ John J. Brennan

City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED the 19th day of July, 2011.

THE CITY COUNCIL OF THE CITY
OF FORT MORGAN, COLORADO

/s/ Terry L. McAlister

Mayor Terry McAlister

[SEAL]

ATTEST:

/s/John J. Brennan

City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN)
CITY OF FORT MORGAN)

CERTIFICATE

I, John Brennan, the duly appointed, qualified and acting Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **ORDINANCE NO. 1116** was, as a proposed Ordinance duly and legally presented to the City Council of the City of Fort Morgan, Colorado, at a regular meeting on the 5th day of July, 2011. Said Ordinance, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 8th day of July, 2011, published in the *Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed Ordinance was again taken up and read a second time, duly and legally passed, approved and adopted at a regular meeting of the City Council held on the 19th day of July, 2011. Within five (5) days after its final passage, said Ordinance was published in the *Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.

/s/ John J. Brennan

City Clerk