

ORDINANCE NO. 2004 - 6

AN ORDINANCE AMENDING ORDINANCE NO. 2004-2 ADOPTED JULY 8, 2004, IN ORDER TO CLARIFY PROVISIONS OF SUBSECTION (C) OF SECTION 5 OF SAID ORDINANCE.

WHEREAS, subsection (1) of subsection (C) of Section 5 - PARKING OF CERTAIN VEHICLES; TIME LIMITS ON STREETS - EXTENSION INTO STREET - provides that no person shall park a vehicle upon a street, alley, highway, or other public rights-of-way for the principal purpose of displaying such vehicle for sale; and

WHEREAS, upon further consideration of such prohibition, the Town Board of the Town of La Jara finds and declares that such prohibition is unnecessary and does not further the intent and purposes for which said Ordinance No. 2004-2 was adopted.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of La Jara, Colorado, as follows:

Section 1 - Amendment to subsection (C) of Section 5 - PARKING OF CERTAIN VEHICLES; TIME LIMITS ON STREET - EXTENSION INTO STREET of Ordinance No. 2004-2 is hereby amended by the deletion in its entirety all of subsection (1) of said subsection (C) of said Section 5 of said Ordinance, said subsection (1) now reading, before deletion, as follows:

“(1) displaying such vehicle for sale.”

Section 2 – RETENTION: all of the terms and provision of Ordinance No. 2004-2 not otherwise amended by this Ordinance shall remain in full and effect without deletion or amendment thereto.

Section 3 – SAVINGS CLAUSE: If any part, section, or subsection of this Ordinance is, for any reasons, judicially determined to be invalid or unenforceable, such determination shall not affect the validity of the remaining section or sections of this Ordinance. The Board of Trustees of the Town of La Jara hereby declares that it would have passed this Ordinance in each part, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses, or phrases be declared invalid, it being the intent of the Board of Trustees of the Town that such invalid or unenforceable provision are severable.

Section 4 - REPEAL: Any part of Ordinance No. 2004-2 in conflict or inconsistent with the terms and provisions of this ordinance are hereby repealed, PROVIDED, HOWEVER, that the repeal of any ordinance or parts of ordinance of the Town shall not revive any other section of any ordinance or ordinances theretofore repealed or superceded in full.

Section 5 – PUBLICATION: The Town Clerk shall certify to the passage of this Ordinance, cause notice of its contents and passage to be as provided by law, and shall cause copies of this Ordinance to be attached to the previously adopted Ordinance No. 1970-4, or any subsequent amending ordinance.

Section 6 – EMERGENCY ENACTMENT: Whereas, the Board of Trustees of the Town of La Jara finds and determines that this Ordinance is necessary for the immediate preservation of the health, safety and welfare of the citizens of the Town of La Jara, this Ordinance shall be in full force and effect immediately upon adoption and the publication thereof as by law provided.

INTRODUCED, READ, APPROVED, ADOPTED, AND ORDERED PUBLISHED BY THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA AT A REGULAR MEETING OF THE BOARD OF TRUSTEES AFTER PUBLIC NOTICE THEREOF AS REQUIRED BY LAW, AT WHICH A QUORUM OF THE BOARD OF TRUSTEES WAS PRESENT THIS 9TH DAY OF DECEMBER, 2004.

THE BOARD OF TRUSTEES OF THE
TOWN OF LA JARA

(TOWN SEAL)

By: Austin Valdez
Austin Valdez, Mayor

ATTEST:

Helen J. Hutchins
Helen J. Hutchins, La Jara Town Clerk

APPROVED AS TO FORM:

Raymond J. Valdez, La Jara Town Attorney

Date of Publication: _____