

ORDINANCE NO. 2037

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLDEN AMENDING PORTIONS OF CHAPTER 10.90 OF THE GOLDEN MUNICIPAL CODE PERTAINING TO PARKING RESTRICTIONS IN DESIGNATED AREAS

WHEREAS, The Golden City Council has identified the need to enact amendments to Chapter 10.90 of the Golden Municipal Code to facilitate limited use in mixed use or non-residential areas.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. The Title of Chapter 10.90 is hereby amended to read as follows:

Chapter 10.90 - PARKING RESTRICTIONS IN DESIGNATED AREAS

Section 2. Section 10.90.010 of the Golden Municipal Code is hereby amended by the alphabetic insertion of the following definition:

Employee means a person who is an owner of, or is employed by or volunteers for, on a full or part time basis, a nonprofit enterprise or a commercial enterprise licensed by the City of Golden, that maintains a place of business within the restricted parking area.

Section 3. Section 10.90.020(a) is hereby repealed and reenacted in its entirety as follows:

10.90.020 - Designation of restricted parking area.

- (a) City council may, by resolution, designate certain limited areas as subject to permit parking restrictions based upon factors to include but not be limited to: proximity to special generators; availability of both on and off street parking; vehicular capacity, including the width, grade and curve of the area's streets; existing traffic control measures; traffic volume; utility and emergency service access; and demographics.

Section 4. Section 10.90.040 is hereby repealed and reenacted in its entirety as follows:

10.90.040 - Permits.

The city manager or his designated representative shall issue parking permits to eligible residents and employees within the restricted parking areas. The permits shall only be for the use of such employees as well as residents and their guests and, allow parking within the designated areas during the restricted times.

Section 5. Section 10.90.050 (a) is hereby repealed and reenacted in its entirety as follows:

10.90.050 - Permit required.

- (a) It shall be unlawful for any person to park on the streets or alleys within the designated areas during the restricted days and times unless such person is an authorized permittee or guest of such permittee and a valid permit has been issued by the city.

Section 6. Section 10.90.060 is hereby repealed and reenacted in its entirety as follows:

10.90.060 - Permit restrictions.

Permittees shall not assign, transfer, convey or otherwise allow unauthorized third parties to hold or use a permit. The city manager or his designated representative may, upon notice to the permittee, suspend or revoke a permit for failure to comply with the terms and conditions of this chapter.

Section 7. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The city council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 8. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 9. The repeal or modification of any provision of the Municipal Code of the City of Golden by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 10. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Introduced, read, passed and ordered published the 25th day of August, 2016.

Passed and adopted upon second reading and ordered published this 8th day of September, 2016.

Marjorie N. Sloan
Mayor

ATTEST:

Susan Brooks
City Clerk, MMC

APPROVED AS TO FORM:

David S. Williamson
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at a regular business meeting of the City Council of said city, held on the 25th day of August, 2016, and was published as a proposed ordinance in the Golden Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held on the 8th day of September, 2016, and the said proposed ordinance was read on second reading. The ordinance was passed by the City Council and ordered published in the aforesaid newspaper, as the law directs on the 8th day of September, 2016.

Witness my hand and official seal of the City of Golden, Colorado, 8th day of September, 2016.

(SEAL)

ATTEST:

Susan M. Brooks, MMC, City Clerk of
the City of Golden, Colorado