

ORDINANCE NO. 2015-52

**AN ORDINANCE AMENDING SECTION 2.02.100.C OF THE
CASTLE ROCK MUNICIPAL CODE PROVIDING FOR
POSTING OF PUBLIC NOTICES OF ORDINANCES ON
THE TOWN OF CASTLE ROCK WEBSITE**

WHEREAS, Charter Amendment 2C which appears on the November 3, 2015 Coordinated Election Ballot will change the public notice requirement for pre- and post-adoption of ordinances from newspaper publication to website posting;

WHEREAS, it is necessary to make certain amendments to the Municipal Code should Charter Amendment 2C be approved by the voters.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Amendment. Section 2.02.100.C of the Castle Rock Municipal Code is amended in its entirety to read as follows:

C. Public Notice. Except for ordinances adopted on an emergency basis in accordance with Subsection E of this Section, no ordinance may be adopted unless public notice has been given in advance of the Town Council meeting at which such ordinance will be considered on first reading.

1. Such public notice shall be posted on the Town of Castle Rock Website (www.CRgov.com) not later than 12:00 P.M., five calendar days prior to the date of the Town Council meeting at which the ordinance will be considered on first reading. To illustrate, for an ordinance to be considered on a Tuesday Council agenda, public notice must be posted on the website not later than 12:00 P.M. on the preceding Thursday. A temporary outage of the website at any time during the five-day notice period shall not invalidate or affect the enforceability of the ordinance. Corrections and clarifications to such public notice may be made during the posting period. The public notice shall contain the following information:

- a. The title of the ordinance,
- b. A brief summary of the subject matter of the ordinance,
- c. ~~and the location of~~ Where ~~where~~ such ordinance can be inspected,
- d. The full text of the proposed ordinance, ~~and or the entire ordinance,~~

de. The date, time and place of the meeting at which the ordinance will be considered and public comment taken.

2. If an ordinance is substantially amended after first reading such that the published summary is no longer informative of the general content and effect of the amended ordinance, the title and summary of the amended ordinance shall be reposted prior to final adoption in accordance with the provisions hereof. The Town's determination as to whether re-noticing is required shall be final and binding.

3. Following adoption, every ordinance shall be posted on the Town website along with a notice containing a summary of the subject matter of the ordinance and identifying the location where the ordinance is available for public inspection. Such post-adoption notice shall be posted not later than five business days after adoption and remain posted for 30 days post-adoption. However, the failure to timely post the adopted ordinance shall not invalidate or affect the enforceability of the ordinance, provided the ordinance shall not take effect until it is posted.

4. The Town Manager may adopt additional procedures governing website posting to give full effect to the intent of this Section.

Section 2. Effective Date. This ordinance shall take effect only in the event Charter Amendment 2C is approved by the voters at the November 3, 2015 Coordinated Election. If such Charter Amendment is not approved, this ordinance shall be of no force or effect.

Section 3. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

Section 4. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 3rd day of November, 2015 by a vote of - 5 - for and - 0 - against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this ___ day of _____, 2015, by the Town Council of the Town of Castle Rock by a vote of ___ for and ___ against.

ATTEST:

TOWN OF CASTLE ROCK

Sally A. Misare, Town Clerk

Paul Donahue, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Sally A. Misare, Town Clerk