

ORDINANCE

AN ORDINANCE REPEALING CHAPTER 2.64 OF THE MANITOU SPRINGS MUNICIPAL CODE CONCERNING OPEN MEETINGS

WHEREAS, Chapter 2.64 includes open meetings provisions, which are inconsistent with state open meetings law and the City's Charter; and

WHEREAS, the City Council desires to repeal Chapter 2.64 to eliminate these inconsistencies, so that the City Charter and state law, as applicable, will govern meetings of the City Council, and the City's boards and commissions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1: Chapter 2.64 of the Manitou Springs Municipal Code is hereby repealed.

Section 2: 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 3: The repeal or modification of any provision of Manitou Springs Municipal Code 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 4: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 5: This ordinance shall take effect five (5) days after final approval and adoption on second reading.

Passed on First Reading and Ordered Published this 15th day of January 2013.

/s/ Donna Kast
City Clerk

A Public Hearing will be held at the February 5, 2013 City Council meeting. The Council Meeting will be held at 7:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published January 17, 2013 (in full)
City's Official Website and City Hall

Passed on Second Reading and Ordered Published this 5th day of February 2013.

Approved: /s/ Marc A. Snyder
Mayor and City Council

Attest: /s/ Donna Kast
City Clerk

Published February 7, 2013 (in full)
City's Official Website and City Hall