

ORDINANCE

AN ORDINANCE AMENDING SECTION 10.12 "PARKING" OF THE CODE OF ORDINANCES CONCERNING THE LOCATION OF TIME RESTRICTED PARKING IN THE DOWNTOWN AREA.

WHEREAS the Parking Authority Board, as a follow-up to public requests, requested removal of the 15-minute parking designation on the spaces on the east side of Canon Avenue across from the Post Office; and

WHEREAS the intent of removing the 15 minute restriction was to add these spaces to the inventory of 3 hour parking serving the Downtown; and

WHEREAS the section of the Municipal Code designating the locations for time restricted parking in the downtown does not include these spaces; and

WHEREAS upon review of the descriptions for areas of time-restricted parking it was found that #4 had been listed incorrectly;

WHEREAS City Council, upon the recommendation of the Parking Authority Board, hereby finds and concludes that inclusion of the spaces on Canon Avenue up to Grand Avenue as three-hour parking would benefit and support the on-street parking inventory serving the Downtown and #4 of the listed areas for time-limited parking should be corrected.

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

Section 1: The following Section 10.12.010 "Prohibited – Where – When" of the Manitou Springs Municipal Code is hereby repealed and replaced in its entirety as follows (strikeout and bold denotes amended language):

10.12.010 Prohibited-Where-When.

A. Unless otherwise posted or allowed in Section C below, it is unlawful for any person to park a vehicle for more than three consecutive hours between six a.m. and ten p.m. at the following locations:

1. Manitou Avenue between El Paso Boulevard and Park Avenue;
2. Ruxton Avenue between Manitou Avenue and Osage Avenue;
3. Canon Avenue between Manitou Avenue and Grand Avenue;
4. Charles Parker Place between Manitou Avenue and Canon Avenue;
5. Park Avenue between Canon Avenue and Manitou Avenue.

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

Passed on First Reading and Ordered Published this 4th day of January 2011.

/s/ Donna Kast
City Clerk

A Public Hearing on will be held at the January 18, 2011 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 6, 2011.
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Passed on Second Reading and Ordered Published this 18th day of January 2011.

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

Attest: /s/ Donna Kast
City Clerk

Approved for Council Action: /s/ Mike Leslie
Deputy City Administrator

Approved as to form: /s/ Jeff Parker
City Attorney

Published: January 20, 2011
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