## TOWN OF SUPERIOR ORDINANCE NO. 0-1 SERIES 2022

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR AUTHORIZING A REBATE OF BUILDING PERMIT FEES AND TOWN USE TAXES PAID FOR RESIDENTIAL PROPERTIES IMPACTED BY THE 2021 MARSHALL FIRE

WHEREAS, on December 30, 2021, the Governor of the State of Colorado declared a state of emergency as a result of the 2021 Marshall Fire;

WHEREAS, on December 31, 2021, Mayor Clint Folsom declared a disaster emergency in and for the Town of Superior, Colorado, pursuant to the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, et seq.; and

WHEREAS, on January 1, 2022, the Board of Trustees extended the disaster emergency declaration; and

WHEREAS, this Ordinance is necessary to assist those residents impacted by the 2021 Marshall Fire with rebuilding efforts.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

- Section 1. Applicability and Eligibility. This Ordinance shall apply to any residential property in the Town impacted by the 2021 Marshall Fire, as indicated on a list maintained by the Town Clerk's office (each an "Impacted Property" and collectively the "Impacted Properties"), as long as the Impacted Property is still owned by the record owner(s) of the Impacted Property on December 30, 2021. Subsequent owners of Impacted Properties shall not be eligible for the rebates described in this Ordinance.
- Section 2. Rebates. For a period of 730 days from the effective date of this Ordinance, the Town shall rebate the following fees and taxes to the property owner(s) of any Impacted Properties, with such rebate to be made within 30 days of payment of such fees and taxes:
  - a. Any Town use taxes paid with such building permit; and
- b. Any building permit fees paid with such building permit, after deducting any amounts paid by the Town to third-party

consultants for their services related to issuance of the building permit.

Section 3. Severability. 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 Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or part or parts be declared unconstitutional or invalid.

Section 3. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this 28th day

of February, 2022.

Patricia Leyva,

Town

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Clint Folsom, Mayor

ATTEST:

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