

**TOWN OF SUPERIOR
ORDINANCE NO. O-6
SERIES 2022**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
SUPERIOR MODIFYING THE APPLICABILITY OF THE REBATE FOR
BUILDING PERMIT FEES AVAILABLE FOR RESIDENTIAL
PROPERTIES IMPACTED BY THE 2021 MARSHALL FIRE**

WHEREAS, on February 28, 2022, the Board of Trustees passed an ordinance creating a rebate for building permit fees for residential properties impacted by the 2021 Marshall Fire (the "Rebate Ordinance");

WHEREAS, the Rebate Ordinance applied only to properties impacted by the Marshall Fire that were still owned by the same record owner(s) of the impacted property on December 30, 2021; and

WHEREAS, the Board of Trustees wishes to broaden the applicability of the Rebate Ordinance so that property owners impacted by the Marshall Fire are permitted to move to a different impacted property while still being eligible for the rebate.

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

Section 1. Applicability and Eligibility. Section 1 of the Rebate Ordinance is hereby amended as follows:

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. Only the record owner(s) of an Impacted Property on December 30, 2021 shall be eligible for the rebates provided in Section 2 hereof, unless a subsequent owner of the Impacted Property provides sufficient evidence demonstrating that they were the record owner(s) of a different Impacted Property on December 30, 2021.

Section 2. 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 9th day of May, 2022.



Clint Folsom
Clint Folsom, Mayor

ATTEST:

Patricia Leyva
Patricia Leyva, Town Clerk