

**TOWN OF SUPERIOR
ORDINANCE NO. O-12
SERIES 2022**

**AN EMERGENCY ORDINANCE OF THE BOARD OF TRUSTEES OF THE
TOWN OF SUPERIOR AMENDING CHAPTER 7 OF THE SUPERIOR
MUNICIPAL CODE TO IMPOSE SITE CLEANUP AND DEBRIS REMOVAL
DEADLINES FOR PROPERTIES AFFECTED BY THE MARSHALL FIRE**

WHEREAS, on December 30, 2021, the Governor of the State of Colorado declared a state of emergency as a result of the wildfires in Boulder County;

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.*;

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

WHEREAS, the Board of Trustees wishes to imposed site cleanup and debris removal deadlines for properties affected by the 2021 Marshall Fire; and

WHEREAS, the Board of Trustees finds that the adoption of this ordinance is necessary for the immediate preservation of the public health, safety, and welfare of the Town.

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

Section 1. Chapter 7 of the Superior Municipal Code is hereby amended by the addition of a new Section 7-1-100, to read as follows:

Sec. 7-1-100. – Structure deconstruction and site cleanup.

(a) This Section shall apply to residential properties within the Town impacted by the 2021 Marshall Fire, as indicated on the address list maintained by the Town Clerk's office (each an "Impacted Property").

(b) A deconstruction and site cleanup permit is required for each Impacted Property. A complete permit application shall be filed by July 15, 2022. The Town may grant one extension, for good cause shown. No extension shall exceed thirty (30) days.

(c) All structure deconstruction and site clean up shall be completed, under the terms stated in the permit, by August 31, 2022. The Town may grant one extension for good cause shown. No extension shall exceed forty-five (45) days.

(d) No new construction shall occur on an Impacted Property until the structure deconstruction and site clean up has been completed under the terms stated in the permit.

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. Emergency Declaration. The Board of Trustees hereby finds and declares that this ordinance is necessary for the immediate preservation of the public health, safety, and welfare, to mitigate the health impacts of debris remaining on Impacted Properties for a prolonged period of time.

Section 4. Effective Date. Pursuant to C.R.S. § 31-16-105, this ordinance shall take effect immediately upon adoption.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 11th day of July, 2022.

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Clint Folsom
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Clint Folsom, Mayor

ATTEST:

Patricia Leyva
Patricia Leyva, Town Clerk

