

CERTIFICATE OF PUBLICATION

I, Becky Close, the duly qualified Town Clerk of the Town of Gypsum, Colorado, do hereby certify the foregoing Ordinance No. 11 (Series 2023) was approved by the Town Council on first reading on the 12th day of September, 2023, and was published on the Town's official website September 8th, 2023, with notice specifying that a public hearing on the ordinance would be held on September 26th, 2023, at 7:00 p.m. at the Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado, which is not less than four (4) days after first publication.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Gypsum, Colorado, this 13th day of September, 2023.



Becky Close, Town Clerk



I, Becky Close, the duly qualified Town Clerk of the Town of Gypsum, Colorado, do hereby certify the foregoing Ordinance No. 11 (Series 2023) was approved by the Town Council on second reading at its meeting held on the 26th day of September, 2023, and thereafter was published on the Town's official website on September 27th, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Gypsum, Colorado, this 27th day of September, 2023.

Becky Close, Town Clerk

(S E A L)

**Ordinance First Reading
Notice for Publication and Posting**

NOTICE OF PUBLIC HEARING

TOWN OF GYPSUM

P.O. Box 130
50 Lundgren Boulevard
Gypsum, CO 81637

This is to give notice that at a public meeting on September 12th, 2023, the following Ordinance was introduced, read by title, approved on first reading, and ordered posted and published by title only, by the Gypsum Town Council. A public hearing for final approval, rejection, or other action as may be taken by vote of Town Council on second reading is scheduled on September 26th, 2023, at 7:00 p.m. in the Town Council Chambers at Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum Co 81637.

ORDINANCE NO. 11 SERIES 2023 AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTION 18.02.220 OF THE GYPSUM MUNICIPAL CODE

The text of this Ordinance is available for public inspection at the office of the Town Clerk, 50 Lundgren Blvd., Gypsum, Colorado, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. and on the Town's website at <https://townofgypsum.com>.
/ss: Becky Close, Town Clerk

TOWN OF GYPSUM, COLORADO

**ORDINANCE NO. 11
SERIES 2023**

**AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTION
18.02.220 OF THE GYPSUM MUNICIPAL CODE**

WHEREAS, the Town of Gypsum (“Town”) is a home rule municipality duly organized and existing under Articles XX of the Colorado Constitution and the Town’s Home Rule Charter effective October 21, 1982; and

WHEREAS, by Ordinance No. 1, Series 1985, and pursuant to the provisions of Section 31-16-201 through 31-16-208 of the Colorado Revised Statutes, as amended, the Town Council adopted the Gypsum Municipal Code (“Code”) consisting of a codification of the Town’s ordinances of a general and permanent nature; and

WHEREAS, Title 18 (Zoning) of the Code sets forth regulations regarding the use of land, to include defining areas suitable for development; and

WHEREAS, the Town Council desires to amend Title 18 to be as up to date as possible with current statutory interpretations, to include the 2023 U.S. Supreme Court decision in *Sackett et ux. v. Environmental Protection Agency*; and

NOW, THEREFORE, be it ordained by the Town Council of the Town of Gypsum, Colorado that:

Section 1. Amendment of Subsection 18.02.220(4). Subsection 18.02.220(4) of the Gypsum Municipal Code is amended to add the capitalized and double-underlined words as follows:

- (4) JURISDICTIONAL Wetlands, as determined by the US Army Corps of Engineers OR THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, WATER QUALITY CONTROL DIVISION, WHICHEVER STANDARDS EMPLOYED ARE MORE RESTRICTIVE; and

Section 2. Public Inspection. Copies of this ordinance and the Gypsum Municipal Code are available for public inspection at the office of the Gypsum Town Clerk.


Section 3 Public Hearing: A public hearing on this Ordinance shall be held on the ___ day of _____, 2023, at 7:00 p.m. at the Town of Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

Section 4. Effective Date. This Ordinance shall become effective as a permanent Ordinance five (5) days after publication, following final adoption after a public hearing held on the 26 day of September, 2023, at 7:00 p.m., at the Town of Gypsum Town Hall, 50 Lundgren Blvd., Gypsum, Colorado.

Section 10. Severability. If any portion of this Ordinance, or the Gypsum Municipal Code amended hereby, is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

INTRODUCED, READ AND ORDERED PUBLISHED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF GYPSUM ON THE 12 DAY OF September, 2023.

TOWN OF GYPSUM

By: 
Stephen M. Carver, Mayor
Tom Edwards, Mayor Pro Tem

Attest:


Becky Close, Town Clerk



INTRODUCED ON SECOND READING, READ, CONSIDERED AT A PUBLIC HEARING AND FINALLY ADOPTED, PASSED AND APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED POSTED AND PUBLISHED, BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE AND PASSED AT ITS MEETING HELD ON THE ____ DAY OF _____, 2023, BY A VOTE OF _____ IN FAVOR AND _____ AGAINST.

TOWN OF GYPSUM

By: _____
Stephen M. Carver, Mayor

Attest:

Becky Close, Town Clerk

(S E A L)