

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 12.12.020 OF THE FIRESTONE MUNICIPAL CODE

WHEREAS, Section 12.12.020 of the Firestone Municipal Code regulates the placement of banners and flags across and above town streets; and

WHEREAS, since the adoption of said Section 12.12.020, the Town has adopted a sign code for the Town, the provisions of which are codified in Chapters 17.30 and 17.31 of the Firestone Municipal Code and in related provisions of the Firestone Development Regulations; and

WHEREAS, the sign code prohibits any sign erected on or over any public right-of-way unless such sign is explicitly allowed by the code; and

WHEREAS, the Board of Trustees desires to amend Section 12.12.020 of the Firestone Municipal Code to expressly set forth such prohibition;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. Section 12.12.020 of the Firestone Municipal Code is hereby amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~):

12.12.020 ~~Permit required for~~ Placement of signs, flags and banners.

A. It is unlawful for any person to place or cause to be placed on, over, across or above any street, public right-of-way or public property in the town any flag, banner or sign, including but not limited to, real estate signs; special event signs; garage, yard and estate sale signs; and election/campaign signs, unless the same is explicitly allowed pursuant to Chapter 17.31 and, unless explicitly exempt, a revocable permit has been obtained pursuant to Chapter 17.30. Town employees may remove and destroy any prohibited sign in any public right-of-way of the Town. This Section shall not apply to traffic control devices, signs erected by the Town, or other signs erected by a governmental entity to protect the public health, safety and welfare. sign or symbol, without first obtaining a permit therefore from the board of trustees or its designated representative.

Section 2. If any 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 Town Board 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. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. The repeal or modification of any provision of the Municipal Code of the Town of Firestone 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, and 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 the 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.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this _____ day of _____, 2008.

TOWN OF FIRESTONE, COLORADO

Chad Auer
Mayor

Attest:

Judy Hegwood
Town Clerk