

ORDINANCE NO. 741

AN ORDINANCE AMENDING THE DACONO MUNICIPAL CODE CONCERNING FAIR CONTRIBUTIONS FOR PUBLIC SCHOOL SITES

WHEREAS, Section 17-132 of the Dacono Municipal Code requires subdividers to dedicate land for public school sites or make a payment in lieu of such land dedication; and

WHEREAS, Subsection 17-132(e) of the Dacono Municipal Code sets forth specific school planning standards and calculations of “in lieu” fees; and

WHEREAS, the City of Dacono intends to enter into one or more Intergovernmental Agreements with school districts in the area concerning fair contributions for public school sites; and

WHEREAS, the City Council desires to amend Subsection 17-132(e) of the Dacono Municipal Code to repeal the specific school planning standards and calculations of “in lieu” fees and to provide that such standards and calculations shall be set forth in the Intergovernmental Agreement between the City and the school district or as set forth in a schedule adopted by the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DACONO, COLORADO:

Section 1. Subsection 17-132(e) of the Dacono Municipal Code is hereby repealed and reenacted to read as follows:

Sec. 17-132. Fair contributions for public school sites.

(e) The school planning standards and calculations of “in lieu” fees used to determine the fair contribution for public school sites required by this Section 17-132 shall be as set forth in the Intergovernmental Agreement Concerning Fair Contributions for Public Schools between the City and school district in which the property being subdivided is located or as set forth in a schedule adopted by resolution of the City Council.

Section 2. 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 City Council 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other ordinances or portions thereof inconsistent or conflicting with this Ordinance, or any portion hereof, are hereby repealed to the extent of such inconsistency or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.

INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED AND POSTED BY TITLE THIS 14th day of June, 2010.

PUBLIC HEARING AND SECOND READING WILL BE THE 28th day of June, 2010 AT 7:00 P.M. AT DACONO CITY HALL, 512 CHERRY STREET, DACONO, CO.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE THIS ____ day of _____, 2010.

CITY OF DACONO, COLORADO

Charles Sigman, Mayor

ATTEST:

Valerie Elliott, City Clerk

Summary of Ordinance No. 741, “AN ORDINANCE AMENDING THE DACONO MUNICIPAL CODE CONCERNING FAIR CONTRIBUTIONS FOR PUBLIC SCHOOL SITES”: Amends the Dacono Municipal Code to provide that school planning standards and calculations of “in lieu” fees for fair contributions for public school sites shall be set forth in an agreement between the City and school district or as set forth in a schedule adopted by resolution of the City Council