

**TOWN OF LYONS,  
COLORADO**

**ORDINANCE NO. 1104**

**AN ORDINANCE OF THE TOWN OF LYONS  
AMENDING CHAPTER 2, ARTICLE 8, SECTION 150(C)(1) OF THE  
LYONS MUNICIPAL CODE CONCERNING THE RESPONSIBILITIES OF THE  
PARKS AND RECREATION COMMISSION**

**WHEREAS**; pursuant to C.R.S. Section 13-15-103 the Town of Lyons ("the Town") has the authority to create and publish ordinances; and

**WHEREAS**, the Lyons Municipal Code ("LMC") provides for the establishment of Town Boards, Commissions, and Committees; and

**WHEREAS**, periodically the LMC provisions concerning Boards and Commissions need to be revised in order to better reflect the changing roles and missions of individual boards and commissions; and

**WHEREAS**, currently, Section 2-8-150(c)(1)LMC defines the responsibilities of the Parks and Recreation Commission as including to "[a]dvide the Board of Trustees on all matters pertaining to the Town parks and recreation facilities and programs"; and

**WHEREAS**, the LMC omits the responsibility of the Parks and Recreation Commission to advise the Board of Trustees on matters relating to open space; and

**WHEREAS**, the Town of Lyons Board of Trustees (the "Board") desires to amend the Section 2-8-150(c)(1) of the LMC to include open space as among the responsibilities of the Parks and Recreation Commission; and

**WHEREAS**, the Board of Trustees finds that the proposed amendments to the LMC are in the best interests of the Town in order to aid in the efficient administration of Town government.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF LYONS, COLORADO THAT:**

**Section 1. Recitals Incorporated.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

**Section 2. Amendments to Municipal Code.** Chapter 2, Article 2, Section 150(c)(1) of the Lyons Municipal Code is hereby amended as follows (changes in bold and italicized):

Sec. 2-8-150. - Parks and Recreation Commission.

...

- (c) Responsibilities. The responsibilities of the Parks and Recreation Commission shall be as follows:
  - (1) Advise the Board of Trustees on all matters pertaining to the Town parks, **open space**, and recreation facilities and programs.

...

**Section 3. Code Revisions.** Because this Ordinance revises a Section of the Lyons Municipal Code, minor changes such as the format, numbering, and other such changes may be necessary to unify the revised code. The Town Clerk is hereby authorized to make such changes provided that neither the intent of this Ordinance nor substantive content is altered.

**Section 4. Severability.** Should any one or more sections or provisions of this Ordinance enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

**Section 5. Repeal.** Any and all ordinances, resolutions, or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance, resolution, or code or part thereof shall not revive any other section or part of any ordinance, resolution, or code provisions heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to the taking effect of this ordinance.

**Section 6. Codification of Amendments.** The codifier of the Town's Municipal Code is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of Sections 2, of this Ordinance within the Lyons Municipal Code.

**Section 7. Effective Date.** Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage in accordance with Section 2-2-160 of the LMC.

INTRODUCED AND PASSED ON FIRST READING THIS 6<sup>th</sup> DAY OF July, 2021.

INTRODUCED, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 19<sup>th</sup> DAY OF July, 2021.

TOWN OF LYONS, COLORADO



Nicholas Angelo, Mayor



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