

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER FITZGERALD**  
**Council Bill No. 16**  
**Ordinance No. 1578**  
**Series of 2015**

**TITLE: AN ORDINANCE AMENDING SECTION 21-3 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING STREET WIDTH DESIGNATION**

**WHEREAS**, the City of Wheat Ridge, Colorado (the "City"), is a Colorado home rule municipality, duly organized and existing pursuant to Section 6 of Article XX of the Colorado Constitution; and

**WHEREAS**, pursuant to its home rule authority, and specifically Section 5.20 of the Home Rule Charter and C.R.S. § 31-15-702, the City, acting through its City Council (the "Council"), is authorized to regulate and restrict the use of City streets, including designation of the width of the same; and

**WHEREAS**, the Council has previously adopted Section 21-3 of the Wheat Ridge Code of Laws (the "Code") to implement the requirements of Charter Section 5.20 concerning street width designation; and

**WHEREAS**, the Council finds that it is necessary and desirable to amend Section 21-3 of the Code to provide additional detail in the definition of "street reconstruction," as used in the Charter and the Code.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** The definition of "street reconstruction" contained in subsection 21-3(b) of the Code is hereby amended to read:

*Street reconstruction.* The improvement of an existing street or improvement of more than two hundred fifty (250) feet of an existing street consisting of removal of pavement, curb and/or gutter, if existing, and construction of new pavement, and/or curb and gutter. THE FOLLOWING ACTIVITIES SHALL NOT CONSTITUTE STREET RECONSTRUCTION: (1) Construction of modifications to a street, such as landscape features, traffic calming CALMING devices, and acceleration or deceleration lanes, which do not change the general street width, (2) RESTRIPING ACTIVITIES WHERE NO CURB EXISTS WHICH REDUCE LANE WIDTH FOR TRAFFIC CALMING OR TO PROVIDE FOR BICYCLE LANES AND THAT DO NOT CHANGE THE NUMBER OF MOTOR VEHICLE TRAVEL LANES OR THE GENERAL STREET WIDTH, (3) CONSTRUCTION OF CURB AND GUTTER WHERE NO CURB EXISTS OR OTHERWISE REPAIRING THE STREET TO IMPROVE DRAINAGE OR TO REDUCE MAINTENANCE OF THE EDGE OF THE PAVEMENT OR THE ADJACENT SHOULDER AND THAT DOES NOT CHANGE THE NUMBER OF MOTOR VEHICLE TRAVEL LANES OR THE GENERAL STREET WIDTH, as defined herein, are not considered street reconstruction.

**Section 2. Safety Clause.** The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

**Section 3. Severability; Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 4. Effective Date.** This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 8 to 0 on this 22<sup>nd</sup> day of June, 2015, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for July 13, 2015, at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of 8 to 0, this 13th day of July, 2015.

**SIGNED** by the Mayor on this 13th day of July, 2015.



*Joyce Jay*  
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Joyce Jay, Mayor

ATTEST:

*Janelle Shaver*  
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Janelle Shaver, City Clerk

Approved As To Form

*Gerald E. Dahl*  
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Gerald E. Dahl, City Attorney

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