

ORDINANCE NO. 9
(Series 2018)

AN ORDINANCE AMENDING SECTION 17.36.020 OF THE GEORGETOWN MUNICIPAL CODE, TO DEFINE CONDOMINIUMS

WHEREAS, the Town of Georgetown is a Colorado municipal corporation operating under a Territorial Charter and governed by its Board of Selectmen; and

WHEREAS, the Georgetown Board of Selectmen (“Board”) is authorized by the Territorial Charter and the Colorado Revised Statutes to enact ordinances for the preservation of the public health, safety, and welfare, including land use and zoning; and

WHEREAS, in the exercise of this authority, the Board of Selectmen has previously adopted Ordinance No. 5, Series 2018, amending the procedure for the review and processing of applications for subdivision; and

WHEREAS, the Board of Selectmen has determined that it is advisable to clarify the definition of subdivision to include condominium subdivisions, and the existing procedure for review, processing and approval of condominium subdivisions; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SELECTMEN OF THE TOWN OF GEORGETOWN, COLORADO:

Section 1. Condominiums defined. Section 17.36.020 of the Georgetown Municipal Code is amended by the addition of the following definition in the appropriate order:

Condominium means a type of ownership which consists of a separate fee simple estate in an individual airspace unit of a multi-unit property, together with an undivided fee simple interest in common elements. This definition is further supported by the following terms:

1. *Individual air space* means any enclosed room occupying all or part of a floor in a building of one (1) or more floors to be used for residential, professional, commercial or industrial purposes.
2. *Common elements*, unless otherwise provided in the declaration or by written consent of all the condominium owners, means the land or the interest therein on which a building or buildings are located; the foundations, columns, girders, beams, supports, main walls, roofs, halls, corridors, lobbies, stairs, stairways, fire escapes, entrances and exits of such building or buildings; the basements, yards, gardens, parking area and storage spaces; the premises for lodging of custodians or persons in charge of the property; installations of central services such as power, light, gas, water, heating, refrigeration, central air conditioning and incinerating; the elevators, tanks, pumps, motors, fans, compressors, ducts and in general all apparatus and installations existing for common use; such community and commercial facilities as may be provided for in the declaration; and all other parts of the property necessary or convenient to its existence, maintenance or safety in common use.

3. *Condominium unit* means an individual air space unit, together with the interest in the common elements appurtenant to such unit.
4. *Declaration* means an instrument which defines the character, duration, rights, obligations and limitations of condominium ownership.

Section 2. Effective date. This ordinance shall take effect upon being posted up as provided by Section 5.26 of the Territorial Charter.

INTRODUCED, READ, APPROVED AND ORDERED POSTED UP IN FULL ON FIRST READING on the 11th day of September, 2018.

INTRODUCED ON SECOND READING, FINALLY ADOPTED AND ORDERED POSTED AFTER PUBLIC HEARING on the 25th day of September, 2018.

TOWN OF GEORGETOWN

By: Matthew D. Skeen
Matthew D. Skeen, Police Judge

ATTEST:

Jennifer Yobski
Jennifer Yobski, Town Clerk

Posted up in full on the Town's website and at Town Hall and two (2) other designated posting locations within the limits of the Town after final adoption, in accordance with Section 5.26 of the Territorial Charter.

Jennifer Yobski
Jennifer Yobski, Town Clerk

Date: 9-28-18

