

ORDINANCE NO. 820

AN ORDINANCE AMENDING ORDINANCE NO. 189 AN ORDINANCE CONCERNING THE ORGANIZATION AND GOVERNMENT OF THE CITY OF WALSENBURG FOR THE PURPOSE OF NECESSARY CHANGES IN CITY WARD BOUNDARIES.

WHEREAS, the Constitution of the State of Colorado, Article V, Section 46, sets forth the requirement that senatorial and representative districts shall each have a nearly equal population not to exceed more than five percent deviation between the most populous and least populous district in each house; and

WHEREAS, Section 31-4-104, Colorado Revised statutes, 1972 as amended; provides that every city shall be divided into consecutively numbered wards the boundaries of which "...shall not be changed more often than once in every six years, unless change is necessary to conform to constitutional apportionment requirement;" and

WHEREAS, it appears from the last federal census that it is necessary to change ward boundaries of the City of Walsenburg to comply with appropriate statutes and the Colorado Constitution; and

WHEREAS, Section 31-10-502, Colorado Revised statutes, 1973, as amended; requires that changes in ward boundaries are to be "...completed not less than ninety days prior to any municipal election,..."; and

WHEREAS, the organization and government of the City of Walsenburg was last reviewed by the City Council of the City of Walsenburg on March 19, 1919; and

WHEREAS, it is in the best interest of the citizens of the City of Walsenburg to complete necessary ward boundary changes as soon as possible in order to allow any needed election to be called promptly; and

WHEREAS, implementation of of necessary ward boundary changes requires amendment to existing City of Walsenburg Ordinance No. 189;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALSENBURG, COLORADO, AS FOLLOWS:

1. SECTION II of City of Walsenburg Ordinance No. 189 introductory description now reads as follows and shall remain the same:

Section II. Wards. That said City be and the same

is hereby divided into four wards, numbered respectively, First, Second, Third and Fourth, as follows:

2. SECTION II ward descriptions now read as follows:

WARD NO. 1, shall include all territory within the limits of said City of Walsenburg, lying north of the main line of the Denver & Rio Grande Railroad company, as the same is now constructed and east of Main Street and East of Walsen Avenue.

WARD NO. 2, shall include all territory within the limits of said City of Walsenburg lying south of the main line of the Denver & Rio Grande Railroad Company, as the same is now constructed, and east of Main Street.

WARD NO. 3, shall include all territory within the limits of said City of Walsenburg, lying south of the main line of the Denver & Rio Grande Railroad Company, as the same is now constructed, and west of Main Street.

WARD NO. 4, shall include all territory within the limits of said City of Walsenburg, lying north of the main line of the Denver & Rio Grande Railroad Company, as the same is now constructed, and west of Main Street and west of Walsen Avenue.

3. SECTION II description of WARD NO. 1, WARD NO. 2, WARD NO. 3 and WARD NO. 4 shall be amended as follows:

WARD NO. 1, shall include all territory within the limits of the City of Walsenburg lying north of: The Middle of roadway know as Colorado Avenue, commencing at the east City limit, west to the middle of the roadway now designated Harrison Avenue, thence north to the middle of the roadway now designated Kansas Avenue, to east of the middle of the roadway now designated as Main Street and east of the middle of the roadway now designated as Walsen Avenue.

WARD NO. 2, shall include all territory within the limits of said City of Walsenburg lying south of: The middle of the roadway know as Colorado Avenue commencing at the east City limit, thence west to the middle of the roadway now designated Harrison Avenue, thence north to roadway designated Kansas Avenue, to east of the middle of the roadway now designated as Main Street.

WARD NO. 3, shall include all territory within the limits of said City of Walsenburg, lying south of: The middle of the Ordinance No. 820

roadway designated Third Street, thence west to the middle of the roadway now designated as Pioneer Avenue, thence north to the middle of the roadway now designated as Second Street, thence west to the city limit.

WARD NO. 4, shall include all territory within the limits of said City of Walsenburg lying north of: The middle of the roadway now designated Third Street, west to the middle of the roadway now designated as Pioneer Avenue, north to the middle of the roadway now designated as Second Street, thence west to the city limit.

4. A copy of a map of the City of Walsenburg with ward boundaries as hereby amended is attached hereto as Exhibit A and incorporated herein by reference as if set forth full.

5. Upon final publication and adoption of this Ordinance the City Clerk of the City of Walsenburg shall furnish a copy of same to the Office of the Huerfano County Clerk and Recorder pursuant to Section 32-10-502, Colorado Revised Statutes, 1973, as amended.

6. Severability. If any provision of this Ordinance or application thereof to any person or circumstance is held invalid by any court, other provisions or applications of the ordinance which can be given effect without the invalid provision or application shall not be affected, and to this end the provision of this ordinance are declared to be severable.

7. Emergency Clause. The City Council finds, determines and declares that an emergency exists and that this Ordinance is necessary to the immediate preservation of the public health or safety to expedite these ward boundary changes so as to not delay calling of any municipal election and the same shall be in full force and effect upon final adoption.

INTRODUCED, READ ADOPTED AND ORDERED PUBLISHED this 2nd day of March, 1992.

CITY OF WALSENBURG
Jay D. Crook, Mayor
Paula Sterk Conder, CMC
City Clerk

READ, PASSED AND ADOPTED AS AN EMERGENCY MEASURE THIS 17th day of March, 1992.

CITY OF WALSENBURG
Jay D. Crook, Mayor
Paula Sterk Conder, CMC
City Clerk

EXHIBIT A



WALSENBURG

Not every street may be named on map.

