

ORDINANCE NO. 3.92

AN ORDINANCE OF THE LARKSPUR TOWN COUNCIL  
APPROVING AN AMENDMENT TO THAT AGREEMENT DATED JULY 20, 2006  
BETWEEN THE TOWN AND ROCKY MOUNTAIN FESTIVALS, INC.

WHEREAS, the Town Council for the Town of Larkspur negotiated an agreement between the Town and Rocky Mountain Festivals, Inc. ("CRF"), dated August 20, 2006 regarding, *inter alia*, utility rates and services to be provided by the CRF and a related property referred to as the Summerfest Property (the "Agreement"),

WHEREAS, certain changed conditions warrant an amendment to the Agreement, and

WHEREAS, Section 10.03 of the Larkspur Town Charter requires that rates for utility services be established by ordinance.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE  
TOWN OF LARKSPUR, COLORADO AS FOLLOWS:

1. The Agreement between the Town of Larkspur and Rocky Mountain Festivals, Inc., dated August 20, 2006, a copy of which was attached and incorporated to Ordinance 3.91 by reference, regarding, *inter alia*, utility rates and services to be provided by the CRF and a related property referred to as the Summerfest Property, was approved on July 20, 2006. Attached hereto and incorporated herein by reference is an Amendment to the Agreement, which is hereby approved as of this date.
2. Severability. 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 Town Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
3. Repeal. Existing ordinances or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

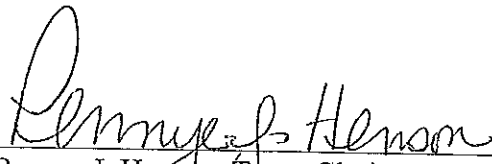
INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR AND SIGNED THIS 15<sup>th</sup> DAY OF FEBRUARY 2007.

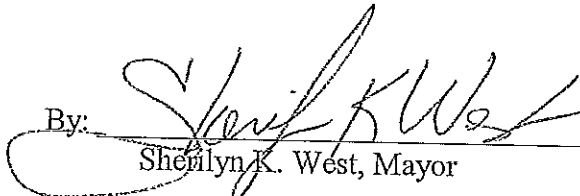


Votes Approving:	<u>7</u>
Votes Opposed:	<u>0</u>
Absent:	<u>0</u>
Abstained:	<u>0</u>

ATTEST:

TOWN COUNCIL OF THE  
TOWN OF LARKSPUR, COLORADO

  
\_\_\_\_\_  
Penny J. Henson, Town Clerk

By:   
\_\_\_\_\_  
Sherilyn K. West, Mayor