



TOWN OF LARKSPUR, COLORADO

ORDINANCE NO. 4.28

AN ORDINANCE AMENDING SECTION 7 ARTICLE 3 OF THE LARKSPUR TOWN CODE TO LIMIT AND REGULATE DUMPSTER SIZE WITHIN THE TOWN OF LARKSPUR

WHEREAS, the Town of Larkspur (the "Town"), as a home rule municipality, is charged with protecting the interest of the residents of the Town; and

WHEREAS, the collection and containment of trash within the Town is an issue of public concern; and

WHEREAS, large trash containers are unnecessary except in limited circumstances, and are visually offensive unless proper mitigation measures are taken, and may unduly attract wildlife; and

WHEREAS, the Town Council has determined it is in the best interest of the health and safety of the residents to regulate the size, location, and attendant circumstances of trash containers.

NOW THEREFORE, be it ordained by the Town Council of the Town of Larkspur, Colorado as follows:

1. The Town Code shall be amended by adding Section 7-3-50 to read in its entirety as follows:

Sec. 7-3-50. – Dumpsters within the Town of Larkspur.

(a) Except as provided in Section (b), dumpsters of a capacity greater than 8 cubic yards shall not be permitted in Larkspur Town limits.

(b) Dumpsters with a capacity greater than 8 yards shall be permitted only in connection with Active Construction Sites. As used in this section, Active Construction Sites shall mean a property for which a building or other permit has been issued by the Town and on which substantial work is being performed that would necessitate the use of a large capacity dumpster

(c) Any dumpster permitted shall be subject to conditions determined by the Town including, but not limited to time, placement, density, and screening restrictions and requirements.

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.

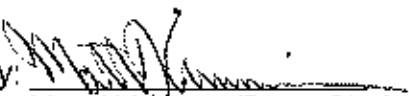
3. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR AND SIGNED THIS 20th DAY OF SEPTEMBER 2018.

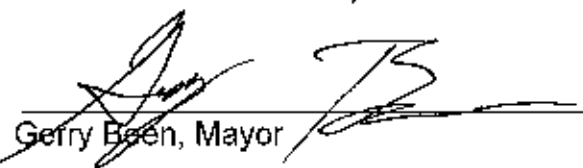


Votes Approving:	<u>4</u>
Votes Opposed:	<u>1</u>
Absent:	<u>2</u>
Abstained:	<u>0</u>

ATTEST:

By: 
Matt Krimmer, Town Clerk

**TOWN COUNCIL OF THE
TOWN OF LARKSPUR, COLORADO**


Gerry Been, Mayor