

ORDINANCE NO. 11-10

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CASTLE PINES, COLORADO IMPOSING REQUIREMENTS RELATING
TO THE ESTABLISHMENT AND ONGOING OPERATIONS OF
SPECIAL DISTRICTS WITHIN THE CITY**

WHEREAS, the City Council recognizes that the General Assembly has adopted legislation for the organization of special districts pursuant to Title 32 of the Colorado Revised Statutes; and

WHEREAS, the City Council further recognizes that the establishment of new special districts within the City may result in higher tax and fee burdens on citizens residing within the boundaries of these special districts or on businesses located therein; and

WHEREAS, the City Council, in furtherance of the best interests of the City and the preservation and protection of the health, safety, prosperity, security, and general welfare of City residents and business owners recognizes the need:

- (1) To prevent the indebtedness incurred by special districts from adversely affecting the credit worthiness and credit ratings of the City;
- (2) To prevent special districts from providing improvements or services that overlap with those improvements or services that are provided by the City or anticipated to be provided by the City in the future;
- (3) To ensure that the cost burden of infrastructure in newly developed areas is placed upon those benefiting from such infrastructure improvements;
- (4) To minimize the likelihood of excessive tax and fee burdens upon City residents located within special districts;
- (5) To require that facilities and services financed by special districts within the City be provided efficiently; and

WHEREAS, the City Council of the City of Castle Pines, Colorado desires to adopt this Ordinance setting forth the requirements and standards for the establishment and ongoing operations of special districts in the City; and

WHEREAS, it is deemed to be in the best interest of the public health, safety and welfare of the residents of the City of Castle Pines for the City to adopt these regulations setting forth the requirements and standards relating to the establishment and ongoing operations of special districts in the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF CASTLE PINES, COLORADO:**

Section 1. The following is hereby adopted and enacted:

ARTICLE 1.

Special Districts

Section 1. Purpose and public benefit.

(a) Special districts ("Districts") organized under Title 32 may, under circumstances approved by the City, assist in the financing and development of public infrastructure, assist in the provision of important public services, and assist in the economic development of the City. The City has previously authorized Districts within its corporate limits for the purpose of financing, construction and maintenance of public infrastructure.

(b) The City recognizes that an array of financing tools should be available to developers in order to assist with the financing, construction and maintenance of local and regional infrastructure required to serve the City's new development areas and infill areas. This Ordinance establishes guidelines and criteria under which the City will consider applications for the formation of Districts.

(c) Formation of a District creates a long-term relationship between the City and the District. As such, the City expects each District to demonstrate a direct and necessary public benefit. Components of public benefit to be considered may include, but are not limited to the following:

- (1) Resulting development that is in conformance with the City's Comprehensive Plan and all applicable sub-area plans, as the same may be adopted and amended from time to time;
- (2) Provision of and/or contribution to needed regional infrastructure;
- (3) Sustainable design including water conserving landscape design, thoughtful development phasing, and sustainable building design; and
- (4) Mixed-use development that includes a variety of housing types and prices, a range of employment opportunities, retail and consumer services, and civic amenities.

Section 2. Definitions.

As used in this Ordinance, the following terms, phrases and words shall have the following meanings:

Board means the Board of Directors of a District.

City means the City of Castle Pines.

City Council means the City Council of the City of Castle Pines.

City Manager means the City Manager of the City of Castle Pines, or his or her designee.

Community Development Director means the Director of Community Development of the City of Castle Pines.

Debt means bonds or other obligations for the payment of which a District has promised to impose an ad valorem property tax mill levy or has pledged any other revenue stream of the District toward such bonds or other obligations.

District means a special district organized under the Special District Act whose service plan is to be approved by the City Council under applicable state law and this Ordinance, and any existing District that is located wholly or partially within the corporate limits of the City as of the effective date of this Ordinance.

District Review Team or *DRT* means the group of individuals convened by the City Manager as described in Section 5(c) below.

Model Service Plan means the City's model Title 32 district service plan, as approved by the City in accordance with the provisions of this Ordinance.

Petitioners means those persons proposing a service plan for the formation of a new District or an amendment to an existing approved service plan.

Public Improvements means a part or all of the improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped and financed as generally authorized by the Special District Act to serve the inhabitants and taxpayers of a District, and as more particularly described in the District's service plan.

Public Services means a part or all of the services authorized to be provided by a District, as authorized by the Special District Act, and as more particularly described in the District's service plan.

Title 32 or Special District Act means Title 32, Article 1, C.R.S., as the same may be amended from time to time.

Section 3. Application of State statute.

In addition to the power, authority and protection set forth in this Ordinance, the City Council shall have all the power, authority and protection granted to municipalities by Title 32.

Section 4. District service plans generally.

Sections 5 through 12 of this Ordinance below shall govern the processing, review and consideration of service plans for new Districts within the City.

Section 5. Process and fees.

(a) Petitioners shall initiate a service plan proposal by submitting a letter of intent to the Community Development Director. The letter of intent shall contain the following information:

(1) The type of District being proposed;

(2) A detailed summary of the Public Improvements proposed to be financed by the District, including estimated construction costs, expected phasing of such Public Improvements, and an overview of operational and maintenance costs for any such Public Improvements not expected to be dedicated to the City or other governmental entity for ownership and maintenance;

(3) A detailed summary of proposed Public Services to be provided by the District;

(4) A description of the real property proposed to be included within the boundaries of the District and the current total ad valorem property tax mill levy imposed against such real property on the date the letter of intent is submitted;

(5) A detailed financing plan showing how the proposed District plans on financing the Public Improvements and Public Services, including a projected total mill levy of the proposed District for both debt service and operational requirements for at least a twenty (20) year period following the formation of the District, and an analysis of any fees or charges to be imposed within the District during this same period;

(6) A detailed justification of the reasons Petitioners are seeking formation of the District and an explanation of why other alternative forms of financing may not be available;

(7) A detailed explanation and analysis of the option of providing the Public Improvements and Public Services through a General Improvement District (reference C.R.S. §§ 31-25-601, *et seq.*) together with any rationale or reason that would preclude the use of a General Improvement District to provide the Public Improvements and Public Services;

(8) A detailed analysis of the possibility for inclusion into or consolidation of any adjoining or overlapping Districts; and

(9) A proposed timeline for District creation.

(b) Petitioners shall submit five (5) copies of the letter of intent to:

City of Castle Pines
Attn: Director of Community Development
7501 Village Square Drive, Suite 100
Castle Pines, CO 80108

A nonrefundable application fee of One Thousand Five Hundred Dollars (\$1,500.00) shall be submitted to the Community Development Director at such time as the letter of intent is submitted. All checks are to be made payable to the "City of Castle Pines." No request to create a District shall proceed until the letter of intent and application fee have been received by the City and the Community Development Director has determined that the letter of intent is complete. The Community Development Director reserves the right to require the Petitioners to supplement any of the information contained in the letter of intent prior to making a determination that the letter of intent is complete.

(c) Upon receipt of the application fee and making a determination that the letter of intent is complete, the Community Development Director shall refer the letter of intent to the City Manager, the City Finance Director, the City Attorney, and other City departments or individuals within the City as the City Manager deems necessary to review the specific proposal (the "District Review Team" or "DRT"). The DRT shall review the letter of intent utilizing the criteria utilized in Section 12(b) of this Ordinance and shall render a preliminary recommendation to City Council on whether or not to proceed with the formation of the proposed District.

(d) If the concept for the District as described in the letter of intent is approved by the DRT, the Community Development Director shall direct the Petitioners to proceed with the preparation of a draft service plan for submittal to the City, which service plan shall be in the form of the Model Service Plan as required by Section 6 below. Conceptual approval of a specific proposal as outlined in a letter of intent by the DRT does not assure approval of the service plan by the City Council.

Section 6. Model service plan.

(a) The City Manager, or his or her designee, shall develop a Model Service Plan which complies with this Ordinance.

(b) In addition to the requirements of Title 32, all service plans submitted to the City following the effective date of this Ordinance shall substantially comply with the Model Service Plan and shall contain all of the information required by Title 32 and Section 7 of this Ordinance.

Section 7. Service plan contents.

(a) The proposed service plan shall include the following:

(1) The information required by C.R.S. § 32-1-202(2).

(2) A map of the proposed District boundaries with a legal description, or lot and block description.

(3) A detailed description of the Public Services to be provided by the District.

(4) A copy of any and all proposed contractual and/or operations documents which would affect or be executed by the proposed District, including the form of any proposed intergovernmental agreement between the District and the City or any other governmental entity.

(5) A detailed capital improvements plan including the following:

a. A description of the types of Public Improvements to be constructed, installed or financed by the District;

b. A detailed itemization of any and all costs associated with the Public Improvements; and

c. A schedule of the timetable on which the Public Improvements are anticipated to be constructed.

(6) A map or maps showing the locations of the Public Improvements identified in the capital improvements plan.

(7) A financial plan including the following:

a. The dollar amount of any anticipated financing, including capitalized interest, costs of issuance, estimated maximum rates and discounts, and any expenses related to the organization and initial operation of the District;

b. A detailed repayment plan covering the life of any proposed Debt, including the frequency and amounts of all District revenues expected to be collected from all sources;

c. The total maximum authorized Debt for the District;

d. A list and written explanation of potential risks of the financing;

e. The estimated operations and maintenance budget for the District in its first budget year, and at full build-out of the anticipated residential and commercial development within the boundaries of the District;

f. The projected mill levies of the District required to service any Debt and to provide the Public Services described in the service plan, and the total maximum ad valorem mill levy of the District;

g. The current total ad valorem property tax mill levy imposed against the real property within the District on the date the service plan is submitted; and

h. The projected total ad valorem property tax mill levy on the real property within the District during the life of any proposed Debt of the District.

(8) Language in the service plan stating that the District shall be prohibited from undertaking a condemnation action against the City without prior written approval of City Council.

(9) Language in the service plan stating that the District shall not include or exclude any property from the proposed District boundaries described in Section 7(a)(2) above without the prior written consent of the City Council through a resolution approving the same.

(b) The proposed service plan shall also include specific language related to the future dissolution of the District. At a minimum, the proposed service plan shall include the following:

(1) Language in the service plan setting forth the date on which the District anticipates dissolving in accordance with the dissolution procedures set forth in Title 32.

(2) Language stating that, upon an independent determination of the City Council that the purposes for which the District was created have been accomplished, which determination shall be made in accordance with Section 21 of this Ordinance, the District agrees to file a petition in the appropriate District Court for dissolution pursuant to the Special District Act, which petition shall contain a plan for dissolution, if required. If a plan for dissolution is required by the Special District Act, the Board agrees to submit such plan to the City Manager and City Attorney for review and approval prior to submitting the petition for dissolution in the appropriate District Court.

(3) Language stating that any petition for dissolution shall be filed by the District with the District Court within ninety (90) days following the date on which the City Council has made the independent determination that the purposes for which the District has been created have been accomplished, unless:

- (i) the City Council consents to a longer time period in writing; or
- (ii) a different time period is required by the Special District Act.

Section 8. Filing of proposed service plan.

(a) Petitioners shall file an original of the proposed service plan and ten (10) copies of the service plan and all supporting materials with the Community Development Director. The proposed service plan shall be in the form of the Model Service Plan. At the time that Petitioners submit the service plan and supporting materials to the Community Development Director, the processing fee and Consultant Deposit set forth in Section 8(b) shall be remitted to the Community Development Director. The Petitioners shall highlight any and all deviations from the Model Service Plan at the time the proposed service plan is filed, by filing one (1) additional copy of the proposed service plan with the Community Development Director in redline or "track changes" format.

(b) The nonrefundable processing fee for a service plan shall be Three Thousand Five Hundred Dollars (\$3,500.00) which shall be due and payable on the date that the proposed

service plan is filed with the Community Development Director. All checks are to be made payable to the "City of Castle Pines." In addition to the processing fee, Petitioners shall also deposit an additional Three Thousand Dollars (\$3,000.00) with the Community Development Director on the date that the proposed service plan is filed (the "Consultant Deposit"), which Consultant Deposit shall be used by the City to pay its reasonable consultant, legal, and other fees and expenses incurred by the City in the process of reviewing and taking action on the service plan. Any portion of the Consultant Deposit not used by the City shall be refunded to the Petitioners within ninety (90) days following the date of City Council's written determination made pursuant to Section 13 below. The City Council may, by resolution, waive all or any portion of the application fee, the processing fee or the Consultant Deposit where the City Council determines that the proposed District will provide highly necessary Public Services, such as emergency services, or the formation of the proposed District is necessary for the immediate preservation of the public health, safety or welfare.

Section 9. Completeness determination.

Following the date on which the Petitioners have caused the service plan and required fees to be filed with the City as set forth in Section 8 above, the Community Development Director shall review the service plan and supporting materials in order to determine whether the application is complete and whether the service plan complies with the form and content requirements of the Model Service Plan. The Community Development Director shall retain the right to request supplemental information from the Petitioners prior to determining that the service plan application is complete. The City's administrative review of the service plan shall not commence unless and until the Community Development Director has advised the Petitioners in writing that the service plan submittal is complete.

Section 10. Administrative review.

The City shall have ninety (90) days from the date the Community Development Director has determined the service plan application is complete to conduct its preliminary review. Once a review has been completed, the DRT shall complete an analysis of the service plan of the proposed District which shall be made in written report form to the City Council. The report shall evaluate the service plan and incorporate comments of the DRT as well as outside consultants retained by the City, as necessary. The written report of the DRT shall be completed within thirty (30) days following the end of the preliminary review period.

Section 11. Public hearing.

Upon completion of the written report by the DRT, the City shall schedule a public hearing at a regular City Council meeting in order to take formal action on the proposed service plan. Public notice regarding the hearing shall be published by the City Clerk in a newspaper of general circulation within the City at least twenty (20) days prior to the scheduled hearing date. The City Clerk shall also cause notice of the hearing to be mailed at least twenty (20) days prior to the hearing to (1) the Division of Local Government in the Department of Local Affairs; and (2) the governing body of any municipality or special district which has levied an ad valorem tax

within the next preceding tax year, and which has boundaries within a radius of three miles of the proposed District's boundaries.

Section 12. Hearing and determination.

(a) At the public hearing on the service plan, any testimony or evidence which in the discretion of the City Council is relevant to the organization of the District shall be considered.

(b) After consideration of the service plan, the DRT written report, reports of outside consultants, if any, and any other evidence and testimony accepted or taken at the public hearing, the City Council shall approve the service plan without condition, approve the service plan with condition(s), or disapprove the proposed service plan, applying the following criteria:

(1) Whether there is a sufficient existing and projected need for organized service in the area to be serviced by the proposed District;

(2) Whether the existing service in the area to be served by the proposed District is inadequate for present and projected needs;

(3) Whether the proposed District is capable of providing economical and sufficient service to the area within its proposed boundaries;

(4) Whether the area to be included in the proposed District has or will have the financial ability to discharge the proposed indebtedness on a reasonable basis;

(5) Whether the creation of the District will be in the best interests of the residents or future residents of the area proposed to be served; and

(6) Whether the proposed service plan is in substantial compliance with this Ordinance.

Section 13. Written determination.

Within twenty (20) days following the conclusion of the public hearing, the City Council shall adopt a resolution regarding the proposed service plan. If the service plan is approved, a resolution of approval shall be adopted. If the service plan is disapproved, a resolution for such disapproval shall be adopted, including the reason(s) for such disapproval. If the service plan is conditionally approved, the changes required by the City Council to be made in, or additional information relating to, the service plan, together with the reasons for requiring such changes or additional information, shall be set forth in writing, and the proceedings under this Ordinance shall be suspended until such changes or additional information have been incorporated in the service plan or proposed service plan amendment by the Petitioners, to the satisfaction of City Council. Upon the satisfactory incorporation of such changes or additional information in the proposed service plan or service plan amendment, the City Council shall consider a resolution approving the service plan or service plan amendment.

Section 14. Appeal.

The City Council resolution shall document the City Council's final determination for the purpose of any appeal to the district court.

Section 15. Material modification.

The occurrence of any of the following actions, events or conditions, subsequent to the date of approval of the service plan or most recent amendment thereto, shall constitute material modifications requiring a service plan amendment:

- (1) Any change in the pledged revenue source for existing or proposed Debt of the District;
- (2) The failure of the District to develop or cause to be developed any Public Improvements proposed in its service plan when necessary to preserve the public health, safety or welfare or necessary to service approved development within the District;
- (3) The failure of the District to provide any Public Services described in its service plan when necessary to preserve the public health, safety or welfare;
- (4) The occurrence of any event or condition which is defined under the service plan or intergovernmental agreement as necessitating a service plan amendment;
- (5) The material default by the District under any intergovernmental agreement with the City; or
- (6) Any of the events or conditions enumerated in C.R.S. § 32-1-207(2), as amended.

Section 16. Determination of applicability.

Should the District dispute that one (1) or more of the occurrences enumerated in Section 15 above is a material modification, the District may request a hearing before the City Council after consultation with the Community Development Director and DRT. After hearing and receipt of any relevant information from the District as required by the City, and the written recommendation of the DRT, the City Council shall make a finding as to whether such occurrence constitutes a material modification. In the event it is found that a material modification has occurred, the District shall submit its request for a service plan amendment in accordance with this Ordinance within thirty (30) days following the date on which the City Council makes its finding pursuant to this Section 16, unless waived by the City Council. Upon a finding that no material modification has occurred, the District shall be relieved from obtaining a service plan amendment. The City Council may, however, require the District to submit a service plan amendment at a later date if the change or deviation from the approved service plan or other event or condition set forth in Section 15, on a cumulative basis, subsequently becomes material. In making its determination, the City Council shall consider, among other relevant

factors, whether the material modification is expected to have a probable adverse financial impact on the City or the taxpayers within the boundaries of the District.

Section 17. Sanctions.

Should any District fail to comply with any applicable provision of this Ordinance, the City Council by resolution may impose one or more of the following sanctions, as it deems appropriate:

(1) Exercise any applicable remedy under the Special District Act;

(2) Withhold the issuance of any permit, authorization, acceptance or other administrative approval necessary for the District's development or construction of Public Improvements;

(3) Exercise any legal remedy under the terms of any intergovernmental agreement with the City under which the District is in default; or

(4) Exercise any other legal remedy, including seeking injunctive relief against the District, to ensure compliance with the provisions of this Ordinance.

Section 18. Application to pending service plans.

This Ordinance shall govern the processing, review and consideration of service plans for new Districts which have not received approval from the City prior to the effective date of this Ordinance. This Ordinance shall also substantially govern the process for any service plan amendments required to be undertaken by any District which has an approved service plan on the effective date of this Ordinance.

Section 19. Service plan amendment.

(a) After the creation of a District, material modifications to the approved service plan may be made by the Board only by petition to and approval by the City Council. Such approval shall be in substantially the same manner as provided for in the approval for an original service plan, except that: (1) Section 5 of this Ordinance and the application fee set forth therein shall not apply; (2) the nonrefundable processing fee for a service plan amendment shall be One Thousand Five Hundred Dollars (\$1,500.00); and (3) there shall be no Consultant Deposit required, unless the Community Development Director advises the Board otherwise in writing. Such approval of modifications shall be required with regard to changes of a basic or essential nature, as outlined in the approved service plan.

(b) The petition for a service plan amendment shall include:

(1) Any information or documentation required under the applicable provisions of the Special District Act;

(2) A detailed description of why the Board is seeking the service plan amendment and all documentation supporting the request;

(3) A detailed explanation of the activity, events or conditions which resulted in the material modification, including what action was taken or alternatives considered, if any, by the Board to avoid the action, event or condition;

(4) The impact of the material modification on the District's ability to finance, construct or operate the Public Improvement necessary to meet the capital improvement plan detailed in the service plan;

(5) The effect of the material modification on the District's ability to retire as scheduled its Debt and its ability to issue and market additional Debt, if any;

(6) A current financial plan for the District reflecting development absorption rates anticipated within the District's service area, projected annual revenues from all sources and expenditures based upon such projected absorption rates, Debt issuance and amortization schedules, and a projection of anticipated capital outlays during the five (5) calendar years immediately following the date of the requested service plan amendment;

(7) The financial impact of the modification on existing taxpayers of the District;

(8) An updated five-year capital improvements plan; and

(9) What alternatives or options are available to the District if the requested service plan amendment is not approved by City Council.

(c) All of the required information shall be supported by appropriate technical analysis, reports and supporting documents of qualified professionals and consultants. The amendment shall be processed and reviewed in the same manner as prescribed by this Ordinance for an initial service plan, except that the submittal requirements of this Section shall be substituted for those of Section 6 above, and the application fee shall be as set forth in Section 19(a) above.

Section 20. Annual report requirement.

(a) Each District wholly or partially located within the City shall file an annual report with the Community Development Director on or before August 1 of each calendar year. The annual report shall reflect activity and financial events of the District through the preceding December 31 (the "report year"). The annual report shall include, at minimum, the following:

(1) A narrative summary of the progress of the District in implementing its service plan for the report year;

(2) Except when exemption from audit has been granted for the report year under the Local Government Audit Law, the audited financial statements of the District for the report year, including a statement of financial condition (i.e., balance sheet) as of

December 31 of the report year and the statement of operations (i.e., revenues and expenditures) for the report year;

(3) Unless disclosed within a separate schedule to the financial statements, a summary of the capital expenditures incurred by the District in development of Public Improvements in the report year, as well as any capital improvements or projects proposed to be undertaken in the five (5) years following the report year;

(4) Unless disclosed within a separate schedule to the financial statements, a summary of the financial obligations of the District at the end of the report year, including the amount of outstanding Debt, the amount and terms of any new Debt issued in the report year, the amount of payment or retirement of existing Debt of the District in the report year, the current total assessed valuation of all taxable properties within the District, the current mill levy of the District pledged to Debt retirement in the report year, and the current operating mill levy of the District in the report year;

(5) The District's budget for the calendar year in which the annual report is submitted;

(6) A summary of residential and commercial development in the District for the report year;

(7) A summary of all fees, charges and assessments imposed by the District in the report year;

(8) Copies of all fee studies or other consultant studies justifying the amounts of all fees, charges and assessments identified in Section 20(a)(7) above;

(9) Certification of the Board that no action, event or condition enumerated in Section 15 above has occurred in the report year or certification that such event has occurred but that an amendment to the service plan that allows such event has been approved by the City Council; and

(10) The name, business address and telephone number of each member of the Board and its chief administrative officer and general counsel, together with the date, place and time of the regular meetings of the Board.

(b) Following receipt of the annual report required by Section 20(a), the City Council may review the annual report in a regularly scheduled public meeting, and such review shall be included as an agenda item in the public notice for such meeting.

Section 21. Dissolution.

(a) In no event shall a District be dissolved until the payment or discharge of all of the outstanding indebtedness of the District has been adequately addressed, as required pursuant to the Special District Act. In making an independent determination that the purposes for which the

District was created have been accomplished, the City Council shall consider, at a minimum, the following factors:

- (1) Whether the District has any outstanding indebtedness;
- (2) Whether, following the dissolution of the District, the area within the District will be provided sufficient services by the City or other governmental or other entities; and
- (3) Whether the dissolution of the District is in the best interests of the residents or businesses within the District.

(b) Any independent determination of the City Council concluding that the purposes for which a District was created have been accomplished shall be set forth in a Resolution of the City Council.

(c) Any such Resolution of the Council making an affirmative finding that the purposes for which a District was created have been accomplished shall be required to be approved by a majority of the members of City Council.

(d) Any such Resolution of the Council or any application for dissolution previously filed by City Council and pending as of the effective date of this Ordinance may be repealed or withdrawn by City Council after holding two (2) public hearings duly advertised in a newspaper of general circulation and by posting a conspicuous notice for a period of thirty (30) days prior to each hearing at the usual place for posting notices and at each signalized traffic intersection in the City.

(e) Subsection (d) of this section may be altered, amended, or repealed only after holding two (2) public hearings duly advertised in a newspaper of general circulation and by posting a conspicuous notice for a period of sixty (60) days prior to each hearing at the usual place for posting notices and at each signalized traffic intersection in the City.

Section 2. Severability. Should any one or more sections or provisions of this Ordinance or of any of the primary or secondary codes adopted by reference be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or the codes adopted by reference hereby, the intention being that the various sections and provisions are severable.

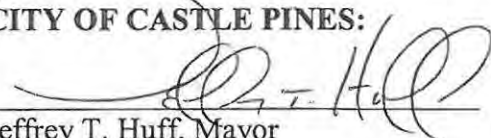
Section 3. Repeal of Previous Ordinances. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and 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.

Section 4. Effective Date. Except as otherwise expressly provided herein, this

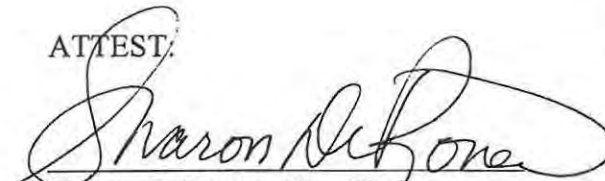
Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 13th day of September, 2011.

READ, PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 11th day of October, 2011.

CITY OF CASTLE PINES:

Jeffrey T. Huff, Mayor

ATTEST:


Sharon DeRouen, City Clerk

Approved as to form:


Linda C. Michow, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading at a regular meeting of the Castle Pines City Council on September 13, 2011; published in full in the *Douglas County News-Press*; and finally passed and adopted by the City Council on October 11, 2011 following a duly noticed public meeting and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on October 20, 2011.

ATTEST:


City Clerk or Deputy City Clerk