

**ORDINANCE NO. 1476
SERIES 2005**

AN ORDINANCE AMENDING CHAPTER 15.36 OF THE LOUISVILLE MUNICIPAL CODE, REGARDING HISTORIC PRESERVATION.

WHEREAS, by Ordinance No. 1463, Series 2005, codified as Chapter 15.36 of the Louisville Municipal Code, the City set forth provisions concerning historic preservation; and

WHEREAS, the Louisville Historic Preservation Commission has forwarded to the City Council this amendment to the historic preservation ordinance in order to further advance the purposes and implementation of the City's historic preservation ordinance; and

WHEREAS, the City Council desires to amend Chapter 15.36 of the Louisville Municipal Code by adding a definition of "demolition" to the historic preservation ordinance of the City.

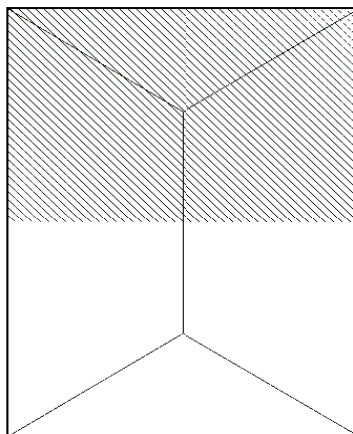
NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Section 15.36.020 of the Louisville Municipal Code is hereby amended by the addition of the following definition:

Sec. 15.36.020 Definitions.

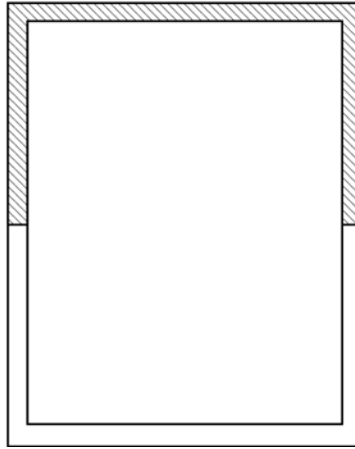
Demolition or demolish: Any act or process which removes one or more of the following:

- (a) Fifty percent or more of the roof area as measured from directly above across a horizontal plane (see diagram). The shaded area illustrates the maximum amount that may be removed without constituting demolition as defined by this provision.

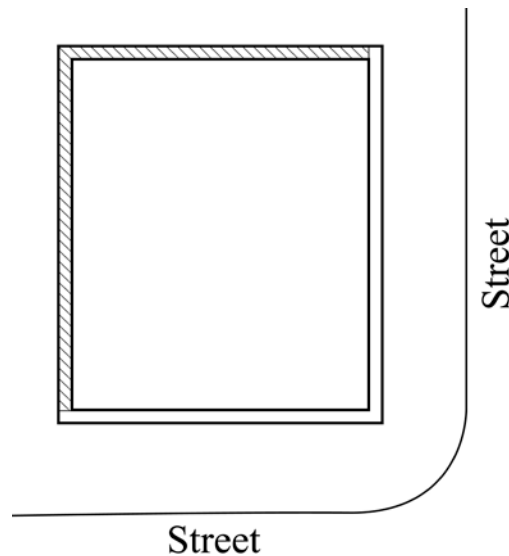


- (b) Fifty percent or more of the exterior walls of a building as measured contiguously around the building (see diagram). The shaded area illustrates

the maximum amount that may be removed without constituting demolition as defined by this provision.



(c) Any exterior wall facing a public street, but not an act or process which removes an exterior wall facing an alley (see diagram). The shaded area illustrates the maximum amount that may be removed without constituting demolition as defined by this provision.



A wall shall meet the following minimum standards to be considered a retained exterior wall:

- (1) The wall shall retain studs or other structural elements, the exterior wall finish, and the fully framed and sheathed roof above that portion of the remaining building to which such wall is attached;
- (2) The wall shall not be covered or otherwise concealed by a wall that is proposed to be placed in front of the retained wall; and

(3) Each part of the retained exterior walls shall be connected contiguously and without interruption to every other part of the retained exterior walls.

Section 2. Subsection A of Section 15.36.220 of the Louisville Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 15.36.220 Enforcement and penalties.

A. No person shall violate or permit to be violated any of the requirements of this Chapter or the terms of a landmark alteration certificate. No person shall divide or separate any construction, alteration, removal, or demolition project or other work into two or more separate projects for the sole purpose of evading or attempting to evade the application or requirements of this chapter. A violation of this Chapter is a municipal offense punishable by the provisions set forth in section 1.28.010 of this Code. Violations of this Chapter are also subject to the following additional penalties and remedies:

Section 3. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 4. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED
PUBLISHED** this _____ day of _____, 2005.

Charles L. Sisk, Mayor

ATTEST:

Nancy Varra, City Clerk

APPROVED AS TO FORM:

Light, Harrington & Dawes, P.C.
City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this _____ day of _____, 2005.

Charles L. Sisk, Mayor

ATTEST:

Nancy Varra, City Clerk

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