

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 5 - SERIES 2010**

**AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO, CONSENTING
TO THE IMPROVEMENT FOR RENEWABLE ENERGY AND ENERGY
EFFICIENCY PURPOSES TO ANY RESIDENTIAL OR COMMERCIAL
PROPERTY WITHIN THE TOWN BY THE COUNTY OF EAGLE.**

WHEREAS, pursuant to part 6 of article 20 of title 30, Colorado Revised Statutes, as amended (hereinafter the "Act"), Eagle County has authorized a local improvement district for the purpose of encouraging, accommodating, and financing Energy Efficiency Improvements and Renewable Energy Improvements (both as defined in the Act); and

WHEREAS, Eagle County via the Eagle County Energy Smart Local Improvement District (the "District") desires to encourage, accommodate and provide financing for Energy Efficiency and Renewable Energy Improvements ("EE/RE") (the "Project") pursuant to the Act for the purpose of accomplishing the Project, including paying all costs necessary and incidental thereto; and

WHEREAS, the Town Council of the Town of Minturn (the "Town"), Colorado, finds as follows:

WHEREAS, this Town Council finds that giving such consent to allow such participation is in the best interests of the residents and property owners of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

Section 1. The Town of Minturn hereby consents, as provided in Section 30-20-603(1)(a), Colorado Revised Statutes, as amended, to energy efficiency and renewable energy systems and improvements being installed upon any private property within the Town of Minturn, through Eagle County's Energy Smart Local Improvement District, pursuant to the Act, in order that owners of properties located anywhere within the Town of Minturn may voluntarily agree to participate in the District's program.

Section 2. Any future consents that may be necessary or desirable for properties hereinafter included within the Town of Minturn may be given by ordinance or resolution as this Council in its discretion determines.

Section 3. The officers of the Town of Minturn shall take such other steps or actions necessary or reasonably required to carry out the terms and intent of this Ordinance and Consent.

Section 4. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such

section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 5. All actions not inconsistent with the provisions of this Ordinance heretofore taken by the Council and the officers of the Town of Minturn regarding this matter hereby are ratified, approved, and confirmed.

Section 6. This Ordinance shall be in full force and effect thirty (30) days after publication following final adoption.

INTRODUCED, READ BY TITLE IN FULL, APPROVED ON THE FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL THE 21ST DAY OF APRIL, 2010. A public hearing on this ordinance shall be held at the regular meeting of the Town Council of the Town of Minturn, Colorado on the 5th day of May, 2010, at 7:00 p.m. at the Minturn Town Center, 302 Pine Street, Minturn, Colorado.

Attest:

Hank Harty Flaherty
Mayor

[Signature]
Town Clerk



INTRODUCED, READ BY TITLE, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED BY TITLE ONLY THIS 5th DAY OF MAY, 2010.
21st July

Attest:

Hank Harty Flaherty
Mayor

[Signature]
Town Clerk



note this was tabled on 5/5/10 to allow Eagle County time to develop procedures for this program - JB