

CHAPTER 125

GOVERNMENT - MUNICIPAL

HOUSE BILL 96-1119

BY REPRESENTATIVES Kaufman, Jerke, Lamm, Reeves, Saliman, Sullivan, and Tupa;
also SENATORS Matsunaka and L. Powers.

AN ACT

CONCERNING THE DELEGATION OF THE POWERS OF A MUNICIPAL PLANNING COMMISSION BY INTERGOVERNMENTAL AGREEMENT.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 31-23-227, Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

31-23-227. Allocation of powers or duties. (1) The governing body of a municipality may, by ordinance, assume and exercise any power granted to or duty placed upon the municipal planning commission by this part 2 and may, by ordinance, delegate to the municipal planning commission or other appropriate municipal body any power granted to or duty placed upon the municipal governing body by this part 2, providing that the right to appeal to the municipal governing body is retained in any such delegation; except that the power to impose fines and penalties may not be delegated.

(2) THE GOVERNING BODY OF A MUNICIPALITY MAY, BY ORDINANCE, ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OR COUNTIES IN WHICH IT IS LOCATED FOR THE PURPOSES OF JOINT PARTICIPATION IN LAND USE PLANNING, SUBDIVISION PROCEDURES, AND ZONING FOR A SPECIFIC AREA DESIGNATED IN THE INTERGOVERNMENTAL AGREEMENT. HOWEVER, ANY ACTION TAKEN PURSUANT TO THE INTERGOVERNMENTAL AGREEMENT THAT PERTAINS TO ANY LAND WITHIN THE MUNICIPALITY IS SUBJECT TO FINAL APPROVAL BY THE GOVERNING BODY OF THE MUNICIPALITY.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 25, 1996