

**TOWN OF MORRISON, COLORADO  
BOARD OF TRUSTEES**

**ORDINANCE NO. 495**

**AN ORDINANCE AMENDING TITLE 10 OF THE MORRISON MUNICIPAL CODE  
CONCERNING THE DEFINITION OF SUBSTANTIAL IMPROVEMENT**

WHEREAS, the Town of Morrison is a Colorado home rule municipality operating under a Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees; and

WHEREAS, the Board of Trustees has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

WHEREAS, in the exercise of this authority, the Board of Trustees has previously enacted Chapter 3 of Title 10 of the Morrison Municipal Code, concerning floodplain damage protection; and

WHEREAS, the Board the Mile High Flood District has revised its definition of "substantial improvement" for structures in the floodplain and, the Town's regulations are required to be at least as stringent; and.

WHEREAS, the Board of Trustees wishes to amend the definition of substantial improvement accordingly.

**NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Morrison, Colorado:**

**Section 1.** Title 10 of the Morrison Municipal Code is hereby amended at Section 10-3-5 by revising the definition of *Substantial Improvement* as follows:

**10-3-5 SUBSTANTIAL IMPROVEMENT.**

**SUBSTANTIAL IMPROVEMENT:** Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either: a) before "start of construction" of the improvement, or b) if the structure has been damaged, and is being restored, before the damage occurred. SUBSTANTIAL IMPROVEMENT IS STARTED WHEN THE FIRST ALTERATION OF ANY STRUCTURAL PART OF THE BUILDING COMMENCES AND IS CUMULATIVE OVER A TEN (10) YEAR PERIOD. The value of the structure shall be determined by the town of Morrison. This includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code

specifications which have been identified by the town of Morrison or other code enforcement official, and which are the minimum necessary conditions; or

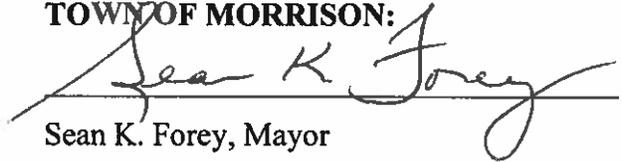
- B. Any alteration of a "historic structure" provided that the alteration will not affect the external dimensions of a structure, or preclude the structure's continued designation as a "historic structure."

**Section 2. Severability.** If any article, section, paragraph, sentence, clause or phrase of this ordinance, or the standards adopted herein is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part or parts are declared unconstitutional or invalid.

**Section 3. Effective Date.** This ordinance shall take effect fifteen (15) days after adoption and publication as provided by Section 3.14 of the Home Rule Charter.

**INTRODUCED, READ, PASSED AND ADOPTED** this 7th day of July, 2020, by a vote of 6 ayes and 0 nays.

**TOWN OF MORRISON:**

  
Sean K. Forey, Mayor

**ATTEST:**

  
Lyndsey Paavilainen, Town Clerk

