

TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. TC 2023-5

AN ORDINANCE OF THE TOWN OF NEW CASTLE, COLORADO AMENDING
CHAPTER 17.18 OF THE NEW CASTLE MUNICIPAL CODE, ALSO KNOWN AS THE
NEW CASTLE SIGN CODE.

WHEREAS, Chapter 17.18 of the New Castle Municipal Code (“Code”) provides regulations for signs within the Town of New Castle (“Town”); and

WHEREAS, on June 18, 2015, the United States Supreme Court issued its decision in the case of *Reed, et al. v. Town of Gilbert*, which imposed new standards under the First Amendment to the United States Constitution regarding municipal regulation of signs across the nation; and

WHEREAS, in light of the *Town of Gilbert* decision, Town Council directed the Town Attorney and Planning Staff to recommend any revisions to Chapter 17.18 of the Code in order to ensure compliance with the First Amendment as well as taking the opportunity to update and improve sign regulation and enforcement generally for the Town; and

WHEREAS, on June 28, 2023, the New Castle Planning Commission held a duly-noticed public hearing to consider revisions to Chapter 17.18 and make its recommendations to Town Council regarding same; and

WHEREAS, Town Council finds and determines that amendments are necessary and desirable and desires to amend Chapter 17.18 of the Code as set forth below.

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

1. Recitals. The foregoing recitals are incorporated herein as findings and determinations of Town Council.
2. Amendment. Town Council hereby repeals Chapter 17.18 of the Code and reenacts the same as set forth in Exhibit A, attached hereto and incorporated by reference herein.
3. Severability. Each section of this Ordinance is an independent section and a holding of any section or part thereof to be unconstitutional, void, or ineffective for any cause or reason shall not be deemed to affect the validity or constitutionality of any other section or part thereof, the intent being that the provisions hereof are severable.
4. Effective Date. This Ordinance shall become effective 30 days after final publication as provided in C.R.S. 31-16-105.

INTRODUCED on September 19, 2023, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading,

and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado, on October 3, 2023, read by title and number, passed without amendment, approved, and ordered published as required by the Charter.

TOWN COUNCIL OF THE TOWN OF
NEW CASTLE, COLORADO

By: _____
Art Riddile, Mayor

ATTEST:

Mindy Andis, Town Clerk

Exhibit A