

ORDINANCE NO 334

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO, MODIFYING CHAPTER IX OF THE TOWN MUNICIPAL CODE AND ESTABLISHING SECTION 9-4-12 REGARDING SPECIAL EVENT PERMITTING BY THE LOCAL LICENSING AUTHORITY FOR THE SALE OF ALCOHOL.

WHEREAS, C.R.S. § 44-5-101 et seq. allows local licensing authorities to elect to assume sole authority to approve or deny applications for special event permits to serve alcohol as contemplated under Title 44, Article 5 of the Colorado Revised Statutes; and

WHEREAS, the Board of Trustees wishes to assume local control over special event permitting as allowed by law,

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Ignacio, Colorado, that:

Section 1. Chapter IX, Section 4 is amended by the addition of a new subsection 12 that reads as follows:

9-4-12 Local Licensing Authority

(1) Governing Statutes

- a. Pursuant to C.R.S. § 44-5-101 et seq. the Board of Trustees, acting as the local licensing authority, elects to assume the responsibility of determining whether to issue a special event permit during which alcoholic beverages, as defined in C.R.S. § 44-3-103 (2), are contemplated to be served by the drink only, without first obtaining approval by the state licensing authority.
- b. The Town of Ignacio shall comply with all of the regulations and requirements as set forth in C.R.S. § 44-5-101 et seq.

(2) Procedure

- a. Application for a Special Event Permit for the sale of Alcohol
 1. Application must be submitted to the Town Clerk a minimum of 35 days prior to the planned event, on the form supplied by the Town Clerk, and shall be completed and verified by oath or affirmation of an officer of the organization or of the political candidate making application.
 2. The appropriate fee shall be submitted with the application. Special Event Permit fees shall be based on the Town of Ignacio Fee Schedule which may be changed from time to time by resolution of the Board of Trustees.

b. Notice to the Public

1. Public notice of the proposed permit and of the procedure for protesting issuance of the permit shall be conspicuously posted at the proposed location for at least ten days before approval of the permit by the local licensing authority.
2. If an individual wishes to protest the Special Event Permit for the sale of alcohol, the protest must be in writing and must be received at Town Hall by the date posted on the notice.

c. Hearing

1. The local licensing authority shall cause a hearing to be held if, after investigation of the contents of any protest filed by affected persons, sufficient grounds appear to exist for the denial of a permit. The local licensing authority may also choose to have a hearing if sufficient grounds appear for the denial of a permit, whether a protest is filed or not.
2. Any hearing required by this subsection or any hearing held at the discretion of the local licensing authority shall be held eleven or more days after the initial posting of the notice, and notice of the hearing shall be provided to the applicant and any person who has filed a protest.
3. A special event permit may be denied based on the grounds that the issuance would be injurious to the public welfare because of the nature of the special event, its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable laws.
4. All hearings, whether required because of a written protest or held at the discretion of the local licensing authority, shall be held at a Town Board meeting. If necessary, a special meeting will be called and notice shall be provided to the applicant and any person who has filed a protest.
5. If no hearing is held, the Town Clerk shall issue the special event permit subject to the restrictions in C.R.S. 44-5-105.

(3) Violations, Revocation, Enforcement, and Fines

- a. Any violation of the requirements set forth on the application or failure to comply with all required rules and regulations shall be grounds for revocation of the Special Event Permit.
- b. Any violation of this ordinance shall be punished as set forth in Ordinance 83, Amended by Ordinance 284, Penalties, of the Town of Ignacio Municipal Code now in affect or as may be amended from time to time.

Section 2. Effective Date: This Ordinance shall take effect 30 days after publishing by title only.

PASSED, APPROVED, ADOPTED AND ORDERED PUBLISHED this 19th day
November, 2018, by the Board of Trustees of the Town of Ignacio, Colorado.

TOWN OF IGNACIO:

Stella Cox, Mayor

ATTEST:

Tuggy Dunton, Town Clerk