

**TOWN OF SILVERTON
BOARD OF TRUSTEES**

ORDINANCE 2015-02

AN ORDINANCE AUTHORIZING THE SILVERTON BOARD OF TRUSTEES TO APPROVE SPECIAL EVENT PERMITS WITHOUT NOTIFICATION TO THE STATE LICENSING AUTHORITY FOR ITS APPROVAL OR DISAPPROVAL IN ACCORDANCE WITH C.R.S. § 12-48-107(5)

WHEREAS, Senate Bill 11-066 amended Article 48 of Title 12 of the Colorado Revised Statutes to allow local licensing authorities to approve an application for a Special Event Permit without notification to the State Licensing Authority for its approval or disapproval subject to the applicable provisions and limitations of Articles 46, 47 and 48 of Title 12; and

WHEREAS, the Board of Trustees has decided to elect not to notify the State Licensing Authority to obtain the State Licensing Authorities approval or disapproval in accordance with Section 12-48-107(5) C.R.S.; and

WHEREAS, the Board of Trustees will act in accordance with applicable statutes and regulations in acting upon an application for a Special Events Permit.

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

SECTION 1. Special Event Permits, Authority. The Silverton Board of Trustees is hereby authorized to approve an application for a Special Event Permit for an event within the Town of Silverton without notification or referral to the State Licensing Authority for its approval or disapproval.

SECTION 2. Notification to State Licensing Authority. In accordance with § 12-48-107(5)(a), C.R.S., the Town Clerk or her designee shall report to the Liquor Enforcement Division within ten (10) days after a Special Event Permit is approved, the name of the organization to whom a permit was issued, the address of the permitted location and the permitted dates of alcohol beverage service.

SECTION 3. Permits.

A. The Town hereby authorizes the issuance of special event permits for the sale, by the drink only, of malt beverages, or the sale, by the drink only, of malt, spirituous or venous liquors to the Town, organization, and political candidates in accordance with this Ordinance and pursuant to § 12-48-101, *et seq.*, C.R.S. No alcoholic beverages shall be sold at any special event until a special event liquor permit is obtained from the Town. The standards contained in this Ordinance shall be considered in addition to all other standards and requirements applicable to the issuance of licenses under § 12-47-101, *et seq.*, C.R.S., the "Colorado Liquor Code."

B. Any organization or political candidate desiring to sell alcoholic beverages at a special event shall obtain a permit from the Town by first completing a special event liquor permit application and paying a

permit fee, which shall be established by and periodically amended by resolution of the Town Board but shall not exceed one hundred dollars. An applicant must first file the application at least 30 days prior to the date of the event, unless waived by the Town for good cause shown.

C. The Town is hereby authorized to establish the procedures for processing a special event liquor permit application. The application must be verified by oath or affirmation. 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 Town. The Town shall promptly act upon each application for a special event liquor permit and shall either approve or disapprove such application.

D. Upon receipt of an application for a special event permit, the Town shall, as required by C.R.S. § 12-48-107(5)(c), access information made available on the state licensing authority's website to determine the statewide permitting activity of the organization applying for the permit. Before approving an application, the Town shall consider compliance with C.R.S. § 12-48-105(3), which restricts the number of permits issued to an organization in a calendar year.

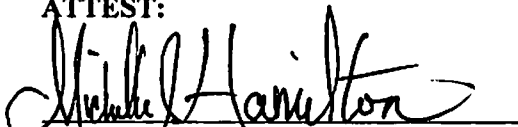
E. The Town may deny issuance of a special event liquor permit if it determines that the issuance would be injurious to the public welfare because of the nature of the special event, its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable laws. Issued permits shall not be transferable.

F. The Town shall cause a hearing to be held if, after investigation and upon review of the contents of any protest filed by affected persons, sufficient grounds appear to exist for denial of a permit. Any protest shall be filed by affected persons within ten days after the date of notice. The hearing shall be held at least ten days after the initial posting of the notice, and notice of the hearing shall be provided the applicant and any person who has filed a protest.

G. As required by § 12-48-107(5)(a), C.R.S., the Town shall report to the Colorado Liquor Enforcement Division, within ten days after it issues a permit, the name of the organization to which a permit was issued, the address of the permitted location, and the permitted dates of alcohol beverage service.

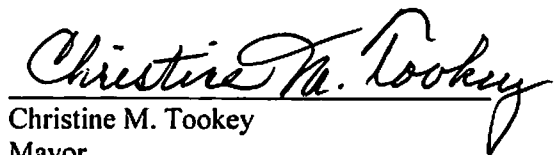
SECTION 4. Effective Date. This Ordinance shall be effective for applications for Special Event Permits received on or after April 28, 2015.

ATTEST:



Michelle J. Hamilton
Town Clerk

TOWN OF SILVERTON:



Christine M. Tookey
Mayor