ORDINANCE NO. 343

AN ORDINANCE AMENDING THE OAK CREEK MUNICIPAL CODE TO ADD CHAPTER 4.12, SPECIAL EVENT PERMITS.

WHEREAS, it has been determined by the Board of Trustees of the Town of Oak Creek, Colorado, that the Oak Creek Municipal Code should be expanded to include a chapter pertaining to special event permits.

THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF OAK CREEK, COLORADO:

SECTION 1: That Chapter 4.12 shall be added to the Oak Creek Municipal Code, to read:

SPECIAL EVENT PERMITS

Sections:

4.12.010 Qualifications of organizations
4.12.020 Application
4.12.030 Fees
4.12.040 Grounds for approval of special event permits
4.12.050 Grounds for denial of special event permits
4.12.060 Public Notice
4.12.070 Public Hearing
4.12.080 Restrictions related to permits

4.12.010 Qualifications of organizations. A special event permit may be issued only to an organization which meets the specifications of CRS 1973, 12-48-102.

4.12.020 Applications Applications for a special event permit shall be made with the Board of Trustees on forms provided by the state licensing authority and shall be verified by oath or affirmation of an officer of the organization making appliation. Upon approval of any application, the Board of Trustees shall notify the state licensing authority of such approval. The state licensing authority shall not issue any special event permit until the Board of Trustees has approved such application.

4.12.030 Fees Fees for the investigation of an application for a special event permit by the Board of Trustees shall be payable to the town treasurer as follows:

A. Ten dollars per day for a fermented malt beverage permit.

B. Twenty-five dollars per day for a malt, vinous, and spirituous liquor permit.

4.12.040 Grounds for approval of special event permits. A special event permit may be issued only upon a satisfactory showing by an organization that other existing facilities are not available or are inadequate for the needs of the organization and:

A. Its existing licensed facilities are inadequate for the purposes of seving its members and guests and that additional facilities are necessary by reason of the nature of the special event; or

B The organization is temporarily occupying premises other than its regular permises during such special events as civic celebrations or county fairs and that members of the general public will be served during such special events.

4.12.050 Grounds for denial of special event permits. The Board of Trustees shall deny the issuance of a special event permit if issuance of a special event permit would probably be injurious to the public welfare by reason 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 such event in compliance with applicable laws and regulations.

4.12.060 Public Notice. Public notice of the proposed permit and of the procedure for protesting issuance of ther permit shall be conspicuously posted at the proposed location for at least ten days before approval of the permit by the Board of Trustees. Any protest shall be filed by affected persons within ten days after notice is initiallly posted.

4.12.070 Public Hearing. The Board of Trustees shall cause a hearing to be held if after investigation and upon review of the contents of any protest filed by interested persons sufficient ground appears to exist for denial of a permit. The Board of Trustees may assign all or any portion of its function under this chapter to an administrative officer.

4.12.080 Restrictions related to permits . The following restrictions apply to any special event permit issued:

A. Each permit shall be issued for a specific location and is not valid for any other location.

B. A permit shall authorize the sale of male beverage only between the hours of 5a.m. of the day specified in the malt beverage permit and until twelve midnight on the same day or the sale of malt, vinous, and spirituous liquor only between the hours of 7a.m. of the day specified in the liquor permit and until 2a.m. of the day immediately following.

C. A special event permit may not be issued to any organization for more then ten days in one calendar year.

D. Sandwiches or other food snacks shall be available during all hours that alcoholic beverages are served, but prepared meals need not be served.

SECTION 2: This ordinance is found to be necessary immediately for the public good and welfare, and therefore shall take effect immediately upon publication.

SECTION 3: If any section, paragraph, clause or provision of the Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

INTRODUCED, PASSED AND ADOPTED THIS 29th DAY OF May, 1981.

APPROVED: Joseph J. Leal

Joseph J. Leal, Mayor

ATTEST: Nancy Crawford

Nancy Crawford, Town Clerk