

ORDINANCE NO. 12-03
Series of 2012

**TITLE: A BILL FOR AN EMERGENCY ORDINANCE AMENDING ARTICLE 4 OF
CHAPTER 6 OF THE HUDSON MUNICIPAL CODE BY THE ADDITION
OF A NEW SECTION 6-211 GOVERNING SPECIAL EVENT PERMITS**

WHEREAS, the Colorado General Assembly has adopted Senate Bill 11-066 which takes effect August 10, 2011, and which allows a local licensing authority to elect to assume sole authority to approve or deny applications for special event permits to serve alcohol;

WHEREAS, the Board of Trustees wishes to elect local control over special event liquor permitting as allowed by Senate Bill 11-066; and

WHEREAS, the Board of Trustees desires to do so as quickly as possible to better serve its constituents, and thus it is hereby declared that any emergency exists, that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety of the Town and its inhabitants, and that this Ordinance shall take effect as an emergency measure upon its adoption.

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HUDSON,
COLORADO, THAT:

Section 1. Article 4 of Chapter 6 of the Hudson Municipal Code is hereby amended by the addition thereto of a new Section 6-211, to read as follows:

Sec. 6-211. Notification to state licensing authority of special event permit issuance.

(a) Pursuant to C.R.S. § 12-48-107(5)(a), the Local Licensing Authority ("Authority") elects not to notify the state licensing authority to obtain the state licensing authority's approval or disapproval of applications for special event permits.

(b) The Town Clerk shall report to the Colorado Liquor Enforcement Division, within ten (10) days after the Authority issues a special event permit, the name of the organization to which the permit was issued, the address of the permitted location, and the permitted dates of alcohol beverage service.

(c) Upon receipt of an application for a special event permit, the Town Clerk shall, as required by C.R.S. § 12-48-107(5)(c), access information made available on the state licensing authority's web site to determine the statewide permitting activity of the organization applying for the permit. The Authority shall consider compliance with the provisions of C.R.S. § 12-48-105(3), which restricts the number of permits issued to an organization within a calendar year to fifteen (15), before approving any application.

(d) A special event permit may be issued only upon a satisfactory showing by an organization or a qualified political candidate that:

(1) Other existing facilities are not available or are inadequate for the needs of the organization or political candidate; and

(2) Existing licensed facilities are inadequate for the purposes of serving members or guests of the organization or political candidate and that additional facilities are necessary by reason of the nature of the special event being scheduled; or

(3) The organization or political candidate is temporarily occupying premises other than the regular premises of such organization or candidate during special events such as civic celebrations or county fairs and that members of the general public will be served during such special events.

(e) Each application for a special event permit shall be accompanied by an application fee in an amount equal to the maximum local licensing fee established by C.R.S. § 12-48-107(2).

Section 2. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the immediate preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Emergency; Effective Date. It is hereby declared that any emergency exists, that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety of the Town and its inhabitants, and that this Ordinance shall take effect as an emergency measure immediately upon its adoption.

INTRODUCED, READ IN FULL, FINALLY ADOPTED AND ORDERED PUBLISHED
this 6th day of June, 2012.

TOWN OF HUDSON, COLORADO

