

TOWN OF MINTURN, COLORADO

ORDINANCE NO. 9 SERIES 2012
AN ORDINANCE AMENDING CHAPTER 6 OF THE MINTURN MUNICIPAL CODE BY
ADOPTING PROVISIONS FOR THE REGULATIONS OF SPECIAL EVENTS.

NOW THEREFORE, THE TOWN OF MINTURN ORDAINS:

Section 1. That Chapter 6 of the Code of the Town of Minturn, Colorado concerning business is hereby amended by the addition of a new section three, concerning requirements for special events within the Town of Minturn, which shall read in its entirety as follows:

6-3-1. Short Title

This chapter shall be known and may be cited as the Town of Minturn Special Events Ordinance.

6-3-2. Purpose and Authority

This ordinance is adopted to promote the public health, safety, welfare and convenience of the inhabitants of Minturn by regulating special events within the Town of Minturn. By requiring a permit for each event, proper coordination of public services is ensured and overburdening of local infrastructure is prevented. The permitting process established by this chapter is intended to be content neutral and not subject matter based. This chapter is intended merely to establish a nondiscriminatory mechanism by which the Town can control, through appropriate regulation, the holding of special events. This ordinance is adopted pursuant to authority granted to the Town by its Charter.

6-4-3 Findings:

The Town council hereby finds and determines as follows:

A. The Town of Minturn is authorized to regulate businesses operating within the Town pursuant to chapter 6 of the Minturn Town charter and section 31-15-501, Colorado Revised Statutes.

B. Special events, as defined in this chapter, contribute to the individual, social, economic and environmental health and well-being of the community.

C. Special events, however, create special regulatory problems including, but not limited to, the need for crowd control, sanitation, security, traffic management, and parking.

D. The Town's current requirements fail to provide clear guidelines for the approval or denial of permission to hold a special event.

E. In enacting this chapter the Town Council is exercising its power as granted by the Town's charter, and the constitution and statutes of the state of Colorado, as well as its power to license and regulate business activities.

6-4-4. Definitions.

As used in this article:

Applicant means a person who has submitted an application for permit pursuant to this chapter.

Building has the meaning provided in Section 16-2-20 of this code.

Town Sponsored Event – means that the Town, solely or in partnership with another entity, produces and/or coordinates the event, after determining that the event either:

- 1) Provides a local commemoration of a national holiday.
- 2) Provides cultural or recreational experiences to Town residents that are not otherwise routinely available in the community.
- 3) Significantly enhances tourism or other forms of economic development.

Commercial Special Event means any special event organized and conducted by any person or organization holding a business license and that does not qualify as a tax-exempt nonprofit organization.

Day means a calendar day, unless otherwise indicated.

Demonstration means any formation, procession or assembly of persons which, for the purpose of expressive activity, is:

- 1) To assemble or travel in unison on any street in a manner that does not comply with normal or usual traffic regulations or controls; or
- 2) To gather at a public park or other public area.

Event Organizer means any event promoter, person who conducts, manages, promotes or organizes a commercial or noncommercial nonprofit special event.

Expressive activity includes conduct, the sole or principal object of which is the expression, dissemination or communication by verbal, visual, literary or auditory means of opinion, views or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. It includes public oratory and distribution of literature, and picketing.

Facility use permit means a permit issued under the authority of the manager for temporary or reserved use or occupation of a public facility or an area of public land, for a defined period of time and said use does not impact Town resources, due to the anticipated congregation of people in such numbers or in such location as identified.

Festival means a thematic, organized, site-specific celebration, performance, exhibition or competition occurring upon public or private property, or a combination of private and public property, as a result of a private nongovernmental event organizer, during which commerce may occur, for a defined period of time, advertised and promoted outside the Town, that will, in the determination of the Town, have an impact on Town resources, due to the anticipated

congregation of people in such numbers or in such location as identified by the sponsor or promoter as the venue. See also "Legislative Festival".

Goods means wares, personal property, merchandise or any other similar item or object that is generally sold.

Gross Revenues means the sum of all revenues received by an event organizer for a special event, including, but not limited to, cash receipts, licensing, sponsorship, television, advertising and similar revenues, and concessions.

Internal security means the deployment of privately contracted qualified human resources in sufficient number, as determined by the police department, to ensure the comfort and safety of movement of participants in a special event.

Noncommercial nonprofit special event means any special event organized and conducted by a person or entity that qualifies as a tax-exempt nonprofit organization.

Parade means any march, race, presentation, ceremony, pageant or procession of any persons and conveyances of any sort moving upon any public street or sidewalk of the Town, which does not comply with normal traffic regulations.

Permittee means the one to whom a permit is given.

Rallies, automobile or motorcycle means an outdoor gathering of riders, drivers and enthusiasts scheduled and sponsored by specific clubs, associations, event planners and/or organizers, event promoters, vendors, dealers or vendor permit sellers for the purpose of retail sales to attendees, who expect and are provided a variety of vending opportunities and entertainment events by those who profit from the gathering. The term special event is not used to denote the perceived quality of the event, or to imply that one entity is necessarily in charge of organizing or managing the event but is used to describe these types of activities because of their known shared characteristics of widespread promotion by event promoters seeking profit, with a location identified as the place of gathering or rally, with a published or publicly known time of occurrence, either sporadic, cyclical or scheduled. The resulting traffic congestion and noise can be attributed to event promotion or staging, or lack of planning or control by event promoters or organizers. Planned or unplanned special events can dramatically impact overall travel safety, vehicular and pedestrian mobility, and travel time reliability for visitors and residents alike.

Sidewalk means that portion of a highway, other than the roadway, set apart by curbs, barriers, markings or other delineation for pedestrian travel.

Signage means any sign, pennant, flag, banner, inflatable display, or other attention-seeking device, including but not limited to:

- a. Temporary Site Specific Signage – Printed signs and/or banners bearing the name of a specific special event intended to identify the location of that event.

- b. Temporary Welcome Signage – Printed signs and/or banners bearing the name of the specific business or entity and a welcome statement referencing the event participants and spectators.

Special Event means

A planned occurrence which includes an expected gathering of fifty (50) or more people: a) the primary purpose of which is entertainment; and b) to which the public or a substantial portion thereof is invited to attend, either by express invitation or by implication.

Special Event Permit means a permit issued under this chapter.

Special Event Venue means that defined area identified on a submitted site plan approved by Town Council for which a special event permit has been issued.

Street means a public right-of-way, or way or place of whatever nature, publicly maintained and open to use of the public for purposes of vehicular or pedestrian travel. Street includes highways, alleyways, sidewalks and any other public area that accommodates vehicular or pedestrian traffic.

Tax-exempt nonprofit organization means an organization that is exempted from payment of income taxes by federal or state law and which has been in existence for a minimum of six months preceding the date of application for a special event permit or other permit. This shall include charities, 501(c)(3)s, civic groups, fraternal organizations, school districts, and mutual benevolent aid societies. Appropriate official documentary proof may be required.

Vendor means any person who sells or offers to sell, any goods, food, or beverages within a special event venue, including the event organizer or any person who contracts with the event organizer for space within the special event venue in order to vend goods.

6-4-5. Permit Requirement

No person shall stage, hold, present, or conduct a special event within the Town without a valid permit issued in accordance with this chapter

6-3-6. Application

- A.) A person seeking to obtain a permit shall file an application with the Town. The form of the application shall be provided by the Town.
- B.) An application for a special event permit shall be filed with the Town Administrator or designee not less than thirty (45) days nor more than three hundred sixty five (365) days before the special event is proposed to begin. The Town may waive the minimum forty five (45) day filing period and accept an application filed within a shorter time period if, after due consideration of the date, time, place, and nature of the special event, the anticipated number of participants, and the town services required in connection with the special event, the Town determines that sufficient time exists for the proper investigation and review of the application; that the waiver will not present a hazard to public health,

safety or welfare; and that the waiver will not create a substantial burden on the town's staff or financial resources.

C.) Application for a special events permit shall include:

- 1) The applicant's name, mailing address, email and telephone number.
- 2) The name, title (if any), address, email and telephone number of the contact person for the applicant with respect to the special event.
- 3) A description of the special event, including a description of the purpose, scope, and activities planned during the event.
- 4) The proposed date(s) of the special event.
- 5) The proposed location of the special event.
- 6) The proposed hours of operation of the special event.
- 7) The dates and times when the special event facilities will be set up and torn down.
- 8) If the special event will involve the use of any Town street(s), trail(s), park(s), land(s), building(s), parking lot(s) or right(s) of way, a statement as to the portion(s) of the Town street(s), trail(s), park(s), land(s), building(s), parking lot(s) or right(s) of way which will be used or occupied in connection with the special event.
- 9) A statement of the fees, if any, to be charged to participants at the special event.
- 10) A list of food and/or beverages, including alcoholic beverages that will be served at the special event.
- 11) A statement of whether goods and merchandise will be sold at the special event.
- 12) An event map including pedestrian flow, emergency access, trash receptacles, temporary structures, sign placement, parking areas and activity areas.
- 13) Proof of the applicant's tax exempt status, if applicable.
- 14) First time special events shall provide evidence indicating the extent of neighborhood and business support for the holding of the special event.

- 15) A description and location of any recording equipment, tents, or other structures, sound amplification equipment, banners, signs, or other attention getting devices proposed to be used in connection with the special event.
- 16) A plan for providing adequate safety for spectators and workers at the special event.
- 17) A plan for providing adequate sanitation at the special event, including "event greening" and recycling plans.
- 18) The approximate number of staff, vendors, and entertainers reasonably anticipated to participate in putting on the special event (excluding spectators).
- 19) A good faith estimate of the approximate number of spectators expected to attend the special event each day.
- 20) The number of security personnel to be hired for the special event, if any.
- 21) A designation of any public facilities or equipment to be utilized.
- 22) A complete list of the names, addresses, and telephone numbers of all vendors who will participate in the special event.
- 23) Any additional information that the Town Administrator or designee reasonably determines to be necessary in connection with the investigation and review of the application.

6-3-7. Investigation of Application

A. Upon receipt of a properly completed application, together with all information required in connection therewith, and the payment of the application fee as required by section 6-4-10 of this chapter, the Town Administrator or designee shall transmit copies of the application to:

1. The Planning department;
2. The Police department;
3. The Town Clerk;
4. The Public Works department;
5. The Eagle River Fire Protection District; and

6. Any other person or agency which the Town Administrator or designee determines should properly investigate and comment upon the application.

B. Within thirty (30) days of receipt of a completed application those Town departments and other referral agencies described in subsection A of this section shall provide the Town Manager or designee with comments concerning the application. If an application is accepted by the Town Administrator or designee less than forty five (45) days before the proposed special event is to be held, the town departments and other referral agencies shall use their best efforts to provide the Town Administrator or designee with their comments in a timely manner so that the Town Administrator or designee will have the comments before making a decision on the application.

6-3-8. Standards for Issuance of Permit:

A. The Town Administrator or designee shall issue a permit when, from a consideration of the application and from such other information as may otherwise be obtained, the Town Administrator or designee determines that:

1. The application (including any required attachments and submissions) is complete and signed by the applicant;
2. The applicant has paid the application fee and any other fees required by section 6-4-10 of this chapter;
3. The application does not contain a material falsehood or misrepresentation;
4. The application complies with all of the requirements of this chapter;
5. The applicant is legally competent to contract under Colorado law;
6. The applicant or the person on whose behalf the application is made has not previously damaged Town property and failed to pay in full for such damage, and the applicant does not have other outstanding and unpaid debts to the Town;
7. The proposed special event will not conflict with:
 - a. A special event for which a permit has previously been issued;
 - b. A proposed special event the application for which was received by the Town Administrator or designee prior to the time of the submission of the applicant's application;
 - c. A Town sponsored event;
 - d. An annual special event which is reasonably expected to be held again, but for which an application has yet to be submitted; or

e. An event protected by the first amendment to the United States constitution or by the Colorado constitution which due to its anticipated size, location, hours of operation, or other relevant factors, is reasonably expected to require such town services or personnel as to make the holding of the special event for which the application was submitted a potential risk to the public health, safety or welfare;

8. The holding of the proposed special event will not cause significant disruption in the ability of the Town to deliver or provide essential governmental services;

9. Adequate sanitation and other required health facilities are or will be made available at or sufficiently near to the proposed special event area(s);

10. Sufficient parking is available near the site of the proposed special event to accommodate the number of vehicles reasonably expected for the event, or an acceptable transportation and parking plan to provide adequate parking for the proposed special event has been submitted and approved by the Town Administrator or designee;

11. The proposed special event will not pose a danger to the public health, safety or welfare;

12. The proposed special event will positively impact the town culturally, economically, environmentally or socially.

6-3-9. Approval Conditions

When issuing a permit under this ordinance, the Town Administrator or designee may attach such reasonable conditions as they may deem appropriate to mitigate or eliminate any impacts reviewable under the Standards of Issuance as set forth above. Such conditions may include but are not limited to:

A.) Establishing specific hours for the proposed use;

B.) Establishing noise limits;

C.) Requiring the provision of traffic control personnel at no cost to the Town;

D.) Requiring the provision of crowd control and medical personnel at no cost to the Town;

E.) Requiring the provision of firefighting equipment and personnel at no cost to the Town;

F.) Requiring liability insurance in the minimum amount of \$1,000,000. Such insurance shall remain in full force throughout the entirety of the special event for which the permit is issued. The Town shall be named as an additional insured under such insurance policy

G.) Requiring that trash, litter and recyclables on public streets attributable to the proposed activity be collected and removed within twenty-four (24) hours of event finish, at no cost to the Town;

H.) Prohibiting the sale of admission or seating tickets in excess of the established capacity of the event area.

6-3-10. Application Fee

A. An applicant shall pay to the Town a nonrefundable application fee when the application is filed. The purpose of the fee is to cover the administrative costs of processing the application. The amount of the application fee shall be \$100.00 and set by the Town Council as part of its annual budget process. The application fee shall be doubled for applications received by the Town Administrator or designee forty four (44) days or less prior to the proposed special event.

B. Application fees may be waived at the discretion of the Town Administrator or designee for non-profit, religious or school district organizations.

C. If the application includes a request to use any Town property or any Town service in connection with the special event, then before the permit is issued the applicant shall pay to the Town any necessary charges, fees, or deposits required by the Town in connection with the use of the requested Town property or the provision of the requested Town service.

6-3-11. Exemptions

The requirements of this chapter shall not apply to:

A.) A special event held by the Town.

B.) An event protected by either the first amendment to the United States constitution or by the Colorado constitution; provided, however, that a person staging, holding, presenting, or conducting such an event shall submit an application and obtain a permit pursuant to this chapter, but there shall be no fee required and the deadline for submission of an application as provided in subsection 6-4-6B of this chapter does not apply to such an application. The Town Administrator or designee may also modify any other requirement of this chapter with respect to such an application if necessary to comply with applicable law.

6-3-12. Applicability of other Laws and Ordinances

A.) The permit required under this ordinance shall not replace or eliminate any requirement to obtain approval under any other applicable laws or ordinances.

B.) A permit issued under this chapter is not a special events liquor license. If alcoholic beverages are to be served at the special event, the permittee must obtain the required permit or approval from the Town Clerk or the Town of Minturn liquor licensing authority.

6-3-13. Denial of Permit

A. The Town Administrator or designee shall deny an application for a special event permit if the Town Administrator or designee determines that:

1. The application conflicts with another event as described in subsection 6-4-8 of this chapter;
2. Information contained in the application, or supplemental information requested from the applicant, is found to be false in any material respect;
3. The application fails to meet any of the standards set forth in section 6-3-8 of this chapter;
4. The time, route, or size of the event will substantially interrupt the safe and orderly movement of traffic on or contiguous to the event site or route or will disrupt the use of a street or highway at a time when it is usually subject to heavy traffic congestion;
5. The location of the event will substantially interfere with any construction or maintenance work scheduled to take place upon or along the town streets or property;
6. The applicant has failed to pay costs, fees, or deposits for a previous special event permit within the preceding five (5) years; or the applicant has failed to pay the Town for damages arising from a previous special event held by the applicant, regardless of when such event was held; or
7. The applicant has failed to abide by the requirements or conditions of previous special event permits within the preceding five (5) years.

6-3-14: Nondiscrimination; Content Neutrality:

The Town Administrator or designee shall uniformly consider each application for a permit upon its merits, and shall not discriminate in granting or denying a permit under this chapter based upon race, creed, color, religion, national origin, ancestry, sex, age, veteran status, sexual orientation, or physical or mental disability. Further, the Town Administrator or designee shall be content neutral in reviewing an application, and shall not consider the subject matter of any type of speech proposed as part of the application.

6-3-15: Decision by Town Administrator:

A. The Town Administrator or designee shall approve, deny or conditionally approve an application within thirty (30) days of the receipt of the completed application unless, by written notice to the applicant, the decision period is extended for an additional ten (10) days; provided, however, that in any event the Town Administrator or designee shall render a decision on an application not less than forty eight (48) hours prior to the scheduled commencement of the special event which is the subject of the application.

B. If an application is denied; the Town Administrator or designee shall clearly set forth in writing the grounds for denial and, where feasible, shall propose measures to cure the defects that lead to the denial of the application. When the basis for denial is the prior receipt of a competing application for the same time and place, the Town Administrator or designee shall suggest an alternative time or place for the special event which is the subject of the application which was denied.

C. In the event an application is conditionally approved, the Town Administrator or designee shall clearly set forth in writing the conditions of approval.

6-3-16: Notice of Decision:

The Town Administrator or designee shall notify the applicant of the Town Administrator or designee's decision on the application within three (3) business days of rendering the decision. Notice shall be given by mailing a copy of the Town Administrator or designee's decision to the applicant by regular mail, postage prepaid, at the address shown in the application. Notice is deemed to have been properly given upon mailing.

6-3-17: Appeal of Denial or Conditional Approval of Permit:

- A. An applicant has the right to appeal the Town Administrator's denial or conditional approval of an application to the Town Council.
- B. The applicant's written notice of appeal shall be filed with the Town Administrator within ten days after the date of mailing of the Town Administrator's decision on the application.
- C. The applicant shall be provided with not less than ten days' prior written notice of the appeal hearing to be held by the Town Council.
- D. The burden of proof in an appeal filed under this section shall be on the applicant.
- E. Any decision made by the Town Council pursuant to this section shall be a final decision and may be appealed to the district court pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure. The applicant's failure to timely appeal the decision is a waiver the applicant's right to contest the denial or conditional approval of the application.

6-3-18: Contents of Permit:

A permit shall contain the following information:

- A. The name of the permittee;
- B. The location of the special event to be held pursuant to the permit;
- C. The date(s) of the special event to be held pursuant to the permit, including the dates and times for the setup and tear down of the event;
- D. The starting and ending times the special event is to be held pursuant to the permit;
- E. The name and telephone number of the permittee's local contact person for the special event;
- F. A requirement that the permittee provide proof of insurance pursuant to section 6- of this chapter;
- G. An advisement to the permittee of the permittee's duties under section 6-4-22 of this chapter;
- H. An acknowledgment by the permittee that the permit may be summarily suspended by the Town Administrator or designee in accordance with subsection 6-4-24(E) of this chapter;
- I. Any special conditions of approval imposed upon the permit by the Town Administrator or designee pursuant to section 6-4-9 of this chapter;
- J. A list of all vendors who will participate in the special event; and such other information related to the special event as the Town Administrator or designee shall determine to be necessary or appropriate for inclusion in the permit.
- K. A permit must be signed by both the applicant and the Town Administrator or designee to be valid.

6-3-19: Permit not Transferrable:

A permit is nontransferable and non-assignable. Any attempt to transfer or assign such permit voids the permit

6-3-20: Notice of Issuance of Permit:

Immediately upon the issuance of a permit, the Town Administrator or designee shall send a copy of the permit to:

- A. The Police department;

- B. The Planning department;
- C. The Town Clerk;
- D. The Public Works department;
- E. The Eagle River Fire Protection District;
- F. Any other person as determined by the Town Administrator or designee.

6-3-21: Insurance Requirement:

Each permit shall require the permittee to file with the Town Administrator or designee prior to commencement of the setup of the special event a certificate of insurance demonstrating that the permittee has in effect a policy or policies of general liability insurance covering the special event with minimum combined single limits of not less than one million dollars (\$1,000,000.00). Such insurance shall remain in full force throughout the entirety of the special event for which the permit is issued. The Town shall be named as an additional insured under such insurance policy.

6-3-22: Duties of Permittee:

In connection with the holding of the event for which a permit is issued, a permittee shall:

- A. Comply with all of the terms and conditions of the permit;
- B. Comply with all applicable town ordinances and state and federal laws; and
- C. Permit inspection of its records and special event facilities by the Town Administrator or designee for the purpose of determining the permittee's compliance with the terms and conditions of the permit.

6-3-23: Posting of Permit:

A permit shall be continuously posted in a conspicuous location at the site of the special event throughout the duration of the special event.

6-3-24: Suspension or Revocation of Permit:

- A. A permit issued pursuant to this chapter may be suspended or revoked by the Town Administrator or designee after hearing for the following reasons:
 - 1. Fraud, misrepresentation or a false statement of material fact contained in the permit application;

2. A violation of any town, state, or federal law or regulation;
3. A violation of any of the terms and conditions of the permit;
4. A violation of any of the provisions of this chapter;
5. Threatening weather conditions if the Town Administrator or designee determines that holding the special event under such conditions would either: a) pose a threat to the public health, safety or welfare, or b) pose a threat to any Town owned property to be used in connection with this special event;
6. The existence of fire or drought conditions if the Town Administrator or designee determines that holding the special event under such conditions would pose a threat to the public health, safety or welfare;
7. Any unforeseen, unanticipated, or uncontrollable circumstance if the Town Administrator or designee determines that holding the special event under such circumstance would pose a threat to the public health, safety or welfare; or
8. An irreconcilable scheduling conflict with an event protected by either the first amendment to the United States constitution or by the Colorado constitution.

B. In connection with the suspension of a permit, the Town Administrator or designee may impose reasonable conditions.

C. In deciding whether a permit should be suspended or revoked, and in deciding what conditions to impose in the event of a suspension, if any, the Town Administrator or designee shall consider:

1. The nature and seriousness of the violation;
2. Corrective action, if any, taken by the permittee;
3. Prior violation(s), if any, by the permittee;
4. The likelihood of recurrence;
5. All circumstances surrounding the violation;
6. Whether the violation was willful;
7. The number of previous special events held by the permittee;
8. The number of previous violations by the permittee; and
9. Previous sanctions, if any, imposed against the permittee.

D. The Town Administrator or designee shall have the authority to summarily suspend a permit during a special event if it appears to the Town Administrator or designee that a permittee has violated one or more of the terms and conditions of a permit or any applicable law and, based upon the available information, the Town Administrator or designee, reasonably determines that such violation results in an immediate threat to the public health, safety and welfare. No appeal is allowed from a summary suspension of a permit issued by the Town Administrator or designee pursuant to this subsection.

E. If the Town Administrator or designee suspends a permit, except for a summary suspension pursuant to subsection D of this section, or revokes a permit, the permittee may appeal the suspension or revocation to the Town Council. The burden of proof in such an appeal is on the permittee. If the Town Council finds by a preponderance of the evidence that the Town Administrator or designee acted correctly in suspending or revoking the permit, the Town Council shall uphold the Town Administrator or designee's order of suspension or revocation. If the Town Council finds by a preponderance of the evidence that the Town Administrator or designee acted improperly in suspending or revoking the permit, the appeal shall be sustained, and the Town Administrator or designee's order of suspension or revocation shall be set aside. Any decision made by the Town Council pursuant to this section shall be a final decision and may be appealed to the district court pursuant to rule 106(a)(4) of the Colorado rules of civil procedure. The applicant's failure to timely appeal the decision is a waiver of the applicant's right to contest the denial or conditional approval of the application.

F. No fee previously paid by a permittee in connection with the application shall be refunded if such permit is suspended or revoked.

6-3-25: Penalties, Injunctive Relief:

A. It is a misdemeanor offense for any person to violate any provision of this chapter. Any person convicted of having violated any provision of this chapter shall be punished as set forth in title 1, chapter 4 of this code.

B. The staging, holding, presenting, or conducting of a special event without a valid permit issued pursuant to this chapter may be enjoined by the town in an action brought in a court of competent jurisdiction

C. Any remedies provided for herein shall be cumulative and not exclusive, and shall be in addition to any other remedies provided by law or in equity.

6-3-26: RULES AND REGULATIONS:

The Town Administrator or designee shall have the authority from time to time to adopt, amend, alter, and repeal administrative rules and regulations as may be necessary for the proper administration of this chapter.

6-3-27: Penalties; Injunctive Relief:

SECTION 1. The staging, holding, presenting, or conducting of a special event without a valid permit issued pursuant to this chapter may be enjoined by the town in an action brought in a court of competent jurisdiction

SECTION 2. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

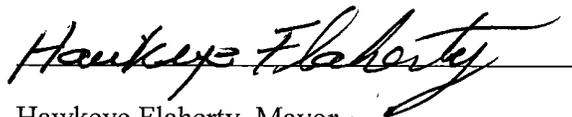
SECTION 3. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper for the health, safety and welfare of the Town of Minturn and the inhabitants thereof.

SECTION 4. The repeal or the repeal and reenactment of any provisions of the Minturn Municipal Code as provided in this ordinance shall not affect any right with has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision repealed or repealed and reenacted. The repeal of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

SECTION 5. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 16th DAY OF MAY, 2012. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 6th DAY OF JUNE, 2012 AT 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO



Hawkeye Flaherty, Mayor

ATTEST:

By: 
Jay Brunvand, Town Clerk



**THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED
ON SECOND READING THIS 6th DAY OF JUNE, 2012.**


~~Hawkeye Flaherty, Mayor~~ *Pro Tem Brad M*

ATTEST:


Jay Brunvand, Town Clerk



Thu, May 17, 2012
7919528

13:28:00

Ad Ticket #5

Acct: 1032852
Phone: (970)827-5645
E-Mail: MANAGER@MINTURN.OR
Client:
Caller: Jay
Receipt

Name: Town of Minturn
Address: P.O. Box 309

City: MINTURN
State: CO
Zip: 81645

Ad Name: 7919528A
Editions: 8VDI/8VD/
Start: 05/18/12
Color:
Copyline: 7919528 Ordinance No. 9-2012

Original Id: 0
Class: 0990
Stop: 05/18/12
Issue 1
Rep: Pam Schultz

TOWN OF MINTURN, COLORADO

ORDINANCE NO. 9 SERIES 2012

AN ORDINANCE AMENDING CHAPTER 6 OF THE MINTURN MUNICIPAL CODE BY ADOPTING PROVISIONS FOR THE REGULATIONS OF SPECIAL EVENTS.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 16th DAY OF MAY, 2012. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 6th DAY OF JUNE, 2012 AT 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO
Hawkeye Flaherty, Mayor

ATTEST:
By: Jay Brunvand, Town Clerk

Published in the Vail Daily May 18, 2012.
(7919528)

Ad shown is not actual print size

| | |
|--------------|--------------|
| Lines: | 35 |
| Depth: | 2.94 |
| Columns: | 1 |
| Discount: | 0.00 |
| Commission: | 0.00 |
| Net: | 0.00 |
| Tax: | 0.00 |
| Total | 33.25 |
| Payment | 0.00 |

Mon, Jun 11, 2012
8014911

10:53:04

Ad Ticket #5

Acct: 1032852
Phone: (970)827-5645
E-Mail: MANAGER@MINTURN.OR
Client:
Caller: Jay
Receipt

Name: Town of Minturn
Address: P.O. Box 309

City: MINTURN
State: CO
Zip: 81645

Ad Name: 8014911A

Original Id: 0

Editions: 8VD/8VDI/

Class: 0990

Start: 06/15/12

Stop: 06/15/12

Color:

Issue 1

Copypine: 8014911 Ordinance No. 9 -2012

Rep: Pam Schultz

TOWN OF MINTURN, COLORADO

ORDINANCE NO. 9 SERIES 2012
AN ORDINANCE AMENDING CHAPTER 6 OF
THE MINTURN MUNICIPAL CODE BY ADOPT-
ING PROVISIONS FOR THE REGULATIONS OF
SPECIAL EVENTS.

NOW THEREFORE, THE TOWN OF MINTURN
ORDAINS:

THE TOWN OF MINTURN, COLORADO, OR-
DAINS THIS ORDINANCE ENACTED ON SEC-
OND READING AND ORDERED PUBLISHED IN
FULL ON THE OFFICIAL TOWN WEB SITE THIS
6th DAY OF June, 2012.

TOWN OF MINTURN, COLORADO

Hawkeye Flaherty, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

Published in the Vail Daily June 15, 2012.
(8014911)

Ad shown is not actual print size

| | |
|--------------|--------------|
| Lines: | 27 |
| Depth: | 2.26 |
| Columns: | 1 |
| Discount: | 0.00 |
| Commission: | 0.00 |
| Net: | 0.00 |
| Tax: | 0.00 |
| Total | 25.65 |
| Payment | 0.00 |