

TOWN OF SUPERIOR
ORDINANCE NO. O-2
SERIES 2019

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR AMENDING CHAPTER 6, ARTICLE II, OF THE SUPERIOR MUNICIPAL CODE REGARDING ALCOHOLIC BEVERAGES AND THE ISSUANCE OF TEMPORARY AND SPECIAL EVENT PERMITS

WHEREAS, upon reviewing Chapter 6, Article II, of the Superior Municipal Code, related to alcoholic beverages, the Board of Trustees wishes to revise provisions related to issuance of temporary permits and special event permits.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. Section 6-2-90 of the Superior Municipal Code is hereby amended as follows:

Sec. 6-2-90. Temporary permits.

a) If an application for transfer of a liquor license has been submitted to the Town, the ~~Authority~~ *Town Clerk* may issue a temporary permit to the proposed transferee during the period in which the application to transfer the ownership of the license is pending. Such a temporary permit will authorize the transferee to continue selling such alcohol beverages as permitted under the permanent license. For purposes of this Section, the permanent license is the license which is the subject of the application for transfer. *The Town Clerk may issue a A temporary permit* ~~may be issued~~ subject to compliance with all of the following conditions:

* * *

~~(b) If the permanent license has not been revoked, suspended or fined in the twelve (12) months prior to the application for transfer of the liquor license, the temporary permit may be issued by the Town Clerk in accordance with the provisions of this Section.~~

~~(e) The temporary permit may be canceled, revoked or summarily suspended if the Authority determines that there is probable cause to believe that the transferee has violated any provisions of this Code, the Colorado Liquor Code or any rule promulgated thereunder.~~

Section 2. Section 6-2-100 of the Superior Municipal Code is hereby amended as follows:

Sec. 6-2-100. Special event permits.

(a) Pursuant to C.R.S. § 44-5-107(5)(a), the Board of Trustees, acting as 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~~ Town 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. § 44-5-107(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~~ Town Clerk shall consider compliance with the provisions of C.R.S. § 44-5-103(3), which restricts the number of permits issued to an organization within a calendar year to fifteen (15), before approving any application.

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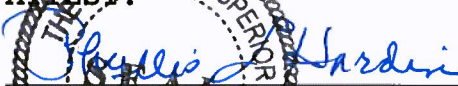
Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or part or parts be declared unconstitutional or invalid.

Section 4. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 14th day of January, 2019.



Clint Folsom, Mayor

ATTEST:


Phyllis L. Hardin, Town Clerk-Treasurer

