

TOWN OF SUPERIOR  
ORDINANCE NO. O-6  
SERIES 2020

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR TEMPORARILY WAIVING THE REQUIREMENT FOR A BANNER PERMIT AND THE LIMITATION ON BANNERS, WAIVING BUILDING PERMIT FEES FOR TEMPORARY OUTDOOR PATIOS FOR RESTAURANTS, AND AUTHORIZING THE TOWN CLERK TO APPROVE TEMPORARY MODIFICATIONS OF LIQUOR-LICENSED PREMISES FOR TEMPORARY OUTDOOR PATIOS FOR RESTAURANTS

WHEREAS, on March 15, 2020, Mayor Clint Folsom declared a disaster emergency in and for the Town of Superior, Colorado, pursuant to the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.* (the "Act");

WHEREAS, on May 11, 2020, the Board of Trustees extended the declaration indefinitely; and

WHEREAS, the emergency conditions caused by the COVID-19 pandemic, as defined by C.R.S. § 24-33.5-702, persist and require additional and sustained action by the Town.

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

Section 1. Through October 31, 2020, no permit shall be required for a banner that otherwise complies with Section 16-19-70 of the Superior Municipal Code, and banners may be displayed for up to 150 consecutive days, instead of 30 consecutive days.

Section 2. Through October 31, 2020, any applicable building permit fees associated with the temporary expansion of outdoor patio areas for restaurants are hereby waived.

Section 3. Through October 31, 2020, the Town Clerk is authorized to administratively review and approve applications for temporary modifications of liquor-licensed premises in accordance with Colorado Liquor Regulation 47-302 to accommodate temporary outdoor patios for restaurants.

Section 4. 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 5.        Safety.        This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 6.        Emergency Declaration.        Pursuant to C.R.S. § 31-16-105, the Board of Trustees hereby finds and declares that this Ordinance is necessary for the immediate preservation of the public health, safety and welfare, to ameliorate the negative effects of the COVID-19 pandemic on restaurants and other businesses in the Town.

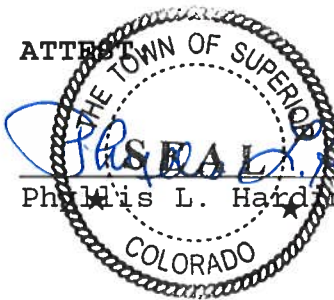
Section 7.        Effective Date.        This Ordinance shall take effect immediately upon adoption.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 26<sup>th</sup> day of May, 2020.

*Clint Folsom*

Clint Folsom, Mayor

ATTEST



*Phyllis L. Hardin*  
Phyllis L. Hardin, Town Clerk-Treasurer