

CITY OF EDGEWATER
ORDINANCE NO. 2023-03
SERIES OF 2023

AN ORDINANCE AMENDING CHAPTER 6 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING BUSINESS LICENSES AND REGULATIONS, BY AMENDING SECTION 6-10-30, CONCERNING APPLICATIONS FOR SPECIAL EVENT PERMITS.

WHEREAS, Article 10 of Chapter 6 of the Edgewater Municipal Code (the “Code”) regulates the issuance of permits for the conduct of special events that occur on property owned or controlled by the City; and

WHEREAS, as a result of the increasing frequency of applications for special event permits for large events, the City Council, at its work session meeting of February 7, 2023, reviewed the Code provisions that relate to the timing of applications for special event permits; and

WHEREAS, as a result of that review, the City Council finds that Subsection 6-10-30(a) of the Code should be amended as set forth herein in order to allow both the City and special event permit applicants to better plan for those events, both generally, and as they may present conflicts with other planned or requested special events, or events planned by the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWATER, COLORADO, THAT:

Section 1. Subsection 6-10-30(a) of the Edgewater Municipal Code (“Code”), concerning application and licensee responsibilities for special event permits, is hereby amended to read as follows:

Sec. 6-10-30. - Application and licensee responsibilities.

(a) Application for a special event permit shall be made to the City Clerk on forms supplied by the City Clerk and shall provide such information as may be reasonably required by the City Clerk.

(1) Except as set forth in subsection (3), ~~the~~ application shall be submitted not less than ~~twenty six~~ sixty (60) ~~business~~ days nor more than one (1) year before the event date.

(2) An applicant desiring to obtain a special event permit for a block party may request from the City Clerk an exemption from the time limitations set forth in Paragraph (1) above. The City Clerk shall base ~~his or her~~ the determination of whether to grant the requested exemption on a good-faith estimate of the amount of time required to process the special event permit application.

(3) Any application for a special event permit for a large event shall be made between January 1 and February 28 of each year for events to occur during the subsequent 12-month period. For purposes of this subsection, a “large” event shall consist of any event that will occur for more than one calendar day, whether or not those days are consecutive. Any application for a large event shall be made not less than sixty (60) days prior to the date proposed for the event.

(4) Notwithstanding the provisions of this section, the City Council may waive the time limitations set forth herein for special event applications for extraordinary events that could not have reasonably been anticipated during the application period otherwise required.

Section 2. Notwithstanding any provision of this Ordinance, or of the Code, or of the Fee Schedule that is adopted by the City Council from time to time, for large events that are requested to occur during 2023, or January or February of 2024, the application period shall be from March 1 to March 31, 2023, and no application fee shall be charged for any large event permit application made during that period.

Section 3. Severability. If any 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 City Council hereby declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4. Safety Clause. The City Council hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare, and that this ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 5. Effective Date. This ordinance shall become effective in accordance with the Home Rule Charter of the City of Edgewater.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED PUBLISHED this 21st day of February, 2023.

John Beltrone
John Beltrone, Mayor

ATTEST:

L Pedroza

Lenore Pedroza, CMC
City Clerk

PASSED AND ADOPTED ON SECOND READING AND ORDERED PUBLISHED
this 7th day of March, 2023.

John Beltrone

John Beltrone, Mayor

ATTEST:

L Pedroza

Lenore Pedroza, CMC
City Clerk

APPROVED AS TO FORM:

Thad Renaud

Thad Renaud, City Attorney