

**TOWN OF SILT
ORDINANCE NO. 14
SERIES OF 2020**

**AN EMERGENCY ORDINANCE AMENDING SECTION 9.08.010 TO
ALLOW CONSUMPTION OF ALCOHOLIC BEVERAGES IN
DESIGNATED PUBLIC PLACES**

WHEREAS, the Governor of the State of Colorado declared a statewide emergency regarding the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from the COVID-19 pandemic on March 10, 2020; and

WHEREAS, Garfield County and the Town of Silt ("Silt" or the "Town") declared a state of emergency for their respective jurisdictions; and

WHEREAS, the Town is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Silt Home Rule Charter (the "Charter"); and

WHEREAS, Section 1-12(a) of the Town's Home Rule Charter grants authority to the Board of Trustees to enact emergency ordinances in the event of an emergency that requires an immediate action for the preservation of the public peace, health, and safety by the affirmative vote of every member of the Board present or by affirmative votes equal to a quorum plus 1, whichever is less; and

WHEREAS, the Colorado Department of Revenue has adopted Emergency Regulation 47-302(F) to allow establishments with on-premises liquor licenses to expand their licensed premises into public areas including sidewalks, streets and parking lots to increase social distancing measures while being able to operate a productive and economically sustainable business; and

WHEREAS, to stimulate the recovery of businesses in the Town impacted by the COVID-19 pandemic while maintaining social distancing measures, the Board of Trustees desires to amend the Municipal Code to allow for consumption of alcohol beverages in designated public places in the Town.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF SILT, COLORADO, THE FOLLOWING:**

Section 1. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Town Board of the Town of Silt.

Section 2. Section 9.08.010 is hereby amended by the addition of the following paragraph C:

9.08.010 – Open containers

C. Notwithstanding the prohibition above, alcoholic beverages, including, but not limited to, fermented malt beverage, vinous, or spiritous liquor, may be consumed and possessed in an open container in any other public place in the town as designated in writing by the town administrator from time to time. The town administrator shall cause appropriate signage to be erected in such public places.

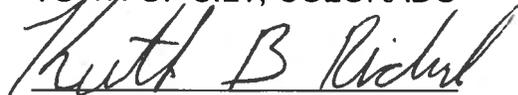
Section 3. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency

Section 4. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

Section 5. Emergency Declared; Effective Date; Expiration. Pursuant to Section 1-12 of the Town Charter, the Board finds, determines and declares that passage of this Ordinance is necessary for the immediate preservation of the public peace, health and safety by ameliorating the negative effects of the COVID-19 pandemic on establishments with on-premises liquor licenses while maintaining social distancing measures. Pursuant to Section 1-12, this Ordinance shall be effective upon adoption.

INTRODUCED, READ, PASSED, AND APPROVED ON FIRST READING this 22nd day of May, 2020.

TOWN OF SILT, COLORADO



Mayor Keith B. Richel

ATTEST:


Town Clerk Sheila M. McIntyre, CMC