

CITY OF LEADVILLE, COLORADO
Ordinance No. 8
Series of 2020

**AN ORDINANCE REENACTING A TEMPORARY SUSPENSION
OF CERTAIN SIGN CODE REQUIREMENTS AND DECLARING
AN EMERGENCY**

WHEREAS, the City Council of the City of Leadville (“City Council”) possesses the authority pursuant to C.R.S. § 31-15-401 and its general police powers to pass and enforce regulations which may be necessary or expedient for the promotion of the health, safety and welfare of the citizens of Leadville; and

WHEREAS, the City of Leadville continues to be subject to executive and public health orders issued by the State of Colorado and Lake County (“Health Orders”) related to severe acute respiratory syndrome coronavirus 2 (“COVID-19”); and

WHEREAS, the Health Orders govern and limit the operations of businesses and such restrictions and limitations change frequently due to the nature of COVID-19; and

WHEREAS, the City Council previously enacted Ordinance No. 3, Series of 2020 (“Ordinance No. 3”), which temporarily suspended until November 3, 2020 certain City sign code requirements related to temporary signs to address the impacts of the Health Orders as well as the impacts of a major highway improvement project by the Colorado Department of Transportation over the summer of 2020; and

WHEREAS, the City Council desires to continue to allow businesses to more freely advertise their business activities to attract more business and improve economic circumstances within the City to the greatest extent possible while the Health Orders remain in place; and

WHEREAS, to accomplish the foregoing goals to support local businesses and because Ordinance No. 3 has terminated, the City Council desires to reenact the suspension of certain requirements of its sign code and temporarily allow businesses within the City to use temporary signs and banners for a longer duration and in additional zone districts than the Leadville Municipal Code would normally allow.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF LEADVILLE, COLORADO, AS FOLLOWS:

Section 1. Restrictions on Temporary Signs Suspended. Temporary signs, as that term is defined in Section 17.80.100 of the Leadville Municipal Code, are hereby permitted in all zone districts while this Ordinance is in effect.

- A. Temporary signs may include banners, freestanding signs, portable signs, and any other similar signs of a temporary nature.

- B. All temporary signs must be maintained in good condition.
- C. The maximum number of such signs and any restrictions on the duration of their display and use set forth in Chapter 17.80 of the Leadville Municipal Code are hereby suspended.
- D. Any provisions that are contrary to or in conflict with the permissions set forth in this Ordinance are also suspended.
- E. If any temporary signs permitted to be displayed by this Ordinance pose or create a danger to the public safety or health, the City may, in its sole discretion, order the removal of such sign and take other enforcement actions permitted under the Leadville Municipal Code.

Section 2. Remaining provisions. Except as specified in this Ordinance, all other provisions of the Leadville Municipal Code, including the requirement for a sign permit and the other remaining provisions of Chapter 17.80, shall continue in full force and effect. This Ordinance makes no amendments to the Leadville Municipal Code and temporarily suspends the provisions specified herein only.

Section 3. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 4. Emergency. This Ordinance is necessary for the immediate preservation of the public peace, health and safety because of the severe effects of COVID-19 and the related Health Orders on the City's economy and its business community. If this Ordinance does not pass as an emergency ordinance with the required three-fourths affirmative vote of all members of City Council, but is nonetheless approved by majority vote, it shall be deemed effective as a regular ordinance with the emergency clause deemed severed from the other provisions of the Ordinance.

Section 5. Effective Date. This Ordinance shall be effective immediately upon adoption, if approved as an emergency measure. If this Ordinance is approved as a non-emergency ordinance, it shall be effective thirty (30) days following publication after final passage.

Section 6. Termination. This Ordinance shall terminate without further action by City Council on **June 1, 2021**. The City Council reserves the right to extend the duration of this Ordinance to date certain by resolution if such action is determined necessary and in the best interests of the public health and welfare by City Council.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED in full on first reading this 15th day of December, 2020 by a vote of 7 in favor and 0 against.

CITY OF LEADVILLE, COLORADO:



Greg Labbe, Mayor

ATTEST:

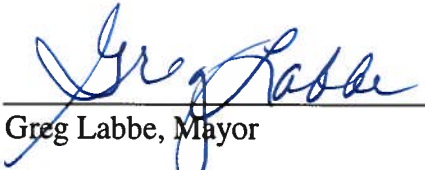


Kimberly Jackson, Deputy City Clerk

PUBLISHED in full in The Herald Democrat, a newspaper of general circulation in the City of Leadville, Colorado, on this 24th day of December, 2020.

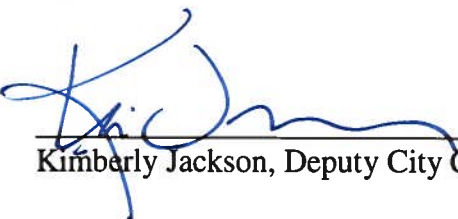
PASSED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED, with any amendments, this 19th day of January, 2021 by a vote of 7 in favor and 0 against.

CITY OF LEADVILLE, COLORADO:



Greg Labbe, Mayor

ATTEST:



Kimberly Jackson, Deputy City Clerk

PUBLISHED by title only in The Herald Democrat, a newspaper of general circulation in the City of Leadville, Colorado, following final reading on this 11th day of February, 2021.

