

CITY OF LEADVILLE, COLORADO
Ordinance 04
Series of 2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEADVILLE, COLORADO REPEALING AND RE-ENACTING CHAPTER 17.64.010 AND 17.64.030 OF THE CITY OF LEADVILLE MUNICIPAL CODE CONCERNING THE REGULATION OF TEMPORARY USE PERMITS AND OUTDOOR SALE REQUIRMENTS.

WHEREAS, the City of Leadville (the "City") is a statutory municipality incorporated and organized pursuant to the provisions of Section 31-2-101, *et seq.*, C.R.S.; and

WHEREAS, Section 29-20-104, C.R.S., grants municipalities the authority to plan for and regulate the planned and orderly use of land on the basis of the impact thereof on the community; and

WHEREAS, the City is authorized pursuant to Section 31-15-401, C.R.S., to exercise its police powers to promote and protect the health, safety, and welfare of the community and its inhabitants; and

WHEREAS, the City Council has adopted temporary use regulations codified in Chapter 17.64 of the Municipal Code ("TEMPORARY BUILDINGS AND USES"); and

WHEREAS, the Leadville Planning Commission has recommended to City Council that the Temporary Use permits and Outdoor Sale Code be modified to address Mobile Food vendor Permit Duration and Regulation; and

WHEREAS, City Council conducted a public hearing, with proper notice provided, to consider adoption of this ordinance concerning the regulation

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

SECTION 1. Section 17.64.010 of Title 17 of the Municipal Code is hereby amended to read in full as follows, with deletions shown in strikethrough and additions shown in underline:

17.64.010 Allowed when.

Temporary use permits may be issued for the following uses in the following zoning districts and for the following periods of time. No person, party or organization shall engage in such temporary uses prior to the issuance of a temporary use permit. The following uses shall be allowed in the following districts, not to exceed the following periods of time:

TABLE 4

Use	Allowed Districts	Period
A. Seasonal outdoor sales subject to the requirements of sections 17.64.020 and 17.64.030	TR, TC, RC, and C	<u>12</u> months
B. Construction office and yards. These temporary structures for office space and the storage of construction materials and equipment shall be used for the management of construction projects so long as they are not used for living	All districts	12 months

1. Type of operation:

2. The period of time for which the license was issued:

3. The designated location or locations, including specified types of public rights-of-ways, as applicable:

4. A brief description of any vehicle, cart, kiosk, table, chair, stand, box, container, or other structure or display device to be utilized by the licensee:

5. Any special terms and conditions of issuance:

6. A statement that the license is personal and is not transferable in any manner:

7. A statement that the license is valid only when used at the location or locations designated on the license:

8. A statement that the license is subject to the provisions of this Article.

H. Each licensee shall pick up and dispose of any paper, cardboard, wood, or plastic container, wrappers or any litter which is deposited within twenty-five (25) feet of the designated location or within twenty-five feet if the point of any sale or transaction made by the licensee if the radius of the designation locations exceeds twenty-five (25) feet. The license shall carry a suitable container for the placement of such litter by customers or other persons.

I. Temporary Outdoor Seasonal Cooking and Mobile Food Venders shall:

1. Vend only food and non-alcoholic beverages.