

ORDINANCE NO. 21

SERIES 2007

AN ORDINANCE AMENDING ARTICLE 5-1,  
TOWN LICENSING REQUIREMENTS AND  
ARTICLE 5-5, SPECIAL EVENT PERMITS OF  
THE TOWN CODE TO ELIMINATE  
LICENSING REQUIREMENTS FOR NON-  
PROFITS AND TO AMEND THE DEFINITION  
OF SPECIAL EVENT

**WHEREAS**, the Town of Crested Butte, Colorado (the "**Town**") is a home rule municipality duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the constitution and laws of the State of Colorado;

**WHEREAS**, Article 5-1, Town Licensing Requirements and Article 5-5, Special Event Permits, of the Crested Butte Town Code of 1986, as amended (the "**Town Code**"), contains certain requirements for the licensing of non-profit enterprises and for said non-profit enterprises to obtain a special event permit;

**WHEREAS**, the Town Council has determined that non-profit enterprises are an important part of the fabric of the community, as, among others things, they offer vital services to residents and visitors of the Town and add immeasurably to the cultural experience and vibrancy of the community;

**WHEREAS**, the Town Council has determined that it is in the best interest of the health, safety and welfare of the residents and visitors of the Town that the Town Council amend the Town Code to delete the requirements that non-profit enterprises obtain a business license and to revise the definition of special event.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,**

**Section 1. Amending Section 5-1-4.A), Compliance Required.** Delete from Subsection A) "or non-profit organization" from the third line in said Subsection.

**Section 2. Amending Section 5-1-4.B)1), Special Sales, One Act Doing Business.** Delete from Subsection B)1) "or engaging in non-profit enterprise" from the fourth line in said Subsection.

**Section 3. Deleting Section 5-1-4.B)6), Special Sales, Special Permits For Non-Profit Enterprise.** Delete subsection 6)1) in its entirety.

**Section 4. Amending Section 5-5-1., Definitions.** Delete Subsection A) in its entirety and replace the definition of "Special Event" with the following:

“A) “Special Event” means any performance, activity, parade, festival athletic event or other public gathering held on Town property and sponsored by a non-profit enterprise or for-profit organization.”

**Section 5. Deleting Section 5-5-2.A) and B), Special Event Permit Required.** Delete Subsections A) and B) in their entirety. Add the following after the last sentence of the first paragraph in Section 5-5-2: “Events sponsored by the Town are exempt from the requirement for a special event permit.”

**Section 6. Amending Section 5-7-1.H), Vending, Definitions.** Delete Subsection H) in its entirety and replace with the following:

“H) “Special Event” means any performance, activity, parade, festival athletic event or other public gathering held on Town property and sponsored by a non-profit enterprise or for-profit organization.”

**Section 7. Severability.** If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

**Section 8. Savings Clause.** Except as hereby amended, the Town Code shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

**INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 7<sup>th</sup> DAY OF AUGUST, 2007.**

**ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 20<sup>th</sup> DAY OF AUGUST, 2007.**

**TOWN OF CRESTED BUTTE, COLORADO**

**By: \_\_\_\_\_**  
**Alan Bernholtz, Mayor**

**ATTEST:**

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**Eileen Hughes, Town Clerk**

**(SEAL)**