

ORDINANCE NO. 7

SERIES 2009

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE TOWN CODE RELATIVE TO THE ERECTION OF FREESTANDING SIGNS IN PUBLIC RIGHTS OF WAY TO PERMIT THE TEMPORARY PLACEMENT OF CERTAIN DIRECTION-BEARING SIGNS FOR RECURRING SPECIAL EVENTS WHICH OCCUR FIVE TIMES OR MORE WITHIN ONE CALENDAR YEAR WHERE CERTAIN REQUIREMENTS ARE MET

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

WHEREAS, the Zoning and Land Use Ordinance of the Crested Butte Municipal Code (the "**Town Code**") contains requirements prohibiting the placement of freestanding signs in the public rights of way;

WHEREAS, the Town staff has recommended to the Town Council that said requirements require revision to allow for the erection of temporary directional-bearing signs in the public rights of way for recurring special events which occur five (5) times or more within one (1) calendar year under certain circumstances; and

WHEREAS, the Town Council finds that amending said requirements to allow for the erection of temporary directional bearing signs in the public rights of way for recurring special events which occur five (5) times or more within one (1) calendar year, subject to the requirements herein identified, is in the best interest of the health, safety and general welfare of the residents and visitors of the Town.

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

Section 1. Adding a New Subsection (20) to Section 16-18-20. Section 16-18-20 is hereby amended by adding a new subsection (20) thereto which shall read as follows:

"20. Notwithstanding any provision of this Section to the contrary, directional signs for recurring special events which occur five (5) times or more within one (1) calendar year shall be permitted on the shoulder of public rights of way provided that such signs shall not interfere in any manner with pedestrian or vehicular traffic or obstruct the sight line of any public or private signage. Said directional signs shall also meet the following requirements and criteria:

- a. no such directional sign may be placed on publicly zoned property;
- b. such directional signs may only be placed in such locations the day of the subject recurring event;

c. all such directional signs shall be no more than four (4) square feet, inclusive of any support structure, and may have writing on both sides;

d. the subject recurring special event may utilize only three (3) directional signs per event;

e. only one (1) of such directional signs shall be permitted at any sign location or intersection; and

f. the subject recurring special event permittee, or its agent, that places any signage in violation of these requirements shall be deemed a "person" pursuant to Section 16-24-20."

Section 2. 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 3. 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 1st DAY OF JUNE, 2009.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN A PUBLIC HEARING THIS 15th DAY OF JUNE, 2009.

TOWN OF CRESTED BUTTE, COLORADO

By: 
Alan Bernholtz, Mayor

ATTEST:


Eileen Hughes, Town Clerk

(SEAL)