

ORDINANCE NO. 6

SERIES 2005

AN ORDINANCE AMENDING THE ZONING AND LAND USE ORDINANCE OF THE TOWN OF CRESTED BUTTE REGARDING SIGN REGULATIONS.

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 the laws of the State of Colorado; and

WHEREAS, the Town's Zoning and Land Use Ordinance (hereafter "Ordinance") regulates the size, location, dimensions, and number of signs; and

WHEREAS, the Town Council (the "Council") has determined that it is in the best interests of the businesses located within the Town that one of the three signs allowed a business or establishment may be in the form of a chalkboard; and

WHEREAS, the Town Council finds that the below amendments are in the best interests of the health, safety and general welfare of the inhabitants of the Town.

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

Section 1. Amending The Ordinance To Clarify the Current regulations and to Allow A Chalkboard Sign. Section 15-2-23.B.2. is amended by replacing the third sentence and subsequent sentences of that section in their entirety and replacing them with the following:

"a. Each business may have one open/closed sign not to exceed two square feet, for which no permit is required.

b. Each business may have one business hours sign, not to exceed two square feet, for which no permit is required.

c. Each business may have two additional signs, for which a permit is required. (A directory or off-site sign which advertises a business is counted as one sign for that business for size and number of signs purposes.) Each such sign shall be included in the allowable sign area for the building in which the business is located. Those signs may include:

i. A single wooden framed box with glass door(s) no larger than four (4) square feet, within which

advertising and information may be placed. The box may be internally lit with white incandescent light, which light must be shielded in accordance with Town lighting regulations.

- ii. Any other sign which otherwise conforms with the provisions set forth in Section 15-2-23.
- iii. Theaters and publicly-owned buildings may utilize a single changeable copy sign that conforms to the requirements of Section 15-2-23.

d. Each building in which retailers (as that term is defined in Title 39, Article 26, C.R.S., as amended) and restaurants are located may additionally utilize a single, one-sided free standing or wall-mounted changeable copy sign, only one side of which is visible to the public right of way, which sign shall be no larger than four (4) square feet and consisting of either a green or black panel, used for writing upon with chalk. Any free-standing sign may only be placed on private property and may not be located in the public right-of-way or sidewalk. Any wall-mounted sign must be attached to the building in which the business it is advertising is located. Each such sign shall be included in the allowable sign area for the building in which the retailer or restaurant is located. “

Section 2. Amending The Ordinance To Delete Section 15-2-23.B.19. As Redundant. Section 15-2-23.B.19 is amended by deleting it in its entirety.

Section 3. Amending the Ordinance to Clarify that Wooden Framed Boxes Containing Advertising Or Information May Be Internally Lit. Section 15-2-23.B.16 is amended replacing each of the dashes in that section with the letters “a-e” and subsection a. shall be amended by the addition of the following to the end of that subsection:

“, except that wooden framed boxes with glass doors, referenced in Section 15-2-23.c.i. may be internally lit with white incandescent light;”

Section 4. 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 5. Savings Clause. Except as hereby amended, the 1987 Crested Butte Municipal Code shall remain valid, and in full force and effect. Any provision of any ordinance previously adopted by the Town of Crested Butte which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS _____ DAY OF _____, 2005.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS _____ DAY OF _____, 2005.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
James A. Schmidt, Mayor

ATTEST:

Eileen Hughes, Town Clerk

SEAL