

ORDINANCE NO. 20

SERIES 2017

AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AMENDING SECTION 6-4-10 TO ADD THE TERM BOOTH.

WHEREAS, the Town of Crested Butte, Colorado is a home rule municipality duly and regularly organized and now validly existing as a body corporate and public under and by virtue of the Colorado Constitution and laws of the State of Colorado;

WHEREAS, the Town Council wishes to allow food vendors to use booths for food cart vending.

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

Section 1. Amending Section Sec. 6-4-10. Section 6-4-10 is hereby amended to add the definition of the term “booth” and revising the definition of Food Cart to add the term “booth” as follows:

Booth means a temporary structure that is readily movable and is used for vending food that is no more than thirty-six (36) square feet in area, within a six feet by six feet (6' x 6') footprint, and nine and half feet (9.5') feet in height, including umbrellas and other similar devices, that is removed from its vending location every night.

Food cart means handcart or booth from which food such as hot dogs, tacos, ice cream, candy, nonalcoholic beverages and other traditional, hand-carried ready-to-eat food and drink are sold. A food cart vendor is one who sells food and drink using a food cart and who meets the definition of vendor found in this Article. Food cart vending is the act of selling food and drink using a food cart by one who meets the definition of vendor found in this Article.

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 amended hereby, the Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision of the Code that is in conflict with this ordinance is hereby repealed as of the effective date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 24th DAY OF July, 2017.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 8th DAY OF August, 2017.

TOWN OF CRESTED BUTTE, COLORADO

By: Glenn Michel
Glenn Michel, Mayor

ATTEST:

Lynelle Stanford
Lynelle Stanford, Town Clerk

[SEAL]

