

ORDINANCE NO. 24

SERIES 2013

**AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 4
THE CRESTED BUTTE MUNICIPAL CODE RELATIVE
TO THE NUMBER OF PERMITTED OUTDOOR
VENDORS ON PUBLIC PROPERTY AT SIXTH STREET
AND ELK AVENUE AND THE ALLOWANCE FOR THE
SALE OF CERTAIN NON-FOODSTUFFS FROM
FOODCARTS WHERE CERTAIN CONDITIONS ARE MET**

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;

WHEREAS, the Crested Butte Municipal Code ("**Code**") contains certain requirements relative to outdoor and Food cart (as defined in the Code) vending;

WHEREAS, the Town staff has recommended that a limit be placed on the number of outdoor Vendors (as defined in the Code) permitted on public property at Sixth Street and Elk Avenue and that an allowance be made for the sale of certain non-foodstuffs from Food carts where certain conditions are met;

WHEREAS, the Town Council hereby finds that outdoor vending and Food carts are an important retail amenity to residents and visitors of Crested Butte; and

WHEREAS, for the reasons stated above, the changes to the Town Code proposed hereinbelow are in the best interest of the Town and the health, safety and welfare of the residents and visitors of Crested Butte.

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

Section 1. Amending Section 6-4-30, Outdoor vending license requirements.

Section 6-4-30 is amended by adding a new subsection (9) thereto that shall read as follows:

"(9) No more than seven (7) vendors total shall be allowed on public property at any given time at Sixth Street and Elk Avenue."

Section 2. Amending Section 6-4-60, Food Cart Regulations.

Subsection (11) of Section 6-4-60 is hereby deleted in its entirety and replaced with the following new subsection that shall read as follows:

"(11) Nonfood merchandise may not be sold from a food cart, except where such nonfood merchandise is specific to the subject food cart business."

Section 3. 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 shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 4. 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 any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

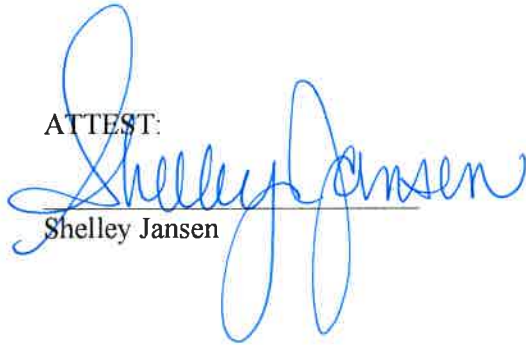
INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 18th DAY OF November, 2013.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 2nd DAY OF December 2013.

TOWN OF CRESTED BUTTE

By: 
Aaron J. Huckstep, Mayor

ATTEST:


Shelley Jansen

