

ORDINANCE NO. 2020-11

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE AMENDING SECTION 5.01.070 OF TITLE 5 OF THE MUNICIPAL CODE EXPANDING AND CONCERNING THE REGULATION OF LICENSED BUSINESSES

WHEREAS, The Town of Mountain Village (the “Town”) is a legally created, established, organized and existing Colorado municipal corporation under the provisions of Article XX of the Constitution of the State of Colorado (the “Constitution”) and the Home Rule Charter of the Town (the “Charter”); and

WHEREAS, pursuant to the Constitution, the Charter, the Colorado Revised Statutes and the common law, the Town has the authority to adopt ordinances and regulations and to regulate the use and development of land; and

WHEREAS, the Town Council may amend The Town of Mountain Village Municipal Code (“Code”) from time-to-time to address interpretations thereof, to clarify and refine the Town’s regulations, or to address issues or policy matters; and

WHEREAS, the Town Council has identified the need to clarify and refine the Code as it applies to business licensing pursuant to Title 5; and

WHEREAS, the Council finds the amendment to Section 5.01.070, Chapter 5.01, of Title 5 of the Town of Mountain Village Municipal Code is necessary to clarify and refine the Council’s regulatory authority and its expectations of businesses.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO, AS FOLLOWS:

Section 1. Amendment Titles 5.

The Town Council hereby approves the amendment to Section 5.01.070, Chapter 5.01, of Title 5 of the Code as set forth in Exhibit A.

Section 2. Ordinance Effect

This ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.

Section 3. Severability

The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of this Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 4. Effective Date

This Ordinance shall become effective upon June 20, 2020.

Section 5. Public Hearing

A public hearing on this Ordinance was held on the 21st day of May 2020, in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado, on the 23rd day of April 2020.

TOWN OF MOUNTAIN VILLAGE

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: 

Laila Benitez, Mayor

ATTEST:



Susan Johnston, Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this 21st day of May 2020.

TOWN OF MOUNTAIN VILLAGE

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: 
Laila Benitez, Mayor

ATTEST:


Susan Johnston, Town Clerk

Approved As To Form:

Jim Mahoney, Town Attorney

I, Susan Johnston, the duly qualified and acting Town Clerk of the Town of Mountain Village, Colorado ("Town") do hereby certify that:

1. The attached copy of Ordinance No.2020-11 ("Ordinance") is a true, correct and complete copy thereof.

2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on April 23rd, 2020, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor	X			
Dan Caton	X			
Patrick Berry	X			
Natalie Binder	X			
Peter Duprey	X			
Jack Gilbride			X	
Marti Prohaska	X			

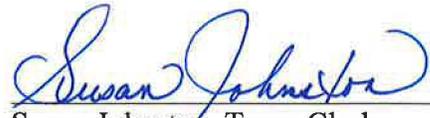
3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on April 29, 2020 in accordance with Section 5.2b of the Town of Mountain Village Home Rule.

4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on May 21st, 2020. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor	X			
Dan Caton	X			
Patrick Berry	X			
Natalie Binder	X			
Peter Duprey	X			
Jack Gilbride	X			
Marti Prohaska	X			

5. The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me as Town Clerk, and duly numbered and recorded in the official records of the Town.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this 21st day of May 2020.


Susan Johnston, Town Clerk

(SEAL)



EXHIBIT A

CHAPTER 5.01

BUSINESS LICENSING AND REGULATIONS

Sections:

- 5.01.010 General Provisions
- 5.01.020 Definitions
- 5.01.030 Fees
- 5.01.040 Use of Proceeds
- 5.01.050 Exemptions
- 5.01.060 Administration
- 5.01.070 Revocation
- 5.01.080 Penalties
- 5.01.090 Special Conditions of Licensee: Accommodation Unit
- 5.01.100 General Contractors

5.01.070 Revocation

The Town Council, after reasonable notice and a fair public hearing, may revoke, suspend, or take other enforcement action concerning any license, based upon a violation of this Code.