

**Town of Erie
Ordinance No. 04-2022**

**An Ordinance of the Board of Trustees of the Town of Erie
Amending Section 4-8-3 of the Erie Municipal Code to Delegate
Approval Authority for Certain Special Event Permits to the Town
Clerk**

Whereas, pursuant to C.R.S. § 44-5-107(4), the Town's Local Licensing Authority may assign all or any portion of its functions under Article 5 of Title 44 to an administrative officer; and

Whereas, the Town's Local Licensing Authority desires to delegate the approval of certain special event permits to the Town Clerk.

Now Therefore be it Ordained by the Board of Trustees of the Town of Erie, Colorado, that:

Section 1. Section 4-8-3 of the Erie Municipal Code is hereby amended as follows:

4-8-3 – Duties of Town Clerk.

A. The Town Clerk shall receive all applications for licenses and shall issue all licenses granted by the Local Licensing Authority upon payment of fees required and upon approval of the appropriate *state* licensing authority.

B. The Town Clerk shall serve as the official secretary of the Authority and shall designate a person or persons to provide the necessary notice of meetings, and secretarial and reporting services for the Authority. The secretary shall keep the electronic recordings of all Licensing Authority hearings. The secretary shall transcribe or make arrangement for transcription of such records whenever required for appeals or otherwise.

C. The Town Clerk is authorized to administratively approve an application for a special event permit pursuant to Section 44-5-101, et seq., C.R.S., provided that the following conditions are satisfied, and further provided that the Town Clerk may refer any special event permit application to the Authority in the Town Clerk's sole discretion:

1. The event is a repeat of an event for which the applicant has previously received approval from the Authority for in the past twelve (12) months,

2. *The applicant has no pending liquor licensing violations, and has had no liquor licensing violations within the preceding year; and*

3. *No person has filed a written objection to said permit.*

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety, and welfare.

Section 4. Effective Date. This Ordinance shall take effect 30 days after publication following adoption.

Introduced, read, passed and ordered published this 8th day of February, 2022.

Jennifer Carroll, Mayor

Attest:

Heidi Leatherwood, Town Clerk