

TOWN OF TIMNATH, COLORADO

ORDINANCE NO. 10 - 2007

**AN ORDINANCE ADOPTING SPECIFIC STANDARDS FOR THE
ISSUANCE OF AN OPTIONAL PREMISES LICENSE BY THE TOWN**

WHEREAS, the Town of Timnath ("Town") is a home rule municipality organized pursuant to Article XX of the constitution of the state of Colorado; and

WHEREAS, Harmony Club LLC d/b/a The Harmony Club has applied to the Town for the issuance of an optional premises license; and

WHEREAS, the Timnath Municipal Code ("Code") § 6.3.5 (8) authorizes the Town to issue optional premises; and

WHEREAS, C.R.S. § 12-47-310 mandates that an optional premises license may only be issued in a town when the governing body of the town has enacted an ordinance with specific standards for the issuance of an optional premises license; and

WHEREAS, the Town Council ("Council") desires to enact such specific standards as set forth in this Ordinance to establish specific standards for optional premises licenses within the Town.

**NOW THEREFORE, THE COUNCIL OF THE TOWN OF TIMNATH,
COLORADO ORDAINS:**

The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Town Council.

Section 1. Pursuant to C.R.S. § 12-47-310 (2), the Town Council adopts the following specific standards concerning the issuance optional premises licenses or for an optional premises for a hotel and restaurant license:

1. Optional premises licenses may be issued for use at golf club facilities; provided, however, that any application for such license must otherwise comply with the state and Town standards applicable to such licenses and liquor licenses in general.
2. Optional premises licenses may be issued for other types of outdoor events, sports and recreational facilities to the extent such facilities are in compliance with Town building and zoning requirements.
3. No licensee may have more than two (2) optional premises on any one outdoor sports or recreational facility.

RECEPTION#: 20080037144, 06/10/2008 at
12:10:43 PM,
1 OF 2. R \$11.00 TD Pgs: 0
Scott Doyle, Larimer County. CO

✓ Town of Timnath
Town Clerk
4800 Goodman Street
Timnath, CO 80547

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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 Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.



Section 3. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 4. Effective Date. This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, SET FOR PUBLIC HEARING AND SECOND READING AT 7:00 P.M. ON JUNE 20, 2007, AT THE TIMNATH TOWN HALL, 4100 MAIN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 6TH DAY OF JUNE, 2007.

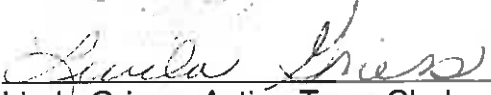
MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON THE 20th DAY OF JUNE, 2007.

TOWN OF TIMNATH, COLORADO

Donna Benson, Mayor

ATTEST:



Linda Griess, Acting Town Clerk

