

ORDINANCE NO. 3.54

AN ORDINANCE AMENDING ORDINANCE NO. 3.36
FOR THE TOWN OF LARKSPUR, COLORADO
(This Ordinance hereby repeals and supersedes Section 11
of Ordinance No. 3.36, passed and adopted on
the 4th day of December, 1985, and all other
ordinances or parts of ordinances in conflict herewith)

BE IT ORDAINED by the Town Council of the Town of Larkspur, Colorado as follows:

WHEREAS, the Town Planning Commission and Town Council of the Town of Larkspur, Colorado have held public hearings on the application by Rocky Mountain Festivals, Inc. requesting a change to Ordinance No. 3.36 to increase the number of days during which real property described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property") may be used for renaissance festival and other purposes; and to permit the Property to be used for renaissance festival and other purposes during times of the year in addition to June, July and August; and

WHEREAS, the Town Council has received evidence at public hearings pertaining to such application; and

WHEREAS, the Town Council deems it appropriate to approve the application of Rocky Mountain Festivals, Inc. on the terms and conditions set forth herein;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Larkspur, Colorado as follows:

1. This Ordinance hereby repeals and supersedes Section 11 of Ordinance No. 3.36 passed and adopted on the 4th day of December, 1985.

2. Period of Operation. The period during which the Property may be used for renaissance festival purposes shall be the months of June, July and August of each year. The renaissance festival shall not be conducted for more than 17 days during such period without the express written approval of the Town Council of the Town of Larkspur, Colorado. In addition, the Property may be used for renaissance festival or other purposes for such additional days and at such other times during each calendar year upon such terms and conditions as are approved in writing by the Town Council. If the Property is to be used at any time except during the months of June, July and August of each year, an applicant shall submit a written request to the Town Clerk at least 50 days before the proposed date or dates of use, describing the days requested, the purpose of the requested use, and such other information as the applicant deems appropriate. The Town Council shall act by resolution to approve or deny the request not later than 35 days after the request is received by the Town Clerk. ~~If the Town Council does not act within 35 days after the request is received by the Town Clerk, the request shall be deemed to be denied.~~ Prior to acting on the request, the Town Council may, in its discretion, hold a public hearing ~~upon the request~~. In considering

the request, the Town Council shall determine whether the usage described in the request will result in undue traffic congestion or traffic hazards, will cause significant air, water, or noise pollution, or would otherwise be detrimental to the health, safety or welfare of the residents of the Town of Larkspur, Colorado. Further, in the event that the Town Council holds a public hearing, the applicant shall, at applicant's expense, provide notice by first class mail to adjoining property owners and shall post notice of the hearing at a place designated by the Town Council for the posting of public notices. Both the mailing and the posting shall be made not less than fifteen (15) days prior to the date of the hearing. The notice shall contain the following information: Date, time and place of the hearing; date(s) and time(s) of the proposed use; the nature of the proposed use; and, such other information as may be required by the Town Clerk. The Applicant shall also provide such information as may be required by the Town Clerk to those referral agencies as are deemed appropriate by the Town Clerk. The Applicant shall pay a fee to the Town to reimburse it for the costs of processing the request in an amount to be determined by the Town Council, not to exceed \$500.00.

3. This ordinance shall take effect five (5) days after it is posted, in accordance with Section 3.20 of the Town Charter.

Introduced as an ordinance at a regular meeting of the Town Council of the Town of Larkspur, Colorado, on the 8th day of December, 1993, and passed by a vote of 7 for, 0 against, and 0 abstentions.

Florence Burch
FLORENCE BURCH, Mayor

ATTEST:

Brenda J. Anderson
BRENDA J. ANDERSON, Town Clerk

I hereby certify that the within Ordinance No. 3.54 was posted on the bulletin board at the Town Hall of the Town of Larkspur from December 9, 1993 to December 14, 1993.

Brenda J. Anderson