

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 960**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
AMENDING SECTION 6-3-115(a) OF THE MEAD MUNICIPAL CODE
CONCERNING DISTANCE RESTRICTIONS FOR NEW LIQUOR LICENSES**

WHEREAS, the Board of Trustees of the Town of Mead (“Board of Trustees”) is authorized pursuant to C.R.S. § 31-15-401 and its general police powers to pass and enforce regulations that may be necessary or expedient for the promotion of the health, safety and welfare of the citizens of the Town of Mead (“Town”); and

WHEREAS, consistent with the Colorado Liquor Code, as set forth in Title 44, Article 3 of the Colorado Revised Statutes, Section 6-3-115(a) of the Mead Municipal Code (“MMC”) provides that the Town shall not receive or act upon applications for new licenses to sell malt, vinous, or spiritous liquor within the Town if the building in which such liquor is to be sold is located within five hundred (500) feet of any public or parochial school or the principal campus of any college, university or seminary, subject to certain limited exceptions (the “Distance Restriction”); and

WHEREAS, C.R.S. §§ 44-3-313(1)(d)(III) and 44-3-313(1)(e)(III)(A) authorize the Town to reduce, modify, or eliminate such Distance Restriction by ordinance; and

WHEREAS, Town staff recommends reducing the Distance Restriction from five hundred feet to one hundred feet; and

WHEREAS, the Board of Trustees desires to amend the MMC as provided in this Ordinance to advance the public health, safety, convenience, and general welfare of the residents of the Town.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Distance Restrictions for New Liquor Licenses Modified. Section 6-3-115(a) of the Mead Municipal Code is hereby amended to read as follows, with deletions shown in strikethrough and additions shown in underline, with all other subsections of Section 6-3-115 remaining in full force and effect:

Sec. 6-3-115. - Restrictions for applications for new license.

- (a) No application for the issuance of any license under this Article shall be received or acted upon if the building in which the malt, vinous or spirituous liquor is to be sold is located within ~~five~~ one hundred (~~500~~100) feet of any public or parochial school or the principal campus of any college, university or seminary; except that this provision shall not affect the renewal or reissuance of a license once granted or apply to licensed premises located or to be located on land owned by the Town, or apply to an existing licensed premises on land owned by the State, or apply to a liquor license in effect and actively doing business before said principal campus was constructed, or apply to any club located within the principal campus or any college, university or seminary that limits its membership to the faculty or staff of such institution.

Section 2. Effective Date. This Ordinance shall be published and become effective as provided by law.

Section 3. Remaining Provisions. Except as specifically amended hereby, all other provisions of the Mead Municipal Code shall continue in full force and effect.

Section 4. Codification Amendments. The codifier of the Mead Municipal Code is hereby authorized to make such numerical, technical, and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Mead Municipal Code.

Section 5. Severability. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the Ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 6. 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 7. Certification. The Town Clerk shall certify to the passage of this Ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 26TH DAY OF APRIL, 2021.

ATTEST:

By:


Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By:


Colleen G. Whitlow, Mayor