

**TOWN OF SILT
ORDINANCE NO. 10
SERIES OF 2022**

AN ORDINANCE OF THE TOWN OF SILT, COLORADO AMENDING CHAPTER 5.25 OF THE TOWN CODE TO ADDRESS STATE-ISSUED PERMITS FOR LIQUOR LICENSEES.

WHEREAS, the Town of Silt, Colorado (the "Town"), is a municipal corporation duly organized and operating as a home-rule municipality under its Town Charter and the Constitution and laws of the State of Colorado; and

WHEREAS, Chapter 5.25 of the Town Municipal Code ("Code") addresses the sale and regulation of alcohol beverages in the Town; and

WHEREAS, Section 44-3-911, C.R.S. and regulations adopted thereunder by the Colorado Department of Revenue address the takeout and delivery of alcohol beverages by on-premises liquor license holders and provide that certain on-premises licensees may obtain a permit from the state licensing authority for the takeout and delivery of alcohol beverages subject to the conditions and requirements in the statute and regulations; and

WHEREAS, the Colorado Department of Revenue, as the state liquor licensing authority, has the authority to issue other types of permits for certain liquor license holders and state law may be updated in the future to add additional types of permits for existing licensees; and

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Town and will promote the health, safety, and welfare of the Town to amend the Code to (1) allow the local licensing authority to consider violations of state-issued permits in local license renewal proceedings and (2) allow the Town to receive information about potential issues regarding permits and report such information to the state, as shown on **Exhibit A** to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO:

SECTION 1

The foregoing recitals are hereby incorporated into this Ordinance.

SECTION 2

The Town Code is hereby amended as shown in **Exhibit A**, which is attached to and incorporated into this Ordinance by reference.

SECTION 3

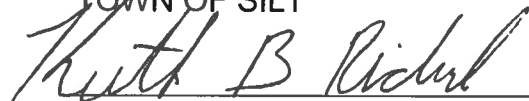
All ordinances heretofore passed and adopted by the Board of Trustees of the Town of Silt, Colorado are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

SECTION 4

If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

INTRODUCED, READ, AND APPROVED ON FIRST READING this 9th day of May 2022, at 7:00 PM in the Town Hall, Town of Silt, Colorado.

PASSED, APPROVED ON SECOND READING, ADOPTED, AND ORDERED PUBLISHED following a continued public hearing this 23rd day of May 2022.

TOWN OF SILT


Mayor Keith B. Richel

ATTEST



Town Clerk Sheila M. McIntyre, CMC



EXHIBIT A

Additions shown in double underline; deletions shown in ~~strikethrough~~.

Chapter 5.25 – LIQUOR CODE

Section 5.25.145 – Compliance with State-Issued Liquor Permits.

- A. The Town shall consider any violations of a permit issued by the state licensing authority as evidence in liquor license renewal hearings pursuant to Section 5.25.060 of this chapter.
- B. The Town shall have authority to receive information about potential violations of any state-issued permit and may report any suspected permit violations to the state licensing authority.