

# ORDINANCE NO. 378

## REPEALING ORDINANCE NO. 376 - REGARDING THE REDUCTION IN THE DISTANCE FROM SCHOOL FACILITIES FOR HOTEL AND RESTAURANT CLASS LIQUOR LICENSE

**WHEREAS**, Ordinance No. 376 was approved and passed May 7<sup>th</sup>, 2013 for the specific purpose of reducing the required distance between school facilities and an establishment seeking a hotel and restaurant liquor license; and

**WHEREAS**, The Effective Date of Ordinance No. 376 was June 7<sup>th</sup>, 2013; and

**WHEREAS**, the plans for the new school have relocated out of the town boundaries and the reduction is no longer necessary; and

**WHEREAS**, the Board of Trustees find Ordinance No. 376 is no longer needed and repealing it will thereby promote the health, safety and general welfare of the Creede community.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, COUNTY OF MINERAL, STATE OF COLORADO, THAT:**

**Section 1. Recitals Incorporated.** The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Board of Trustees.

**Section 2. Ordinance No. 376 is hereby repealed and is no longer in effect and there will be no amendments to Section 10-8-60 of the Creede Municipal Code.**

**Section 3. Section 10-8-60 of the Creede Municipal Code.** Section 10-8-60 of the Creede Municipal Code **will not** be amended as a result of Ordinance No. 376.

**Section 4. Correction of Errors.** City Staff is authorized to correct any typographical, grammatical, cross-reference, or other errors which may be discovered in any documents associated with this Ordinance and documents approved by this Ordinance provided that such correction do not change the substantive terms and provisions of such documents.


**Section 5. Severability.** If any provision of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be invalid, such invalidity shall not affect other provisions or application of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable. The Board of Trustees hereby declares that it would have passed this Ordinance and each provision thereof, even though any one of the provisions might be declared unconstitutional or invalid. As used in this Section, the term “provision” means and includes any part, division, subdivision, section, subsection, sentence, clause or phrase; the term “application” means and includes an application of an ordinance or any part thereof, whether considered or construed alone or together with another ordinance or ordinances, or part thereof, of the City of Creede.

**Section 6. Publication.** The City Clerk is ordered to publish this Ordinance by posting notice of adoption of this Ordinance by title in at least three public places within the City, including at the office of the City Clerk, which notice shall contain a statement that a copy of the ordinance in full is available for public inspection in the office of the City Clerk during normal business hours.

**Section 7. Effective Date.** This Ordinance shall take effect thirty (30) days after passage.

**INTRODUCED, APPROVED AND PASSED ON THE FIRST AND FINAL READING, on this 3<sup>rd</sup> day of September, 2013.**

CITY OF CREEDE

  
Eric Grossman, Mayor                      9/4/13  
Date

ATTEST:

  
Randi DePriest, City Clerk                      9/4/13  
Date