

ORDINANCE NO: 2131

INTRODUCED BY: AMADOR, BULLOCK, CARSON, FORD, MCELLOWNEY,
TETER

AN ORDINANCE AMENDING SECTION 8-1104 OF THE COMMERCE CITY
REVISED MUNICIPAL CODE TO ELIMINATE STATE IMPOSED DISTANCE
RESTRICTIONS

WHEREAS, C.R.S. Sec. 12-47-313(1)(d)(I) prohibits the issuance of a liquor license to an establishment located within 500 feet of any public or parochial school or the principal campus of any college, university or seminary; and

WHEREAS, C.R.S. Sec. 12-47-313(1)(d)(III) allows the governing body of a municipality, by ordinance, to eliminate or reduce the distance restrictions imposed by C.R.S. Sec. 12-47-313(1)(d)(I) for any liquor license; and

WHEREAS, based on this statutory authority, the City Council of the City of Commerce City has determined that the elimination of the distance restrictions imposed by C.R.S. Sec. 12-47-313(1)(d)(I) on all liquor licenses is in the best interests of the City and the public;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

SECTION 1. The recitals to this ordinance are hereby adopted by and incorporated as findings of the City Council.

SECTION 2. Section 8-1104 of the Commerce City Revised Municipal Code is hereby amended to read as follows:

Sec. 8-1104. Compliance with zoning laws; distance restriction eliminated.

No retail liquor store, tavern, club, or beer and wine license shall be issued unless the applicant establishes that the premises complies with the location restrictions contained in the land development code applicable to such establishments. In accordance with C.R.S. 12-47-313(d)(III), the distance requirements imposed by C.R.S. 12-47-313(d) are eliminated.

SECTION 3. Except as specifically modified herein, the provisions of the Commerce City Revised Municipal Code shall remain unchanged and in full force and effect.

SECTION 4. This ordinance shall become effective as provided by the Charter of the City of Commerce City.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE
ORDERED THIS 19TH DAY OF JUNE, 2017.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE
ORDERED THIS 17TH DAY OF JULY, 2017.

CITY OF COMMERCE CITY,
COLORADO

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk