

TOWN OF PARACHUTE, COLORADO
RESOLUTION NO. 2021-19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AUTHORIZING EXPANDED SEATING AND LICENSED PREMISES AT RESTAURANTS

WHEREAS, the Town of Parachute (“Parachute” or the “Town”) is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter (the “Charter”); and

WHEREAS, by Resolution No. 2020-17, the Town Council temporarily authorized expanded seating and licensed premises for restaurants, along with other measures to support the restaurant service industry;

WHEREAS, consistent with State law, the Town Council wishes to continue such authority to continue support such businesses and enhance the vitality of the Town’s commercial areas; and

WHEREAS, the Town Council finds and determines that the adoption of this Resolution is in the interests of the public life, healthy, and safety of the Town and its residents, and is authorized by applicable law.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO:

Section 1. Recitals. The foregoing recitals are hereby incorporated as findings of the Town Council.

Section 2. Permits, Licenses, and Licensed Premises. To the extent allowed by law, the Town Council authorizes the following actions and authorizes staff to implement the same:

- A. If permitted by the State of Colorado Liquor Enforcement Division and approved by the underlying property owner, the Town Council authorizes businesses to apply for temporary permits to extend their licensed premises for alcohol consumption beyond their patios and into adjacent parking lots, businesses, and other nearby areas available for expanded service. The Town Clerk is authorized to administratively review (and approve or deny) any temporary modification of premises license applications for existing licensed liquor establishments. The Town Clerk will accept legally complete temporary modification applications on state forms with necessary State fees, a permission letter from the property owner (whether it be Town property or private property), and with two premises diagrams—one showing the premises "before" change and one showing the premises "after" the modification. The "after" diagram should include sufficient information to show containment of the expanded area, whether through temporary fencing, usage of

walls/landscaping/planters, increased signage, or stationed restaurant staff assigned to outside expanded areas for control of alcohol so that the alcohol remains within the expanded area. CCR 47-302, Changing, Altering, or Modifying Licensed Premises will be consulted and followed by the Town for licensing.

- B. The Town Council authorizes the Town Manager to temporarily close the 2nd Street and other rights-of-way from time to time to allow for use of Town street for expanded restaurant seating areas. Businesses may apply to the Town for a license to temporarily use areas of such streets for such expanded seating and temporary modification of liquor license premises (above), and the Town Manager is authorized to approve and grant the same in his discretion.

Section 3. Severability. If any provision of this Resolution is found to be unconstitutional or unlawful, such finding shall only invalidate that part of portion found to violate the law. All other provisions shall be deemed severable and shall continue in full force and effect.

INTRODUCED, PASSED, ADOPTED, AND APPROVED by a vote of 4 to 0 of the Town Council of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 15TH day of July 2021 and approved by the Mayor on the 15TH day of JULY 2021.

**TOWN COUNCIL OF THE
TOWN OF PARACHUTE, COLORADO**

By Roy B. McClung
Roy B. McClung, Mayor

ATTEST:

Lucy Spalenka

Lucy Spalenka, Town Clerk

STUART McARTHUR, TOWN MANAGER

