

A BILL FOR AN EMERGENCY ORDINANCE AUTHORIZING A
TEMPORARY ALLOWANCE OF CERTAIN ADDITIONAL TEMPORARY
SIGNAGE DURING THE COVID-19 PANDEMIC

WHEREAS, the Board of Trustees desires to allow temporary signage during the COVID-19 Pandemic;

WHEREAS, the Town desires through the adoption of this Ordinance to allow on a temporary basis additional temporary signage in the form of banners in a manner that is in addition to, and not in conflict with, current provisions of the Foxfield Municipal Code or any approved Planned Development that includes signage provisions;

WHEREAS, the Town finds that such regulations are time critical, and in the best interests of the health, safety and welfare of the Town of Foxfield, and necessary for the immediate preservation of the businesses of the Town.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF FOXFIELD, COLORADO:

Section 1. The Board of Trustees hereby adopts the following provisions regarding the temporary allowance of certain non-residential temporary signage during the COVID-19 Pandemic as defined below:

A. Definitions. For purposes of this Ordinance only, the following terms shall have the following meanings:

1. *Banners* shall mean temporary signs, not exceeding thirty (30) square feet in total area per side per Banner, and subject to the following limitations:

- (a) Banners shall not be illuminated;
- (b) Banners may only be placed in Defined Sign Areas as set forth in Exhibit A, attached hereto and incorporated herein by this reference, with the exception that businesses in Lot 5 may choose to place their one sign, not to exceed 30 square feet, on the rear of the building; and
- (c) Banners may not be placed in Town rights-of-way or in a designated sight triangles.

2. *COVID-19 Pandemic* shall mean the period of time commencing on the effective date of this Ordinance and terminating at 11:59 p.m. on September 30, 2020.

B. Authorization for Banners during the COVID-19 Pandemic. The Town hereby authorizes Banners to be located on all properties within the Foxfield Village Center PD, subject to the following limitations:

1. Banners may be placed in the Defined Sign Areas, subject to the following limitations:

(a) No more than one Banner per business which Banners shall each be limited to a size of no more than three feet (3') by ten feet (10') in each Defined Sign Area.

C. Nothing in this Ordinance is intended to supersede or conflict with any provisions regarding allowed signage pursuant to current provisions of the Foxfield Municipal Code or any approved Planned Development that includes signage provisions; provided, however, this Ordinance is intended to supplement such provisions to the extent the Foxfield Municipal Code or any approved Planned Development is silent on provisions related to Banners, as defined herein.

Section 2. Emergency Declared. The Town Board of Trustees hereby finds, determines and declares that this ordinance is promulgated under the general police powers of the Town of Foxfield, that it is promulgated for the health, safety and welfare of the public, and that this ordinance is necessary for the immediate preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Authority. The Board of Trustees hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act, Article 20 of Title 29 C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers); (iii) C.R.S. § 31-15-103, C.R.S. (concerning municipal police powers); (iv) C.R.S. § 31-15-401 (concerning municipal police powers); and (v) C.R.S. § 31-15-501 (concerning municipal power to regulate businesses).

Section 4. Expiration. This Ordinance shall expire by its own terms at 11:59 p.m. on September 30, 2020.

Section 5. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgement shall not affect application to other persons or circumstances.


Section 6. The passage of this Ordinance by the affirmative vote of three-fourths of the members of the Board of Trustees has occurred and this Ordinance shall take effect immediately upon the adoption hereof.

Adopted as Ordinance No. 02, Series of 2020, by the Board of Trustees of Foxfield, Colorado, and signed and approved by its Mayor or presiding officers this 18th day of June, 2020.



Lisa Jones, Mayor

ATTEST:



Miranda Gallivan, Town Clerk

Town Seal



EXHIBIT A

COMMERCIAL PROPERTIES DEFINED SIGN AREA
Foxfield Village Center Commercial Property

Defined sign areas not-to-scale, no banners allowed in right-of-way or sight triangles.

Call for locates on all banner installations.

One Banner per business.

