

**A BILL FOR AN ORDINANCE AMENDING ARTICLE 2 OF CHAPTER 6
OF THE FOXFIELD MUNICIPAL CODE TO AUTHORIZE RETAIL
ESTABLISHMENT PERMITS AND ALLOW THE TOWN CLERK TO
ADMINISTRATIVELY APPROVE SUCH PERMITS**

WHEREAS, C.R.S. § 44-3-424 previously authorized an art gallery to offer complimentary alcoholic beverages for consumption only on the premises;

WHEREAS, on August 7, 2023, House Bill 23-1061 amended the above-mentioned statutory section to allow almost all other types of retail establishments to serve complimentary alcohol beverages at their place of business for up to 24 days a year; and

WHEREAS, the Town now desires to amend the Foxfield Municipal Code to allow the Town Clerk to administratively approve Retail Establishment Permits

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

Section 1. Section 6-2-140, subsection (a) of the Foxfield Municipal Code is hereby amended to add a new subsection (a)(12) to read as follows:

Sec. 6-2-140. Application.

(a) The Authority may issue only the following malt, vinous, and spirituous liquor licenses upon payment of the fee to be determined by the Town by resolution and Section 44-3-505, C.R.S.

* * *

(12) Retail Establishment Permit.

Section 2. Section 6-2-170 of the Foxfield Municipal Code is hereby amended to add a new subsection (d) to read as follows:

Sec. 6-2-170. Initial Appearance Before Board of Trustees.

* * *


(d) The Town authorizes the Town Clerk to administratively approve Retail Establishment Permits as authorized by Section 44-3-424, C.R.S.

Section 3. 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 preservation of health and safety and for the protection of public convenience and welfare.

Section 4. 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 judgment shall not affect application to other persons or circumstances.

Section 5. This ordinance shall become effective thirty (30) days after final publication.

Adopted as Ordinance No. 03 Series of 2023, by the Board of Trustees of Foxfield, Colorado, and signed and approved by its Mayor or presiding officers this 5th day of October, 2023.



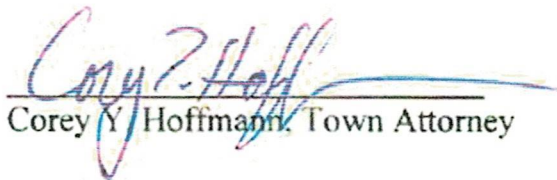
Lisa Jones, Mayor

ATTEST:



Kathleen Schmitz, Town Clerk

Town Seal



Corey Y. Hoffmann, Town Attorney

(Approved as to Form)

