

PALMER LAKE, COLORADO

ORDINANCE NO. 1-2023

AN EMERGENCY ORDINANCE AMENDING A TEMPORARY MORATORIUM ON THE SUBMISSION OF SIGN PERMITS AND CONSTRUCTION OR INSTALLATION OF NEW PERMANENT SIGNS WITHIN THE TOWN OF PALMER LAKE

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado;

WHEREAS, the Town previously adopted regulations related to signage, with such regulations being contained in Chapter 14.50, and based on recent developments in case law, the Board of Trustees adopted a temporary moratorium by passing Ordinance 15-2022 to allow for the preparation and adoption of a new sign code; and

WHEREAS, the Town's electors have recently voted to allow retail marijuana stores within the Town, and such businesses wish to advertise, necessitating the need to install new temporary signs.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE AS FOLLOWS:

1. The Town Board of Trustees incorporates the foregoing recitals as conclusions, facts, determinations and findings by the Town Board of Trustees.
2. Effective immediately, upon the date of this Ordinance, the previously adopted moratorium, Ordinance 15-2022, is amended to provide for the installation of temporary signs under the following conditions:
 - A. Signs must comply with the Colorado Marijuana Code and all other provisions of the Town Code;
 - B. Signs may not be greater than ___ square feet in size, individually or in combined square footage, per lot;
 - C. Signs must not pose a health or safety hazard; and,
 - D. Signs which do not comply with the future adopted sign code must be removed at Owner's sole expense and no recourse to the Town within ___ days of adoption of the new sign code.
3. All other provisions of Ordinance 15-2022 remain in full force and effect.
4. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

5. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

6. Publication and Effective Date. This Ordinance is necessary for the immediate protection and preservation of the public health, safety, and welfare of the citizens of the Town of Palmer Lake for the reasons described above, and therefore, shall become effective immediately as an emergency ordinance upon adoption by the Board of Trustees.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 12TH DAY OF JANUARY, 2023.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor