

**CITY OF SHERIDAN, CO
ORDINANCE NO. 6-2015**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERIDAN,
COLORADO, AMENDING SECTION 10-1 OF ARTICLE I OF CHAPTER 10 OF
THE SHERIDAN MUNICIPAL CODE REGARDING ALCOHOLIC BEVERAGE
LICENSING**

WHEREAS, in accordance with Section 10-1 of the Sheridan Municipal Code, numerous administrative duties regarding alcoholic beverage licensing have been delegated to the City Clerk; and

WHEREAS, in accordance with Ordinance No. 11-2012, City Council expanded the City Clerk's administrative duties to include the establishment of the boundaries of the neighborhood and setting the date and time for an application's public hearing; and

WHEREAS, in accordance with Ordinance No. 9-2014, City Council adopted Article IV of Chapter 10 of the Sheridan Municipal Code providing for the issuance of alcoholic beverage tasting permits for retail liquor store and liquor licensed drugstores; and

WHEREAS, City Council finds that the issuance of such permits is largely an administrative duty and desires to delegate such authority to the City Clerk.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERIDAN, COLORADO, THAT:

Section 1. Section 10-1 of the Sheridan Municipal Code is amended to provide:

Sec. 10-1. - Duties of the city clerk.

The city clerk shall receive all applications for licensees, and by state law and this article shall be authorized to establish the boundaries of the neighborhood, set the date and time for an application's public hearing, approve, or deny, alcoholic beverage tasting permits, special event permits, transfers of ownership, temporary permits awaiting transfer of ownership, changes of corporate status, managers' registrations, and renewals unless any department head, including the city clerk, recommends denial. The city clerk shall serve as the official secretary of the authority, and shall provide or cause to be provided the necessary secretarial and reporting services for the authority. The city clerk or the clerk's authorized representative shall attend all meetings of the authority. All public notices required by this article and the Colorado Beer Code or Liquor Code, as amended, shall be accomplished by the city clerk or the clerk's authorized representative.

Section 2. 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 city council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

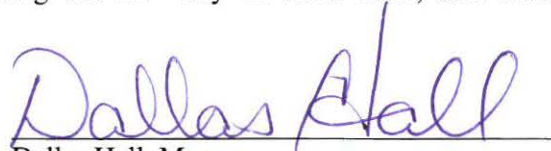
Section 4. The repeal or modification of any provision of the Municipal Code of the City of Sheridan by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 5. This ordinance is deemed necessary for the preservation of the public property, health, welfare, peace and safety.

Section 6. Violations of this ordinance shall be punishable in accordance with the provisions of Section 1-14 of the Sheridan Municipal Code.

PASSED AND APPROVED on first reading the 8th day of June 2015, and ordered published.


PASSED AND APPROVED on second reading the 22nd day of June 2015, and ordered published.


Dallas Hall, Mayor

ATTEST:


Arlene Sagee, City Clerk

APPROVED AS TO FORM:


William P. Hayashi, City Attorney

