

**Town of Erie
Ordinance No. 003-2023**

**An Ordinance of the Board of Trustees of the Town of Erie Adding
a New Section 7-1-5 to the Erie Municipal Code and Amending
Sections 4-8-2 and 6-9-2 of the Erie Municipal Code, All Addressing
Block Parties**

Whereas, the Board of Trustees finds it in the best interest of the public health, safety and welfare to require permits for block parties in the Town, and to regulate such block parties.

Now Therefore be it Ordained by the Board of Trustees of the Town of Erie, Colorado, as follows:

Section 1. Chapter 1 of Title 7 of the Erie Municipal Code is amended by the addition of a new Section 7-1-5, to read as follows:

7-1-5 – Block parties.

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

Block means the length of a street between two parallel streets on either side.

Block party means a closure of up to one (1) block of a residential street for a community gathering of one hundred (100) people or less, but excluding: any gathering organized by non-profits, commercial or business interests.

B. Permit required. A permit shall be required for a block party in the Town.

C. Permit Specifications. A block party permit shall allow for the consumption of fermented malt beverages, as defined in Section 6-9-1 of this Code, by persons twenty-one (21) years of age or older, in compliance with the permitted date, time, location, and conditions imposed in the approved application. If issued, the permit shall specify the date and time of the event and the authorized possession and consumption of fermented malt beverages, and the location of the event where such possession and consumption is authorized.

D. Application. An application for a block party permit shall be filed with the Town Clerk at least thirty (30) days prior to the block party. The application shall be accompanied by a fee in the amount set forth in the fee schedule adopted by the Board of Trustees, and shall contain the following information:

1. The name, address and phone number of the applicant;
2. The name and description of the portion of the street intended to be blocked;
3. A map or diagram depicting the portion of the street intended to be blocked;
4. A general description of the purpose or nature of the block party;
5. The dates and hours of the block party; and
6. The names, addresses and signatures of at least fifty (50) percent of the residents who reside on the block, as evidence of their consent to the block party.

E. Criteria. The Town Clerk or designee shall grant the block party permit unless the Town Clerk finds that one or more of the following conditions exist:

1. The application is incomplete;
2. Blocking the street or portion thereof on the dates and hours requested will unduly interfere with the flow of vehicular traffic or access to property; or
3. Blocking the street or portion thereof on the dates and hours requested will constitute a threat to the public health, safety or welfare.

F. Notice.

1. No later than one (1) week prior to the block party, the applicant shall leave written notice at the address of any resident whose signature was not included in the application.
2. The Town Clerk or designee shall notify the Mountain View Fire Department of the dates and hours of the block party no later than fourteen (14) days prior to the event.

G. Permit conditions; restrictions.

1. A block party shall not commence before 9:00 a.m. or terminate after 11:00 p.m., and the permit shall be valid only for the dates and hours specified therein.
2. The applicant shall be available either in person or by the provided phone number for the duration of the block party.
3. Emergency access to the street shall be maintained with a minimum of twelve (12) feet of clearance on either side of the street at all

times, the sufficiency of which shall be determined by the Erie Police Department.

4. Fire hydrants shall not be obstructed.

5. There shall be no open flames or cooking on the sidewalk or in the street.

6. No person possessing or consuming fermented malt beverage pursuant to the permit shall behave in an unruly, disorderly manner.

7. Only persons twenty-one (21) years of age or older may possess or consume fermented malt beverages.

8. There shall be no sales of fermented malt beverages made during the block party.

H. Removal of litter and debris. The applicant shall remove all litter and debris resulting from the block party.

I. Revocation of permit. Failure to comply with the provisions herein may result in the immediate revocation of the permit by a police officer.

Section 2. Section 4-8-12 of the Erie Municipal Code is hereby amended by the addition of a new subsection G to read as follows:

4-8-12 – Permit; consumption of fermented malt beverages.

* * *

G. Exemptions. The holder of a valid block party permit issued pursuant to Section 7-1-5 of this Code shall not be required to obtain a permit for the consumption of fermented malt beverages.

Section 3. Section 6-9-2.B of the Erie Municipal Code is hereby amended to read as follows:

6-9-2 – Open containers.

* * *

B. Exemptions: Nothing in this Section shall prohibit any of the following:

1. Possession or consumption of alcohol beverages in public parks where authorized by a properly issued special event permit issued pursuant to C.R.S. § 12-48-101, et seq., where the person possessing or consuming the alcohol beverage is twenty-one (21) years of age or older;

provided that no such permit shall allow the possession or consumption of alcohol beverages in any vehicle.

2. Possession or consumption of fermented malt beverages in public parks where authorized by a permit issued pursuant to Section 4-8-12 of this Code, where the person possessing or consuming the fermented malt beverage is twenty-one (21) years of age or older. No permit shall allow the possession or consumption of alcohol beverages in any public park, nor shall any permit authorize the consumption of fermented malt beverages or alcohol beverages in any vehicle.

3. Possession or consumption of fermented malt beverages at a block party where authorized by a permit issued pursuant to Section 7-1-5 of this Code, where the person possessing or consuming the fermented malt beverage is twenty-one (21) years of age or older. No permit shall allow the possession or consumption of alcohol beverages in any public park, nor shall any permit authorize the consumption of fermented malt beverages or alcohol beverages outside the area of the permitted block party.

Section 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 hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 5. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 6. Effective Date. This Ordinance shall take effect 30 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this 14th day of February, 2023.

PUBLISHED IN FULL ON THE 22nd DAY OF FEBRUARY. 2023

TOWN OF ERIE, COLORADO
A Colorado Municipal Corporation
s/s: Justin Brooks, Mayor
s/s: Debbie Stamp, Town Clerk