

ORDINANCE NO. 032, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING ARTICLE IV OF CHAPTER 3 OF THE CODE OF THE CITY OF FORT
COLLINS TO CREATE ENTERTAINMENT DISTRICT NO. 1

WHEREAS, under Article 3 of Title 44, Colorado Revised Statutes (the "Liquor Law"), City Council has the authority, by ordinance, to create individual entertainment districts in the City; and

WHEREAS, on November 6, 2018, City Council adopted Ordinance 125, 2018, amending Chapter 3 of the City Code to add a new article allowing entertainment districts; and

WHEREAS, an application has been submitted for the creation and approval of Entertainment District No. 1; and

WHEREAS, the area comprising Entertainment District No. 1 is more particularly described on Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, as required by the Liquor Law, Entertainment District No. 1 comprises no more than one hundred acres, contains at least twenty thousand square feet of existing liquor licensed premises, and meets all state statutory requirements; and

WHEREAS, City Council can impose stricter limits than required by the Liquor Law on the size, security, or hours of operation of the area designated as a common area within Entertainment District No. 1, which is referred to as the common consumption area; and

WHEREAS, the City Council believes it is in the best interest of the City to create Entertainment District No. 1, and to impose stricter limits than required by the state law on the hours of operation of any common consumption area within Entertainment District No. 1; and

WHEREAS, the Fort Collins Liquor Licensing Authority will be bound by the restrictions as set forth in this Ordinance; and

WHEREAS, City staff recommends that the City Code be amended to codify the approval of Entertainment District No. 1 as set forth in this Ordinance; and

WHEREAS, the City Council has determined that the proposed City Code amendments that specifically define the location where alcohol consumption may occur and limit the hours of operation for Entertainment District No. 1 will further public health and safety and are in the best interests of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Sections 3-101 through 3-107 in Article IV of Chapter 3 of the Code of the City of Fort Collins shall be designated as "Division 1 - General".

Section 3. That Chapter 3 of the Code of the City of Fort Collins is hereby amended by the addition of a Division 2 of Article IV, to read in its entirety as follows:

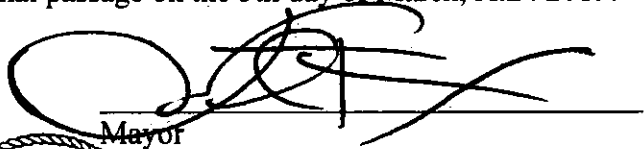
*Division 2
Approved Entertainment Districts*

Sec. 3-120. Entertainment District No. 1.

(a) There is hereby created Entertainment District No. 1, comprised of approximately 4.68 acres of property located east of College Avenue, northwest of Pine Street, northeast of Jefferson Street, northwest of Linden Street and southwest of the Union Pacific railroad tracks, Larimer County, State of Colorado. A map showing the location of Entertainment District No. 1 is on file in the office of the City Clerk and shall be available for public inspection.

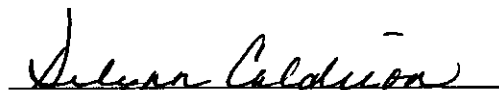
(b) No promotional association, nor any agent, manager or employee thereof, may serve, sell or consume any alcoholic beverage within Entertainment District No. 1 between the hours of 2 a.m. and 7 a.m.

Introduced, considered favorably on first reading, and ordered published this 19th day of February, A.D. 2019, and to be presented for final passage on the 5th day of March, A.D. 2019.



Mayor

ATTEST:



City Clerk




Passed and adopted on final reading on the 5th day of March, A.D. 2019.



Mayor

ATTEST:



City Clerk



PROPERTIES COMPRISING ENTERTAINMENT DISTRICT NO. 1

A parcel of land being a portion of Blocks 6 and 7, and a portion of vacated Pine and Jefferson street, in the City of Fort Collins, as more particularly described in a Special Warranty Deed recorded in the records of the Larimer County Clerk and Recorder on January 5, 2015, at Reception No. 20150000457.

AND

A parcel of land being a portion of Block 7 and a portion of vacated Jefferson Street, in the City of Fort Collins, as more particularly described in a Special Warranty Deed recorded in the records of the Larimer County Clerk and Recorder on June 28, 2016, at Reception No. 20160041405.

AND

Seven parcels of land being portions of Block 14 in the City of Fort Collins, as more particularly described in a Special Warranty Deed recorded in the records of the Larimer County Clerk and Recorder on July 8, 2015 at Reception No. 20150043969.

