

ORDINANCE NO. 9 - 2017

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, CUSTER COUNTY, COLORADO, AMENDING TITLE 4, BUSINESS AND LICENSE REGULATIONS, CHAPTER 2, “TRANSIENT MERCHANTS”.

WHEREAS, the Board of Trustees of the Town of Westcliffe determine that it is in the best interests of the Town to repeal, replace and amend specific regulations governing Transient Merchants within the Town; and,

WHEREAS, The Board of Trustees determine that Yard Sales, conducted in the “Core Commercial District” as defined in the Town’s Municipal Code, Title 10, “Land Use Code”, shall not be excluded from the requirements of Title 4; and,

WHEREAS, the Board of Trustees determine that the Town of Westcliffe determines that fees shall be imposed for Transient Merchants obtaining a Permit as required under Title 4, Chapter 2, Section 2, “Permit Required”; and,

WHEREAS, The Board of Trustees determine that penalties for violations of the provisions of this ordinance shall be established.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE THAT TITLE 4, CHAPTER 2 SHALL BE AMENDED AS FOLLOWS;

Section 1. Title 4, Chapter 2, Section 4, Paragraph C., shall be repealed and reenacted as:

Yard sales in the Residential, Agriculture and Highway Commercial District.

Section 2. Title 4, Chapter 2, shall be amended with the addition of new Section 5 and renumbering the remaining:

4-2-5: PROHIBITED ACTIVITY

Yard sales within the Core Commercial District shall be prohibited.

Section 3. Title 4, Chapter 2, shall be amended with the addition of new Section 7:

4-2-7: FEES

A Permit Fee shall be imposed and such fee shall be collected by the Clerk of the Town of Westcliffe or the Clerk’s designee prior to the issuance of a Permit as required under Title 4, Chapter 2, Section 2. The fee shall be twenty-five dollars (\$25.00) per instance of Permit issuance. A new fee shall be required for each twenty-four hour period the Permit is valid. A maximum cumulative fee per transient merchant of two hundred dollars (\$200.00) shall be collect in a calendar year. No fees shall be assessed or collected after the

maximum fee is tender regardless of the number of Permits issued to that specific Transient Merchant.

All other provisions of Title 4, Chapter 2 not herein specifically modified shall remain in full force and effect.

This Ordinance shall become effective and shall be in full force and effect thirty days after the date adopted by the Board of Trustees of the Town of Westcliffe, Colorado.

This Ordinance was introduced and adopted by the Board of Trustees of The Town of Westcliffe, Colorado, upon a motion duly made, seconded and passed at a duly called board meeting held at The Town of Westcliffe on the 27th day of June, 2017 and shall become effective on the date indicated herein.

TOWN OF WESTCLIFFE

By: 
Christy Patterson, Mayor

ATTEST:


Kathy Reis, Town Clerk