

ORDINANCE NO 569

SERIES 2024

**AN ORDINANCE AMENDING TITLE 12 OF THE DOLORES MUNICIPAL CODE TO
REGULATE THE DOLORES COMMUNITY CENTER PROPERTY**

WHEREAS, Colorado Revised Statutes, § 31-15-401 grants general police powers to the Board of Trustees to promulgate ordinances for the health, safety, and welfare of the public, including regulation of lands owned by the Town within its corporate boundaries.

WHEREAS, the Town of Dolores intends to acquire ownership of the Dolores Community Center located at 400 Riverside in the Town of Dolores.

WHEREAS, there is a need to amend the Town's ordinances pertaining to use of public property to operate the community center to benefit the citizens of the Town of Dolores.

WHEREAS, the Board of Trustees, in order to promote the health, safety, and welfare of the public and regulate the use of the Dolores Community Center consistent with these purposes, wishes to adopt an ordinance regulating the public use of the Dolores Community Center.

WHEREAS, Section 12.06 of Title 12 of the Dolores Municipal Code governs the use of the town's public property and places.

NOW THEREFORE, BE IT ORDAINED BY TOWN OF DOLORES BOARD OF TRUSTEES THAT Title 12 of the Dolores Municipal Code is amended as follows:

Section 1. Section 12.06.010 (Definitions) of Title 12 of the Dolores Municipal Code is amended to include the following definition:

(4) Dolores Community Center means the building and facilities located at 400 Riverside in Dolores. The term "recreation area" in this Chapter does not include the Dolores Community Center.

Section 2. Sections 12.06.090, 12.06.100 and 12.06.110 are added to Title 12 of the Dolores Municipal Code as follows:

Section 12.06.090. Dolores Community Center

The Dolores Community Center is intended to be a public space for the use and benefit of the citizens of the Town of Dolores and greater community subject to the provision of this Chapter. The Dolores Community Center may be reserved and used by individuals, groups, and organizations for meetings, public or private events, and other lawful purposes by reservation and permit to be issued by the Town Clerk, deputy clerk or Town Manager.

Section 12.06.100. Fees and Conditions of Use.

The Board of Trustees may from time to time adopt and amend Resolutions setting forth fees and conditions for the use of the Dolores Community Center. Consistent with this Chapter and applicable Resolutions adopted by the Board of Trustees, the Town Manager may adopt policies governing the use of the Dolores Community Center and may require that permit holders execute a contract and release of liability with the Town of Dolores as a condition of use. Uses where alcohol is to be served shall require a special use permit as provided by applicable ordinance and statute. Commercial uses of the Dolores Community Center shall comply with the requirements of 5.04.040. The Town Manager, Town Marshal and Building Official shall have the authority to cancel any reservation and close the Dolores Community Center to the public in the event of an emergency including but not limited to flood, fire, or other threat to public safety.

Section 12.06.110 Violations.

It shall be unlawful for any person to possess or consume marijuana within the Dolores Community Center. It shall be unlawful for any person to use or consume alcohol within the Dolores Community Center except at an event where alcohol is otherwise permitted to be served under applicable ordinances and statutes. It shall be unlawful for any person to use the Dolores Community Center in a manner that violates the provisions of this Chapter or applicable Resolutions adopted by the Board of Trustees. A violation of this section shall be punished as set forth in section 1.12.010.

Section 3. The Town Trustees hereby finds, determine, and declare that this Ordinance is promulgated under the general police power of the Town of Dolores, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Trustees further determine that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 5. This Ordinance shall take effect immediately upon adoption. The Town of Dolores Board of Trustees hereby finds, determines, and declares this ordinance is necessary for immediate preservation of the health, safety, and welfare of its citizens.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 22nd day of January 2024, in the Town Board Chambers in Town Hall, Dolores, Colorado, at which time and place all persons may appear and be heard concerning the same.

Passed adopted and approved on the first reading this 8th day of January 2024.

DOLORES BOARD OF TRUSTEES:

By: _____

Mayor Pro Tem Chris Holkestad

Attest:

By: _____

Town Clerk Tammy Neely

Passed adopted and approved on the second and final reading this 22nd day of January 2024.

DOLORES BOARD OF TRUSTEES:

By: _____

Mayor Pro Tem Chris Holkestad

Attest:

By: _____

Town Clerk Tammy Neely