

**TOWN OF RIDGWAY, COLORADO
ORDINANCE NO. 02-2020**

**AN EMERGENCY ORDINANCE OF THE TOWN OF RIDGWAY, COLORADO
ADOPTING TEMPORARY AMENDMENTS TO THE SIGN REGULATIONS**

WHEREAS, the Town of Ridgway, Colorado (“Town”) is a home rule municipality existing pursuant to the laws of the Colorado Constitution, the Colorado Revised Statutes and the Town’s Home Rule Charter; and

WHEREAS, Article 3-8 of the Ridgway Charter allows for the adoption of an emergency ordinance when the Town Council determines that the ordinance is necessary to the immediate preservation of the public peace, health and safety and includes such a declaration within the ordinance and is adopted by the affirmative vote of six members of the Town Council; and

WHEREAS, the Town Manager issued an Order Declaring a Local Disaster related to the COVID-19 pandemic on March 17, 2020; and

WHEREAS, on March 20, 2020, the Town Council ratified and extended the Declaration of a Local Disaster to May 14, 2020; and

WHEREAS, on May 13, 2020, the Town Council extended the Declaration of a Local Disaster to June 11, 2020; and

WHEREAS, Colorado Governor Jared Polis issued a statewide “Safer-At-Home” order on April 27, 2020 and the month prior, the Governor ordered the closure of in-person dining at restaurants and bars and closures of other establishments to limit large gathering places. These orders have created a significant economic impact to the operation of businesses within the Town; and

WHEREAS, the health crisis has and will continue to have a severe economic impact on local business that may threaten the continued existence of many those businesses with locations within the Town. It is the intent of this emergency ordinance to temporarily adopt amendments to the Town’s Sign Regulations in Section 7-3-12 of the Ridgway Municipal Code in order to relax certain signage requirements for lawfully operating businesses who may want additional signs during the time the Emergency Declaration is in effect.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF RIDGWAY, COLORADO the following:

Section 1. Recitals Incorporated. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Town Council.

Section 2. Amendment to the Code. Section 7-3-12(G)(2)(c) and (d) are hereby placed in abeyance for a period of four months or until September 13, 2020. Accordingly, the installation of a portable sign within the Town right-of-way does not require a sign permit. All other provisions of the sign code regulating signs and portable signs shall apply.

Section 3. No signage is allowed to cause any type of public safety hazard by restricting visibility, creating trip hazards, or impacting traffic safety.

Section 4. This temporary amendment to the Town’s Sign Regulations in Section 7-3-12 of the Ridgway Municipal Code applies only to lawfully operating businesses.

Section 5. Severability. If any provision of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable. The Town Council hereby declares that it would have passed this Ordinance and each provision thereof, even though any one of the provisions might be declared unconstitutional or invalid. As used in this Section, the term “provision” means and includes any part, division, subdivision, section, subsection, sentence, clause or phrase; the term “application” means and includes an application of an ordinance or any part thereof, whether considered or construed alone or together with another ordinance or ordinances, or part thereof, of the Town.

Section 6. Effective Date. This Emergency Ordinance shall take effect immediately upon its adoption by the Town Council in accordance with Article 3-8 of the Ridgway Charter.

Section 7. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Ridgway, 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 Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 8. No Existing Violation Affected. Nothing in this Ordinance shall be construed to release, extinguish, alter, modify, or change in whole or in part any penalty, liability or right or affect any audit, suit, or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing which may have been incurred or obtained under any ordinance or provision hereby repealed or amended by this Ordinance. Any such ordinance or provision thereof so amended, repealed, or superseded by this Ordinance shall be treated and held as remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions, for the enforcement of such penalty, liability, or right, and for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered, or made in such actions, suits or proceedings, or prosecutions imposing, inflicting, or declaring such penalty or liability or enforcing such right, and shall be treated and held as remaining in force for the purpose of sustaining any and all proceedings, actions, hearings, and appeals pending before any court or administrative tribunal.

Section 9. Repeal. This Ordinance shall expire on September 13, 2020 reinstating the enforcement of Section 7-3-12(G)(2)(c) and (d).

Section 10. Publication. The Town Clerk is ordered to publish this Ordinance in accordance with Article 3-8 of the Ridgway Charter.

[Execution Page follows]

INTRODUCED, READ, HEARD AND FINALLY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF RIDGWAY, COLORADO, THIS 13TH DAY OF MAY, 2020.

BY:

ATTEST:

John Clark, Mayor

Pam Kraft, Town Clerk

APPROVED AS TO FORM:

Bo James Nerlin, Town Attorney