

Ad #: 0000583405-01

Customer: TOWN OF EAGLE - CLASSIFIED,

Your account number is: 1003099

**PROOF OF PUBLICATION
EAGLE VALLEY ENTERPRISE
STATE OF COLORADO
COUNTY OF EAGLE**

I, Pam Boyd, do solemnly swear that I am General Manager of the EAGLE VALLEY ENTERPRISE, that the same weekly newspaper printed, in whole or in part and published in the County of Eagle, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Eagle for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as a periodical under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

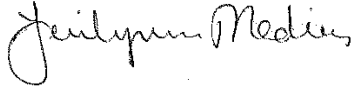
That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 1 insertion; and that the first publication of said notice was in the issue of said newspaper dated 5/28/2020 and that the last publication of said notice was dated 5/28/2020 in the issue of said newspaper.

In witness whereof, I have here unto set my hand this day, 5/29/2020.



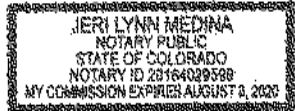
Pam Boyd, General Manager

Subscribed and sworn to before me, a notary public in and for the County of Eagle, State of Colorado this day 5/29/2020.



Jerilynn Medina, Notary Public

My Commission Expires: August 3, 2020



**TOWN OF EAGLE, COLORADO
ORDINANCE NO. 16
(Series of 2020)**

AN EMERGENCY ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AMENDING SECTION 9.15.060 OF THE EAGLE TOWN CODE TO ALLOW CONSUMPTION OF ALCOHOLIC BEVERAGES IN DESIGNATED PUBLIC PLACES

WHEREAS, on March 10, 2020, the Governor of the State of Colorado recognized the COVID-19 pandemic and declared a state of emergency;

WHEREAS, on March 15, 2020, the Mayor declared a disaster emergency in and for the Town of Eagle, Colorado, pursuant to the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, et seq., which declaration was thereafter continued by the Town Council;

WHEREAS, the emergency conditions caused by the COVID-19 pandemic, as defined by C.R.S. § 24-33.5-702, persist and require additional and sustained action by the Town;

WHEREAS, pursuant to C.R.S. § 44-3-901(1)(i)(VII), the Town Council may, by ordinance, allow for consumption of alcoholic beverages in any public place other than a public right-of-way; and

WHEREAS, allowing consumption of alcoholic beverages in designated public places in the Town would provide relief to restaurants and other liquor-licensed establishments impacted by the COVID-19 pandemic.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Section 9.15.060.C. of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

9.15.060. Possession of open alcoholic or fermented malt beverage container prohibited.

* * *

C. Nothing in this Section shall prohibit the consumption of alcohol beverages in those public places in the Town designated in writing by the Town Manager from time to time, other than public rights-of-way, subject to the following restrictions:

1. No alcohol beverage shall be consumed in any parking lot or inside a motor vehicle.
2. No alcohol beverage shall be possessed or consumed in any park when the park is closed, or between the hours of 11:00 p.m. and 7:00 a.m.
3. Any law enforcement officer or Town official, including without limitation the Town Manager, Town Clerk and Town Special Event Coordinator, may order any individual to remove alcoholic beverages from the public place at any time, for any reason.
4. The Town Manager may cause appropriate signage to be erected in such public places.

Section 2. 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 Town Council 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 3. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

Section 4. Emergency Declaration. Pursuant to § 6.04 of the Eagle Town Charter, the Town Council hereby finds and declares that this ordinance is necessary for the immediate preservation of the public health, safety and welfare, to ameliorate the negative effects of the COVID-19 pandemic on restaurants and other liquor-licensed establishments in the Town.

Section 5. Effective Date. This ordinance shall be effective immediately upon adoption.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON MAY 18, 2020.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

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