

ORDINANCE NO. 31

Series 2019

AN ORDINANCE AMENDING SECTION 11-6-2 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE EXCEPTIONS TO THE REQUIREMENT THAT A LICENSE AGREEMENT MUST BE OBTAINED TO USE TOWN-OWNED REAL PROPERTY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. Section 11-6-1 of the Breckenridge Town Code is amended by the addition of the following definitions:

BUSINESS ACTIVITY: Means conduct of any aspect of a business, concession, or service in order to provide goods or services to any person for compensation. Business activity is a nonpublic use of town real property.

Section 2. Section 11-6-2 of the Breckenridge Town Code is amended to read as follows:

B. Section A does not apply to:

1. Use of Town real property by the Town.
2. Landscaping materials, including, but not limited to, grass, trees, shrubs and flowers, which materials may be placed within a Town right-of-way without a license agreement or other authorization. The Town shall have no liability to any person for the loss, damage or destruction of any landscaping materials placed within Town right-of-way.
3. Use of Town real property pursuant to a valid agreement, including, but not limited to, an easement, a lease, or a permit issued by the Town.
4. Use of Town real property when such property is made available by the Town for use by the general public; provided, however, a license agreement is required to conduct a business activity on Town real property, even if such property is open to the general public.
5. Use of Town real property as permitted by law.

Section 3. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 4. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

Section 5. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 10th day of September, 2019.


This ordinance was published in full on the Town of Breckenridge website on September 12, September 13, September 14, September 15 and September 16, 2019.

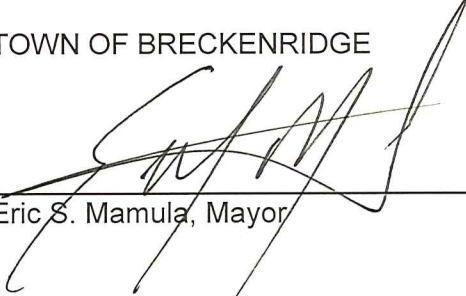
A public hearing on this ordinance was held on September 24, 2019.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 24th day of September, 2019. A copy of this Ordinance is available for inspection in the office of the Town Clerk.


ATTEST:

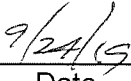
TOWN OF BRECKENRIDGE

  
\_\_\_\_\_  
Helen Cospolich, CMC, Town Clerk

  
\_\_\_\_\_  
Eric S. Mamula, Mayor

APPROVED IN FORM

  
Town Attorney

  
Date

This Ordinance was published on the Town of Breckenridge website on September 25, September 26, September 27, September 28 and September 29, 2019. This ordinance shall become effective on October 29, 2019.