

ORDINANCE NO. 2019-001

AN ORDINANCE AMENDING SECTION 2.17.010 OF THE CASTLE ROCK MUNICIPAL CODE AUTHORIZING THE CASTLE ROCK MUNICIPAL JUDGE OR ALTERNATE MUNICIPAL JUDGE TO SERVE AS INTERIM HEARING OFFICER FOR THE LIQUOR LICENSING AUTHORITY

WHEREAS, pursuant to Section 2.17.010 of the Castle Rock Municipal Code, the Town Council may appoint a hearing officer to serve as the local liquor licensing authority (“Hearing Officer”); and

WHEREAS, the Town Council may, in its discretion, appoint an alternate hearing officer who may serve in the event that the appointed Hearing Officer is unavailable; and

WHEREAS, Town staff is requesting that in the event the Hearing Officer becomes unavailable, a Castle Rock Municipal Judge or Alternative Municipal Judge may serve as the Interim Hearing Officer until the Hearing Officer is available or a new Hearing Officer is appointed by Town Council.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Amendment. Section 2.17.010 of the Castle Rock Municipal Code is hereby amended to read as follows:

2.17.010 Liquor Licensing Authority established

B. Subject to the delegation of authority in Section 2.17.020.B, the Authority shall consist of a sole Hearing Officer who shall serve at the pleasure of Town Council. The Hearing Officer shall be appointed by resolution of the Town Council and may be removed with or without cause by a majority vote of Town Council. Town Council shall establish compensation for the Hearing Officer. In the event the Hearing Officer becomes unavailable, the Castle Rock Municipal Judge or an Alternate Municipal Judge may serve as the Interim Hearing Officer until the Hearing Officer is available or a new Hearing Officer is appointed by Town Council. The term “Hearing Officer” shall be synonymous with “Liquor Licensing Authority” as used throughout this Chapter 2.17 and Chapter 5.08 of this Code.

Section 3. Severability. If any clause, sentence, paragraph or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgement shall not affect the remaining provisions of this ordinance.

Section 4. Safety Clause. The Town Council finds and declares this ordinance is promulgated and adopted for the public health, safety, and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 22nd day of January 2019 by a vote of 7 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED, AND ADOPTED ON SECOND AND FINAL READING this 5th day of February 2019 by the Town Council of the Town of Castle Rock, Colorado, by a vote of _____ for and _____ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason E. Gray, Mayor

Approved as to form:

Approved as to content:

Bob Slentz, Town Attorney

Lisa Anderson, Town Clerk