

ORDINANCE NO. 1
Series 2005

AN ORDINANCE OF THE TOWN OF LAKE CITY, COLORADO,
PROVIDING SUPPLEMENTAL REGULATIONS FOR
PERMITTING THE OPERATION OF HORSE-DRAWN
CARRIAGE BUSINESSES IN THE TOWN'S CENTRAL
BUSINESS ZONING DISTRICT.

WHEREAS a proposal for allowing horse-drawn carriage services in the Town's Central Business District has been presented to the Town Trustees; and

WHEREAS, the keeping of horses has been conditionally permitted within other zoning districts of the Town pursuant to Lake City Municipal Code Section 15.8-13; and

WHEREAS, the Board of Trustees has considered the subject proposal and has determined that the conduct of horse-drawn carriage services can be conditionally permitted in the Central Business District without prejudice to public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY, COLORADO, AS FOLLOWS:

Section 15.8-13 of the Lake City Municipal Code is hereby amended by the addition of a new subsection (F) to read as follows:

15.8-13(F) Horse-Drawn Carriage Businesses.

(1) A horse-drawn carriage business may be conducted within the central business zoning district of the Town if and when a permit is first approved and issued to the owner of such business pursuant to this subsection (F).

(2) Applications for permits may be submitted to the Town Clerk on forms supplied by the Town. Each application form shall contain all information necessary for determining whether the requirements of this subsection (F) can be met by the business owner/applicant. Among other things, each application form shall either provide for, or otherwise address, all of the following:

(a) No horses shall be boarded or otherwise kept within the central business district overnight (after 11:30 p.m. and prior to 8:00 a.m. on any specific day).

(b) Horses used by the owner of any business permitted pursuant to this subsection (F) must be kept on private property owned by or leased to the owner during times when the horses are not deployed to pull carriages through Town streets for purposes of the business.

(c) The owner of a permitted business shall, at all times during the term of the permit, be responsible for insuring that all horse manure resulting from the business is promptly removed from all public and private property that is not owned by or leased to the business (including streets, alleyways and parking areas), no later than the end of each business day.

(d) A yearly permit fee of \$100.00 must be paid prior to issuance of each pertinent annual permit.

(e) The carriage deployed in the subject business shall have "slow moving vehicle signs" (represented by the universally recognized inverted orange triangle) affixed to a rear bumper or other conspicuous area.

(f) The carriage used in the subject business must be equipped with fully functional lighting whenever operated after dark. Such lighting must be reasonably adequate to make the entire horse-drawn carriage unit safely visible to nearby vehicles and pedestrians, and provide safe visibility for the carriage operator.

(g) Each business permittee shall be limited to the use and operation of one horse-drawn carriage unless otherwise specified in the written permit.

(h) Each permittee must insure obedience to all traffic laws by employees and other operators of the subject business.

(3) Notice of a pending application, and the meeting at which the Board of Trustees will consider the application, shall be published one time in a newspaper of general circulation within the Town at least fifteen (15) days prior to the meeting, and proof of such publication shall be filed with the Town. The expense of such publication shall be borne by the applicant.

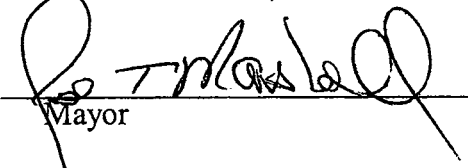
(4) The Board of Trustees may grant or deny any application for a permit, and may impose such additional conditions for granting any permit as it deems necessary for protecting the public health, safety and welfare, for preventing nuisances and for mitigating any adverse effects such as odor, insects, dust and noise. The number of horses to be allowed for each business shall be determined by the Board based upon the size of private property within the central business district on which the horses are to be kept, the owner's provisions for control and mitigation of any potential nuisances, the proximity of other businesses, residences or buildings and all other relevant factors.

(5) Any permit issued shall expire in one year. Permits may be renewed without necessity of further hearing by the Board of Trustees upon reapplication and the submittal of the annual fee of \$100.00. However, the Board reserves the right to impose, at the time of issuing any renewed permit, such additional conditions as are deemed necessary to better implement the provisions of this subsection (F).

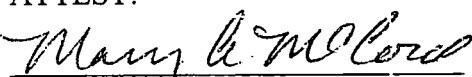
(6) The Board of Trustees may revoke any permit following reasonable notice and hearing if it determines that the criteria of this subsection, or conditions of the permit, have not been met.

INTRODUCED, READ, AND ADOPTED by the Board of Trustees of the Town of Lake City, Colorado this 4th day of May, 2005.

TOWN OF LAKE CITY, COLORADO

By: 
Mayor

ATTEST:


Town Clerk