

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 6
SERIES OF 2014**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 16-3-90 OF THE RIFLE MUNICIPAL CODE TO PROVIDE FOR LIMITED SEASONAL FOOD SALES AS A TEMPORARY USE IN THE COMMUNITY SERVICE AND TOURIST COMERCIAL ZONE DISTRICTS AND TO PROVIDE ADDITIONAL TEMPORARY USE STANDARDS RELATING TO SIGNAGE.

WHEREAS, Section 16-3-90 of the Rifle Municipal Code (the “Code”) provides that certain outdoor retail or wholesale operations may operate within the City of Rifle (the “City”) on a time-limited basis (a “Temporary Use”) and specifies the performance standards and permitting criteria for such Temporary Uses; and

WHEREAS, the City is desirous of expanding the specific types of uses that qualify as a Temporary Use to include certain limited, seasonal food sales; and

WHEREAS, the City is desirous of varying signage use standards for certain Temporary Uses; and

WHEREAS, to set forth the criteria under which these limited, seasonal food sales may be permitted and operated as a Temporary Use and to provide for the use of specific types of signage in the use standards applicable to Temporary Uses, the City Council wishes to amend Section 16-3-90 of the Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 16-3-90 of the Rifle Municipal Code is hereby amended to add subsection (f) so that it reads as follows, with additions shown in **bold, double underlined text**, and ~~strike through language is deleted~~:

Sec. 16-3-90. Temporary uses.

(f) Seasonal food sales. Seasonal food items such as snowcones, lemonade, ice cream, and other non-entrée items are permitted in the Community Service (CS) and Tourist Commercial (TC) zone districts. Seasonal food sales are permitted on a seasonal basis not to exceed five (5) months out of the calendar year. There shall be no limit on the number of seasonal food sales in permitted areas. Seasonal food sales shall be limited to a trailer or other structure no greater than 15’ by 10’ in size. Seasonal food sales shall meet all performance standards and permitting requirements for temporary uses contained in this section.

(f) (g) Prepared food temporary uses.

(g) (h) Temporary use standards. The following standards shall apply to temporary uses in all permitted districts:

(12) Signs shall be limited to twenty-four (24) square feet of signage affixed to the temporary use structure. No flags, banners or other signage shall be permitted. **Temporary uses in the downtown may have an a-frame sign that conforms with the requirements of the sign code.**

(h) (i) Revocation of permit. In addition to any other available remedies, permits issued pursuant to this Section may be revoked or suspended by the Planning Director based on evidence of fraud, misrepresentation, an incorrect statement contained in the application for a permit, failure to comply with permit conditions, failure to cure any violation within five (5) days of notice from the Planning Director or any other violation of this Code or state statute. Written notice of the suspension or revocation, along with supporting grounds therefor, shall be mailed, postage prepaid, to the permittee at his or her last known address or hand-delivered to the permittee at least three (3) days prior to the effective date of the suspension or revocation. The Planning Director may, whenever he or she determines that it is necessary for the immediate preservation of the public health, safety or welfare, immediately suspend a permit issued hereunder. Such suspension shall be for a period not to exceed seven (7) days, during which time notice shall be given within the provision of this Section.

(i) (j) Application and review. All applications for temporary uses will be reviewed according to the procedures set forth in Article V of this Chapter. Application submittal requirements are specified in Article VI of this Chapter.

INTRODUCED on April 2, 2014, read by title, passed on first reading at a public hearing, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on April 16, 2014, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ___ day of _____, 2014.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk