

ORDINANCE

AN ORDINANCE IMPOSING A MORATORIUM ON THE PROCESSING OF MASSAGE PARLOR LICENSE APPLICATIONS

WHEREAS, the City Council has become aware of illegal activity, including prostitution at licensed massage parlors in existence in the City;

WHEREAS, the City Council desires to update its massage parlor licensing requirements to ensure that activity at licensed establishments is conducted in compliance with all applicable laws; and

WHEREAS, the City Council desires to impose a moratorium on the processing on massage parlor licenses for a period of sixty (60) days following the effective date of this Ordinance to allow the City Council the opportunity to consider new massage parlor licensing regulations.

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

Section 1. Application and processing moratorium. A moratorium is imposed upon the processing and approval of all applications for permits and licenses by the City for massage parlors. City staff is directed to refuse to process, review or approve any such applications for such businesses during the moratorium period.

Section 2. Expiration. The moratorium imposed by this Ordinance shall commence as of the effective date of this Ordinance and shall expire sixty (60) days thereafter, unless repealed prior to that date or extended, if necessary, as determined by City ordinance.

Section 3: If any article, section, paragraph, sentence, clause or phrase of the ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4: The repeal or modification of any provision of Manitou Springs Municipal Code by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 5: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 6: This ordinance shall take effect five (5) days after final approval and adoption on second reading.

Passed on First Reading and Ordered Published this 3rd day of September 2013.

/s/ Donna Kast
City Clerk

A Public Hearing will be held at the September 17, 2013 City Council meeting. The Council Meeting will be held at 7:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published September 5, 2013 (in full)
City's Official Website and City Hall

Passed on Second Reading and Ordered Published this 17th day of September 2013.

Approved: /s/ Marc A. Snyder
Mayor and City Council

Attest: /s/ Donna Kast
City Clerk

Published September 19, 2013 (in full)
City's Official Website and City Hall