

**ORDINANCE**

**AN ORDINANCE OF THE CITY OF MANITOU SPRINGS, COLORADO, EXTENDING AN EXISTING MORATORIUM ON APPLICATIONS FOR ADULT BUSINESS LICENSES OR ON ESTABLISHING A SEXUALLY ORIENTED BUSINESS IN THE CITY**

**WHEREAS**, via Ordinance No. 0617, the City Council imposed a six-month moratorium on applications for adult business licenses and on establishing a sexually oriented business in the City to provide time for the City to determine appropriate location and business license regulations;

**WHEREAS**, a draft ordinance regulating adult businesses has been developed by City staff and reviewed by the City Planning Commission;

**WHEREAS**, City planning staff has met with affected property owners and is currently working on potential revisions to the draft ordinance to address affected property owners' concerns, which will require additional time and potential further review by the Planning Commission and City Council; and

**WHEREAS**, the City Council desires to extend the moratorium for approximately an additional three (3) months to continue work on the proposed regulations prior to consideration and potential adoption by the City Council.

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

**Section 1:** The moratorium imposed by Resolution No. 0617 is hereby extended through November 10, 2017, unless repealed prior to that date or extended, if necessary, as determined by City Council.

**Section 2:** If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions 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 3:** This Ordinance is necessary for the immediate preservation of the public health and safety, because the current City regulations governing sexually oriented business are inadequate to address secondary effects of such businesses and the initial six (6) month moratorium did not provide sufficient time to adopt appropriate regulations given additional concerns expressed by property owners.

**Section 4:** This Ordinance shall take effect immediately upon approval.

Passed on first reading and ordered published this 15 day of August, 2017.

/s/ Donna Kast  
City Clerk, Donna Kast

A Public Hearing on this ordinance will be held at the September 5, 2017, City Council meeting. The Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: August 17, 2017 (in full)  
*City's Official Website and City Hall*

Passed on second reading and adopted by City Council this 5<sup>th</sup> day of September, 2017.

/s/ Nicole Nicoletta  
Mayor, Nicole Nicoletta

Attest: /s/ Donna Kast  
City Clerk, Donna Kast

Ordinance Published: September 7, 2017 (in full)  
*City's Official Website and City Hall*