

**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. 3217, the City Council extended the six-month moratorium, originally established by Ordinance No. 0617, 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**, Council reviewed the draft ordinance at its regular meeting on September 19, 2017 and directed staff and legal counsel to review and advise upon several issues related to the ordinance; and

**WHEREAS**, to address the issues raised by Council and amend the ordinance as necessary, the City Council desires extend the existing moratorium another six months through May 4, 2018.

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

- Section 1:** The moratorium imposed by Ordinance No. 3217 is hereby extended through May 4, 2018, unless repealed prior to that date or extended, if necessary, as determined by City Council.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 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.

Passed on first reading and ordered published this 3<sup>rd</sup> day of October, 2017.

/s/ Donna Kast  
City Clerk, Donna Kast

A Public Hearing on this ordinance will be held at the October 17, 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: October 5, 2017 (in full)  
*City's Official Website and City Hall*

Passed on second reading and adopted by Council this 17th day of October, 2017.

/s/ Nicole Nicoletta  
Mayor, Nicole Nicoletta

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

Ordinance Published: October 19, 2017 (in full)  
*City's Official Website and City Hall*