

TOWN OF GRANBY

Board of Trustees

MEETING DATE: APRIL 14, 2020

- Consent Agenda**
- Resolution or Ordinance**
- Citizen Requests**
- Public Hearing**
- Committee/Staff Reports:**
- TOWN CLERK**
- FINANCE DIRECTOR**
- BUILDINGS AND STREETS**
- ECONOMIC DEVELOPMENT**
- PUBLIC SAFETY**
- RECREATION**
- WATER DEPARTMENTS**
- MAYOR**
- TOWN MANAGER**
- TOWN ATTORNEY**
- Other**
- Executive Session**
- Workshop**

TIME OF AGENDA ITEM: 7:20 PM

Agenda Request No. 7

**MEETING TO BE HELD AT:
Town Hall, Zero Jasper Avenue
Granby, CO 80446**

**(7) DISCUSSION AND POSSIBLE APPROVAL OF EMERGENCY ORDINANCE NO. _____,
N EMERGENCY ORDINANCE AMENDING THE GRANBY MUNICIPAL CODE BY THE
ADDITION OF SECTION 8.35.010 REQUIRING COMPLIANCE WITH PUBLIC HEALTH
ORDERS / TOWN MANAGER TED CHERRY**

7:20 PM

MEMO



To: Mayor and Board of Trustees
From: Ted Cherry, Town Manager
Cc: Deb Hess, Town Clerk
Date: 4.14.2020
Re: Emergency Ordinance – STR Revisions

Background: Due to the Grand County order on Short Term Rentals there were some questions on the enforceability of Granby's STR ordinance and how we would need to modify that. The ordinance, as presented, would allow for the Town, through ordinance, to enforce the entirety of section 8.35.010 would be added to the code and would allow for officers to enforce based on orders given by other governing entities.

Financial Impact: None

Recommendation: Manager would recommend approval of the ordinance as presented.

**TOWN OF GRANBY
BOARD OF TRUSTEES
ORDINANCE NO. _____**

**AN EMERGENCY ORDINANCE AMENDING THE GRANBY MUNICIPAL CODE BY
THE ADDITION OF SECTION 8.35.010 REQUIRING COMPLIANCE WITH PUBLIC
HEALTH ORDERS**

WHEREAS, the Board of Trustees of the Town of Granby, Colorado, pursuant to Colorado statute is vested with the authority of administering the affairs of the Town of Granby, Colorado; and

WHEREAS, a new outbreak of coronavirus disease, identified specifically as COVID-19, was detected in China in December 2019; and

WHEREAS, since then, the disease has spread to every continent except Antarctica and to 125 countries and territories; and

WHEREAS, on March 10, 2020, the Colorado Governor declared a state of epidemic disaster emergency on Colorado, and on March 11, 2020, the World Health Organization declared a global pandemic due to the spread of COVID-19; and

WHEREAS, in response to the pandemic and pursuant to state statute the Colorado Department of Public Health and Environment (CDPHE) and Grand County Public Health (GCPH) have issued orders to mitigate the effect of the pandemic on public health; and

WHEREAS, the public health orders issued by the CDPHE and GCPH are immediately necessary to control the transmission of disease to others; and

WHEREAS, the Board of Trustees, finds it in the best interest of the health, safety, and welfare of the citizens of the Town of Granby to adopt and enforce the public health orders issued by the Town and various health agencies and authorities.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF GRANBY, COLORADO, THAT:**

1. The Granby Municipal Code is hereby amended by the addition of section 8.35.010 entitled Compliance with Health Agency Orders to read as follows:

8.35.010 Compliance with Health Agency Orders

- (a) It shall be unlawful for any person, company, association, corporation, or other entity or the officers thereof to violate, disobey, omit, neglect, refuse, or fail to comply with any provision of any order to protect the health, safety, or welfare of the public issued by the Colorado Department of Public Health and Environment, Grand County Public Health, the Town of Granby, or the duly authorized Directors or officers of such organizations, or any other state, county, or district public health agency that maintains jurisdiction over the Town of Granby.
- (b) Any violation of this provision of the code shall be punished as provided for in the order violated, and where no penalty is provided therein, the violation of any order under this provision shall be punished by a fine not exceeding the maximum penalty amount set forth in GMC 1.05.090.

2. **Publication and Effective Date.** This Ordinance is necessary for the immediate protection and preservation of the public health, safety, and welfare of the citizens of the Town of Granby for the reasons described above, and therefore, shall become effective immediately as an emergency ordinance upon adoption by the Board of Trustees.

3. **Severability.** 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 Board of Trustees hereby declares that it would have passed this Ordinance and each part hereof irrespective of the fact that any one part or parts are declared unconstitutional or otherwise invalid.

5. **Repeal.** Existing ordinances or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance. Except as specifically amended by this ordinance, all other provisions of the Granby Town Code shall remain in full force and effect.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GRANBY THIS 14th DAY OF APRIL, 2020.

Votes Approving: _____
 Votes Opposed: _____
 Absent: _____
 Abstained: _____

ATTEST:

**BOARD OF TRUSTEES OF THE
TOWN OF GRANBY, COLORADO**

Deborah K. Hess, CMC
Town Clerk

By: _____
Paul Chavoustie
Mayor