

CITY MANAGER EMERGENCY REGULATION NO. 4
ISSUED PURSUANT TO THE DECLARATION OF EMERGENCY
PURSUANT TO CITY CODE SECTION 38-33 (Restaurants and Liquor Licensed
Businesses)

WHEREAS, the City Manager issued a Declaration of Emergency due to the threats posed by the novel Coronavirus (COVID-19) pursuant to with City Charter § 5.4, City Code § 38-31, and C.R.S. § 24-33.5-709, effective as of March 13, 2020; and

WHEREAS, in accordance with City Code § 38-33, the City Manager has the authority to promulgate emergency regulations, during a declared local emergency, as he or she deems necessary to protect life and property and preserve critical resources; and

WHEREAS, the Colorado State Liquor Enforcement Division has promulgated and Emergency Rule, 47-302(F) which contemplates the expansion of liquor licensed premises into outside areas in order to facilitate social distancing and compliance with public health orders for employees and customers; and

WHEREAS, the Colorado Department of Public Health and Environment has circulated draft proposed guidelines for restaurants to safely open when the Governor permits such reopening; and

WHEREAS, the state might soon decide that restaurants can begin reopening and pursuant to certain guidelines; and

WHEREAS, the City Manager hereby issues this emergency regulation pursuant to City Code § 38-33 to be effective only during Thornton's Emergency Declaration, to limit the spread of COVID-19 while at the same time allowing restaurants and liquor licensed businesses to re-open and/or safely expand the services they are offering in a manner consistent with the Governor's orders, public health orders and guidance; and

WHEREAS, during the current emergency and to allow restaurants and liquor licensed businesses to reopen for expanded services as soon as possible after the State permits such re-openings, the City Manager wishes to suspend only those ordinances that directly interfere with the authority and guidance granted by the state's reopening orders, except for those ordinances that protect against an immediate and substantial risk of harm to the public ("Safety-related Ordinances").

NOW THEREFORE, during the COVID-19 related emergency, the City Manager, as principal executive/administrative officer of the City of Thornton, Colorado, hereby:

- (1) Authorizes the City Clerk to immediately and expeditiously review and approve applications for the temporary modification of liquor licensed premises that are consistent with the requirements of State Liquor Rule 47-302(F);
- (2) Temporarily suspends land use ordinances and regulations that are not Safety-related Ordinances, but which directly interfere with Thornton-authorized restaurants and liquor licensed businesses to open for on-premises consumption of food and drinks within the guidelines established by the State and consistent with social-distancing principles and public health orders; and
- (3) Directs the City Development Director, in consultation with the Chief of Police, Fire Chief and City Attorney, to address questions from businesses about Safety-related Ordinances and the application of this emergency regulation and advise the public as necessary.


This emergency regulation shall be provided to City Council, city residents and businesses as soon as practicable.

DATED at Thornton, Colorado this 22nd day of MAY, 2020 at 10:43
4.m.



Kevin S. Woods, City Manager

ATTEST:



Kristen Rosenbaum, City Clerk