

PALMER LAKE, COLORADO
RESOLUTION NO. 5 OF 2020

**A Resolution Designating a Presumptive Neighborhood for all
Liquor and Fermented Malt Beverage license applications**

WHEREAS, The Board of Trustees sits as the Local Licensing Authority for liquor and fermented malt beverage license actions; and

WHEREAS, CRS 44-3-301(2)(a) requires licensing authorities to consider "... the reasonable requirements of the neighborhood, the desires of the adult inhabitants as evidenced by petitions, remonstrances, or otherwise, and all other reasonable restrictions that are or may be placed upon the neighborhood by the local licensing authority."; and

WHEREAS, the applicant has the burden of persuading the Authority that granting the license meets the reasonable requirements of the neighborhood and the desires of the adult inhabitants of that neighborhood (commonly referred to as "needs and desires"), it is important that both the Authority and the applicant understand the boundaries of the neighborhood in advance of the applicant presenting evidence at the hearing; and

WHEREAS, the Board of Trustees in its role as the Licensing Authority desires to streamline the application process and criteria;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1.


- For businesses that are within 500 feet of the centerline of Highway 105 the neighborhood is a radius of 2000 feet from the business.
- For businesses that are further than 500 feet from the centerline of Highway 105, the neighborhood is a radius of ~~800~~ ¹⁰⁰⁰ feet from the business.

Section 2. Any applicant reserves the right to bring evidence to the Authority in argument that the neighborhood should be defined differently for that specific application.

Section 3. This Resolution shall be effective immediately.

APPROVED AND ADOPTED on this 12th day of March 2020 by a vote of 4 for and 0 against.

Signed:



John Cressman, Mayor

Attest:



Robert Radosevich, Interim Town Administrator