

TOWN OF PAONIA, COLORADO

ORDINANCE NO. 2025-04

**AN ORDINANCE OF THE TOWN OF PAONIA, COLORADO
ENACTING ARTICLE 5, SPECIAL EVENTS, OF CHAPTER 6,
BUSINESS LICENSES AND REGULATIONS, OF THE PAONIA
MUNICIPAL CODE; AMENDING ARTICLE 3, PUBLIC PARKS, OF
CHAPTER 11, STREETS, SIDEWALKS AND PUBLIC PLACES;**

WHEREAS, the Town of Paonia, Colorado (the “Town”) is a statutory municipality organized pursuant to Colorado Revised Statutes (C.R.S) §31-1-203; and

WHEREAS, C.R.S. §31-15-201 establishes Administrative Powers for Statutory Municipalities, and C.R.S. §31-15-501 establishes powers to regulate businesses which include special events; and

WHEREAS, Chapter 6 of the Town’s Municipal Code (the “Code”) sets forth the Town’s policies for Business Licenses and Regulations; and

WHEREAS, the Town is desirous of updating, modernizing, and clarifying its regulations on special events, fees related to special events and the use of public property for special events; and

WHEREAS, the Town established a Special Events ad-hoc committee made up of the Town Administrator & Treasurer, two Trustees, and two Organizers of major special events; and

WHEREAS, the recommendations of the Special Events ad-hoc committee were discussed during the May 27, 2025, Regularly Scheduled Board of Trustees meeting and direction given to Staff to draft an Ordinance that updates the Town’s Code on Special Events.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO:

1. The foregoing recitals are incorporated by reference as the findings and determinations of the Board of Trustees.
2. Article 5 of Chapter 6 of the Code is hereby enacted to read as follows:

Article 5. SPECIAL EVENTS.

Sec. 6-5-10. Short Title. This section shall be known and may be cited as the TOWN OF PAONIA SPECIAL EVENTS ORDINANCE.

Sec. 6-5-20. Purpose and Findings.

- (a) Purpose. The purpose of this Article is to establish a procedure for permitting and regulating special events, as that term is defined in this Article. It is not the intent of this Article to regulate speech or other forms of conduct protected by either the First Amendment to the United States Constitution or by the Colorado Constitution. The permitting process established by this Article is intended to be content neutral and not subject matter based. This Article is intended merely to establish a nondiscriminatory mechanism by which the Town can control, through appropriate regulation, the holding of special events.
- (b) Findings. The Town of Paonia is authorized to regulate businesses operating within the Town pursuant to section 31-15-501, Colorado Revised Statutes. Special events, as defined in this chapter, contribute to the economic, cultural, social, and environmental health and well-being of the community. However, by their nature, special events create circumstances that may require additional regulatory controls, impact the quality of life for neighboring properties to the special event location, including, but not limited to, the need for crowd control, sanitation, security, maintenance of traffic and traffic control, parking, infrastructure, and desire to balance the quality and quantity of events. In enacting this article, the Board of Trustees is exercising its police power as granted by the constitution and statutes of the State of Colorado, as well as its power to license and regulate business activities.

Sec. 6-5-30. Definitions.

As used in this article, the following words have the following meanings, unless the context clearly requires otherwise:

- APPLICANT:** A Person who has submitted an application for permit pursuant to this article.
- APPLICATION:** An application for permit submitted pursuant to this article.
- DAY:** A calendar day, unless otherwise indicated.
- ENTERTAINMENT:** Includes, but is not limited to, touring exhibitions, concerts, performances of dance, music, drama, art and comedy, parades, sporting exhibitions or contests, festivals, fairs, automotive displays, and performances of skill.

EVENT

ORGANIZER: Any person identified in the special event permit application who conducts, manages, promotes, organizes, aids or solicits attendance at or for a special event.

FILMING: The taking of motion pictures, the taking of still photography or the use and operation of television cameras or transmitting television equipment, including radio remotes and any preparatory activity associated therewith, and shall include events that include, but are not limited to, the making of feature or documentary films, television serials, webcasts, simulcasts or specials.

FIRST

AMENDMENT

SPECIAL EVENT: A gathering, assembly, or event conducted on public property that is primarily intended to express or communicate views protected under the First Amendment to the United States Constitution, including but not limited to speech, press, assembly, and the right to petition the government. This may include protests, demonstrations, rallies, marches, vigils, or similar expressive activities. Such events are generally not subject to standard permitting requirements for time, place, or manner unless those regulations are content-neutral, narrowly tailored to serve a significant governmental interest, and leave open ample alternative channels for communication.

LOCAL NON-

PROFIT,

COMMUNITY-

BASED

ORGANIZATION: A legally recognized, non-profit entity with its principal headquarters located within the 81428 zip code. These organizations must operate primarily for charitable, educational, cultural, environmental, or civic purposes and demonstrate that their activities predominantly benefit Paonia residents or significantly contribute to the community's overall quality of life.

MULTIPLE DAY

SPECIAL EVENTS: Special Events lasting two (2) or more consecutive days.

PERMIT: A permit issued by the Town pursuant to this article.

PERMITTEE: The person to whom a permit has been issued pursuant to this article.

PERSON: Any public or private corporation, firm, partnership, limited liability entity of any kind, association, organization, government or any other group acting as a unit, as well as a natural person.

SPECIAL EVENT

Or (EVENT):

A planned or organized occurrence the primary purpose of which is entertainment that is any organized formation, parade, procession or assembly consisting of, or reasonably expected to consist of, one hundred (100) or more persons, and which may include animals, vehicles or any combination thereof, which is to assemble or travel in unison on any public street and which does not comply with normal or usual traffic regulations or controls (cattle driving or herding any other livestock is exempted from this definition); any organized assemblage consisting of, or reasonably expected to consist of, one hundred (100) or more persons at any public park which is to gather for a common purpose under the direction or control of a single person, event organizer, or organization; any other organized activity conducted by a person, organization or event organizer for a common or collective use, purpose or benefit which involves the use of, or has impact on, other public property or facilities and the provision of public safety services to the activity; any event that requires the temporary closure of a public street, alley or right of way or the erection of barricades; examples of special events include, but are not limited to, concerts parades, circuses, fairs, festivals, block parties, community events, mass participation sports (e.g. marathons, running events, bicycle races or tours, etc.), motorcycle rallies or spectator sports.

SPECIAL EVENT

VENUE:

The area within which a special event will be conducted and for which a special event permit has been issued, including any areas necessary for staging or disbanding the special event.

SPONSORSHIP IN

LIEU OF FEES:

Financial or in-kind support to the Town in exchange for 50% waiver of fees or \$500, whichever is more, for fees associated with a special event; the sponsorship must offer a measurable benefit to the Town and the value of the sponsorship must be equivalent to or greater than the waived fees.

TOWN:

The Town of Paonia.

TOWN SERVICE

FEES:

Fees due to the Town by a Permittee to reimburse the Town for its costs incurred in providing services to or for the benefit of the permittee's Special Event. Such fees include, but are not limited to, the use of Town personnel and/or equipment, Town public safety services, Town venues or facilities charges, and/or other expenses incurred or spent by the Town for the benefit of or required in connection with the Special Event.

Sec. 6-5-40. Permit Required; Exceptions.

(a) Permit Required. It shall be unlawful for any person or organization to conduct, promote, manage, aid, or solicit attendance at a special event without first obtaining a special event permit in accordance with this article.

(b) Exceptions. A special event permit is not required for any of the following activities:

1. An indoor special event of any kind occurring on private property.
2. Livestock driving.
3. Funeral processions.
4. Public activities conducted by the Town or other governmental entity acting within the scope of its authority.
5. Picketing or other first amendment activities, so long as:
 - i. The activity does not involve the use of vehicles, equipment, animals, fireworks, pyrotechnics;
 - ii. No fee or donation is charged or required as a condition of participation in or attendance in the activity;
 - iii. The activity is conducted in accordance with the law;
 - iv. Any person staging, holding presenting, or conducting such an event that expects one hundred (100) or more people must obtain a permit pursuant to this article, but there shall be no fee required aside from a refundable deposit for repairs and or cleaning, and the deadline for submission of an application does not apply to such an application that follows picketing or other first amendment activities.

Sec. 6-5-50. Application for Permit.

(a) A Person, Event Organizer, and/or Applicant seeking to obtain a permit shall file an Application with the Town. The form of the Application shall be established by the Town Administrator. An Application shall not be filed sooner than three hundred sixty five (365) Days, but not less than sixty (60) Days prior to the date on which the Special Event is to be held.

(b) At a minimum an Application should request the following information if determined to be applicable by the Town Administrator:

1. The name, address and telephone number of the Event Organizer and all persons working for the Event Organizer authorized to answer for the event on the Day of the Special Event to ensure adequate communication between the Town and the Event Organizer and designees.
2. The Date(s), Time(s) and purpose of the Special Event, a description of the anticipated Special Event Venue and the number and type of participants and spectators expected at the event.

3. A proposed traffic plan for the event venue and surrounding areas affected by the Special Event.
4. The number and location of portable sanitation facilities and a schedule for delivery, removal and cleanup.
5. A description of the public safety or other public facilities or resources requested to accommodate the Special event.
6. Other equipment or services requested to conduct the Special Event with due regard to participant and public health, safety and welfare.
7. The number of persons proposed or required to monitor or facilitate the Special Event and provide spectator or participant control and direction for the Special Event using public streets, sidewalks, or other facilities.
8. A medical plan containing provisions for first aid or emergency medical services, or both, based on the special event's risk factors.
9. An estimate of the time and resources needed to clean the venue area after the event.
10. Proof of insurance and surety bond information.
11. Any special or unusual requirements that may be needed or created by virtue of the proposed Special Event.
12. Any other information reasonably required by the Town Administrator.

(c) The Town Administrator may waive the minimum filing period and accept an Application filed within a shorter time period if, after due consideration of the date, time, place, and nature of the Special Event, the anticipated number of participants, and the Town services required in connection with the Special Event, the Town Administrator determines that sufficient time exists for the proper investigation and review of the Application; that the waiver will not present a hazard to public health, safety or welfare; and that the waiver will not create a substantial burden on the Town's staff or financial resources.

1. Applications received after the established deadline may be subject to denial or a late fee.

Sec. 6-5-60. Fees, Costs, Sponsorship in Lieu of Fees.

- (a) When an Application is filed an Applicant shall pay to the Town a nonrefundable Application fee in an amount established by Resolution by the Board of Trustees as may be amended from time to time.
- (b) If the Application includes a request to use any Town property or any Town service in connection with the Special Event, or if the Applicant is required as a condition of the permit to use any Town property or services in connection with the Special Event, the Applicant will be provided with an estimate of Town Service Fees based on a fee schedule, and the Applicant shall pay the estimated amount of the Town Services Fees

to the Town at the time of the issuance of the Permit. A final assessment of the amount of the Town Service Fees related to the Special Event will occur upon completion of the Special Event. All Town Service Fees will be adjusted to reflect the actual cost. The final amount of the Town Service Fees must be paid by the Permittee in full within thirty (30) days of the final assessment and receipt of invoice of Town costs for the special event. Any portion of the final amount of the Town Services Fees that are not paid when due shall be paid prior to any future Application by the Event Organizer, Organization, Applicant and/or Permittee.

1. Calculation of fees per day of the Special event do not include setup and breakdown days so long as they do not exceed twenty-four (24) hours for setup and twenty-four (24) hours for breakdown.
- (c) There are no fees due to the Town in connection with the issuance of a First Amendment Special Event Permit aside from a refundable damage deposit established by Resolution of the Board of Trustees as may be amended from time to time.
- (d) An Applicant may submit a Sponsorship in Lieu of Fees waiver request with its Application. The Town Administrator shall decide all Sponsorship in Lieu of Fees waiver requests. In deciding a Sponsorship in Lieu of Fees waiver request, the Town Administrator shall give due consideration to the following criteria:
1. Hosted by a Local Non-Profit, Community-Based Organization.
 2. Promotes community engagement, economic development and supports in-Town businesses.
 3. Brings in, Town of Paonia sales tax revenue.
 4. Charitable, educational, and civic pursuits.
 5. Event sponsorship level equal to or greater than the amount of fees waived.
- (e) The Town Administrator may grant a Sponsorship in Lieu of Fees waiver request in whole or in part, or the Town Administrator may deny Sponsorship in Lieu of Fees waiver request.
- (f) A Sponsorship in Lieu of Fees waiver granted by the Town Administrator shall be limited to a maximum of \$500 or 50% of fees, whichever is higher.
1. Consideration of a Sponsorship in Lieu of Fees waiver request does not include a reduction in fees associated with liquor licensing for Special Events and the provisions of Paonia Municipal Code §6-1-40 and §6-1-60 apply without reduction or waiver.
 2. Consideration of a Sponsorship in Lieu of Fees waiver request does not include a reduction of fees for additional vendors over any established limits as set by the Application that may be amended from time to time by the Town Administrator.

3. Consideration of a Sponsorship in Lieu of Fees waiver request does not include the fees associated with a street closure permit pursuant to §11-1-80 of the Paonia Municipal Code.
4. The decision of the Town Administrator on a Sponsorship in Lieu of Fees waiver shall be final.

Sec. 6-5-70. Special Event Permit Review, Investigation, Issuance, Denial, Suspension or Revocation of Permit.

- (a) Special Event Permit Review. Upon receipt of a fully completed Application along with all information required in connection with it, and the payment of the Application fee(s) as required by §6-5-60 of this Article, the Town Administrator shall transmit copies of the Application to relevant persons, agencies, or departments of the Town as the Town Administrator identifies as relevant to the Special Event Application.
- (b) Special Event Permit Investigation. Within thirty (30) days of receipt of a completed Application, those Town departments and other referral agencies described in subsection (a) of this section shall provide the Town Administrator with comments concerning the Application. If an Application is accepted by the Town Administrator less than ninety (90) days before the proposed Special Event is to be held, the town departments and other referral agencies shall use their best efforts to provide the Town Administrator with their comments in a timely manner so that the Town Administrator will have the comments before making a decision on the Application.
- (c) Standards for Issuance of Special Events Permits. The Town Administrator shall issue a permit when, from consideration of the Application and from such other information as may otherwise be obtained, the Town Administrator determines that:
 1. The proposed Special Event will positively impact the Town culturally, economically, environmentally, or socially.
 2. The Application (including any required attachments and submissions) is complete and signed by the Applicant.
 3. The Applicant has paid the Application Fee(s) and any other fees required by §6-5-60 of this Article.
 4. The Application does not contain a material falsehood or misrepresentation.
 5. The Application complies with all of the requirements of this Article.
 6. The Applicant is legally competent to contract under Colorado law.
 7. The Applicant, the Person on whose behalf the Application is made, or the Event Organizer has not previously damaged Town property and failed to pay in full for such damage, and the Applicant does not have other outstanding and unpaid debts to the Town.
 8. If the Applicant previously held a Special Event in the Town, the Applicant complied with all requirements of the Town Special Event permit for such

Application, as well as all applicable requirements of this Article and other applicable laws.

9. The duration of the event will not be longer than five (5) consecutive days, unless the Town Administrator, after taking into account all relevant factors related to the event, determines that the proposed event may be longer.
10. The proposed Special Event will not conflict with:
 - i. A Special Event for which a permit has previously been issued;
 - ii. A Town sponsored event;
 - iii. An annual Special Event which is reasonably expected to be held again, but for which an Application has yet to be submitted; or
 - iv. An event protected by the First Amendment to the United States Constitution or by the Colorado Constitution which due to its anticipated size, location, hours of operation, or other relevant factors, is reasonably expected to require such Town services or personnel as to make the holding of the Special Event for which the Application was submitted a potential risk to the public health, safety or welfare.
11. The activities of the proposed Special Event will not cause significant disruption in the ability of the Town to deliver or provide essential government services.
12. Sufficient parking is available near the site of the proposed special event to accommodate the number of vehicles reasonably expected for the event, or an acceptable transportation and parking plan to provide adequate parking for the proposed Special Event has been submitted and approved by the Police Chief and the Town Administrator.
13. The proposed Special Event will not pose a danger to the public health, safety or welfare.
14. The Applicant must provide, when required, a certificate of current commercial general liability insurance or special event liability insurance, due at least 15 days prior to the event.
 - i. The commercial general liability or special event liability insurance coverage shall be in the name of the primary Permittee, shall have limits not less than those specified and shall name the Town as an additional insured.
 - ii. The insurance limits shall be five hundred thousand dollars (\$500,000) combined single limit for bodily injury and property damage for each occurrence or claim made with an aggregate of one million dollars (\$1,000,000).
 - iii. Each insurance policy shall contain an endorsement to the effect that the insurance carrier shall notify the Town Administrator at least

fifteen (15) days in advance of the effective date of any reduction or cancelation of the policy. The cancelation or reduction of insurance coverage shall be cause for automatic suspension of the Special Event Permit until coverage shall be reinstated. All policies shall be kept in force for the period of the Special Event permit, including setup and breakdown days.

15. For all Special Event applications that include full or partial street closures the provisions of Paonia Municipal Code §11-1-80, Street Closure; permit, must be followed.

16. Duties of Permittee. In connection with the holding of the event for which a permit is issued, a Permittee shall:

- i. Comply with all of the terms and conditions of the permit;
- ii. Comply with all applicable Town ordinances and state and federal laws, including, but not limited to, all state and local liquor laws and regulations if a Special Event liquor license has been issued for the event;
- iii. Permit inspections of its records and Special Event facilities by the Town Administrator, or designee, for the purpose of determining the Permittee's compliance with the terms and conditions of the permit;
- iv. A Special event permit shall be continuously posted in a conspicuous location at the site of the Special Event throughout the duration of the Special Event;
- v. All vendors associated with the Special Event permit shall conspicuously post their state special event sales tax license that shows the name of the Special Event for which they have received their license; and
- vi. All vendors associated with a special event permit that is longer than six (6) days must conspicuously display their state sales tax license.

(d) Denial of Permit. The Town Administrator shall deny an Application for Special Event permit if the Town Administrator determines that:

1. The Application fails to meet any of the standards set forth in §6-5-70 (c) of this article;
2. Information contained in the Application, or supplemental information requested from the Applicant is found to be false in any material aspect;
3. The time, route, or size of the event will substantially interrupt the safe and orderly movement of traffic on or contiguous to the event site or route or will disrupt the use of a street or highway at a time when it is usually subject to heavy traffic congestion;
4. The location of the event will substantially interfere with any construction or maintenance work scheduled to take place upon or along the town streets or property;

5. The Applicant has failed to pay costs, fees, or deposits for a previous Special Event permit within the preceding five (5) years; or the Applicant has failed to pay the Town for damages arising from a previous Special Event held by the Applicant, regardless of when such event was held; or
6. The Applicant has failed to abide by the requirements or conditions of previous Special Event permits within the preceding five (5) years, or in the case of Multiple Day Special Events, fails to abide by the requirements or conditions of the current Special Event Permit, such conditions could be, but are not limited to, failing to register new vendors with the Town.
7. Applications that are denied do not get any applicable Application fee(s) refunded.

(e) Authority to Impose Conditions on Permit. The Town Administrator shall have the authority to impose such reasonable terms and conditions on a permit as may be necessary to protect the public health, safety, and welfare, and to obtain compliance within the requirements of this Article and applicable law.

(f) Suspension or Revocation. A Special Event permit may be suspended or revoked at any time by the Town Administrator if a determination has been made for the following reasons:

1. Fraud, misrepresentation or a false statement of material fact contained in the permit application;
2. A violation of any Town, state, or federal law or regulation;
3. A violation of any of the terms and conditions of the Permit;
4. A violation of any of the provisions of this Article;
5. Threatening weather conditions if the Town Administrator determines that holding the Special Event under such conditions would either:
 - i. Pose a threat to the public health, safety or welfare, or
 - ii. Pose a threat to any Town owned property to be used in connection with this Special Event;
6. The existence of fire or drought conditions if the Town Administrator determines that holding the Special Event under such conditions would pose a threat to the public health, safety or welfare;
7. Any unforeseen, unanticipated, or uncontrollable circumstance if the Town Administrator determines that holding the special event under such circumstances would pose a threat to the public health, safety or welfare; or
8. An irreconcilable scheduling conflict with an event protected by either the first amendment to the United States Constitution or by the Colorado Constitution.
9. Permits are non-transferable and non-assignable. Any attempt to transfer or assign such permit is cause for immediate revocation.

(g) In connection with the suspension of a permit, the Town Administrator may impose reasonable conditions.

- (h) If the Special Event permit is revoked or suspended after issuance, but prior to the commencement of the event, the Town Administrator shall provide the Event Organizer or Permittee with written notice of the revocation. The written notice shall set forth the reasons for the revocation or suspension.
- (i) If after commencement of the Special Event a suspension or revocation is issued due to an emergency requiring immediate revocation of a Special Event permit, the Town Administrator may notify the permit holder verbally of the revocation and order the Event Organizer to cease the event. It shall be unlawful for an Event Organizer to fail to comply with a verbal notice of revocation and order to cease the event.
- (j) A permit Applicant, Permittee, or Event Organizer may appeal a revocation or denial of a Special Event Permit in accordance with §6-5-100 of this Article.

Sec. 6-5-80. Unlawful Acts, Penalties and Injunctive Relief.

(a) Unlawful Acts.

1. It shall be unlawful to conduct a Special Event without a Special Event Permit as required under this article (with exceptions noted in §6-5-40 (b)).
2. It shall be unlawful for any person to conduct or manage any Special Event for which a Special Event permit has not been issued.
3. It shall be unlawful for any person to obstruct, impede or interfere with any authorized assembly, person, vehicle or animal participating in a permitted Special Event.
4. It shall be unlawful for any Event Organizer to fail to pay the costs to provide Town services, equipment and personnel (including, but not limited to, permit review and processing; traffic control review; implementation and devices; police, fire and emergency medical equipment and services; sanitary facilities and cleanup) to a Special Event within sixty (60) days of billing.

(b) Penalties and Injunctive Relief.

1. Any violation of any part or provision of this article is subject to the provisions for General Penalties in §1-4-10 through §1-4-60 of the Paonia Municipal Code.
2. The staging, holding, presenting, or conducting a Special Event without a valid permit issued pursuant to this article may be enjoined by the Town in an action brought in a court of competent jurisdiction, including, but not limited to, the Town's Municipal Court pursuant to §2-4-10 of the Paonia Municipal Code.

Sec. 6-5-90. Relationship to Other Town Ordinances.

Notwithstanding anything contained in this Code to the contrary:

- (a) A permit issued under this article is not a special events liquor license. If alcoholic beverages are to be served at the Special Event, the Permittee must obtain the required permit or approval from the Town Clerk pursuant to §6-1-10 through §6-1-90 of the Paonia Municipal Code.
- (b) A permit issued under this article may authorize the closing of streets if it complies with the provisions of §11-1-80 of the Paonia Municipal Code, including receiving a separate permit for street closure and paying applicable fees associated with the street closure permit.
- (c) A permit under this article may authorize the Permittee to exceed the maximum noise levels provided in §10-9-10 through §10-9-40 of the Paonia Municipal Code in connection with the holding of the Special Event for which the permit is issued; and the Town Administrator may establish specific maximum noise levels for any such event.
- (d) Except as specifically provided in this section, in addition to a Special Event permit, a Permittee must obtain all other required Town permits and approvals before holding the Special Event authorized by the permit.
- (e) Notwithstanding Chapter 18, Article 10 of the Paonia Municipal Code, a permit issued under this article may authorize the Permittee to display signage in connection with the holding of the Special Event for which the permit is issued.

Sec. 6-5-100. Appeals.

If the Town Administrator denies a permit, suspends a permit, or revokes a permit, the Permittee may appeal the suspension or revocation to the Board of Trustees. The appeal shall be in writing, shall be executed by the appellant or the applicant's agent or attorney, in duplicate, shall state and specify briefly the grounds for the appeal, shall be filed with the Town Clerk within ten (10) days after the action or decision of the Town Administrator, and shall be accompanied by any applicable fees. The Board of Trustees shall then give public notice of the appeal and hold a public hearing not less than twenty (20) days after the written appeal has been received by the Town Clerk. The burden of proof in such appeal is on the Permittee. If the Board of Trustees finds by a preponderance of the evidence that the Town Administrator acted correctly in denying, suspending or revoking the permit, the Board of Trustees shall uphold the Town Administrator's order of denial, suspension or revocation. If the Board of Trustees finds by preponderance of the evidence that the Town Administrator acted improperly in denying, suspending or revoking the permit, the appeal shall be sustained, and the Town Administrator's denial, suspension or revocation shall be set

aside. The decision of the Town Administrator for Sponsorship in Lieu of Fees waiver request is final and unappealable.

3. Revisions to Section 20, Group Use, of Article 3, Public Parks, of Chapter 11 shall be amended to add or ~~remove~~ the following:

(a) All groups of any size who wish to reserve portions of the Town parks must register with the Town Clerk. Groups exceeding one hundred (100) people for a special event ~~may need to obtain approval from the Board of Trustees~~ shall follow §6-5-10 through 6-5-100 of the Paonia Municipal Code for Special Events.

(b) Any group of one hundred (100) persons or larger that wishes to reserve portions of the Town parks shall pay a damage deposit ~~of one hundred dollars (\$100.00) as set by Resolution and may be amended from time to time by the Board of Trustees.~~ The damage deposit is refundable if the park is left in the same condition as it was originally found, as determined by the Town Administrator or their designee.

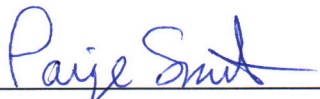
~~(c) Any group of one hundred (100) persons or larger that wishes to reserve portions of the Town parks shall pay a damage deposit. Said deposit shall be set by Resolution as determined by the Board of Trustees from time to time. The damage deposit is refundable if the park is left in the same condition as it was originally found, as determined by the Town Administrator or his or her designee.~~

~~(d)~~ (c) Activities sponsored by the Delta County Joint School District 50-J are exempt from this Article.

~~(d) The Board of Trustees may grant exemptions to this Article by majority vote.~~

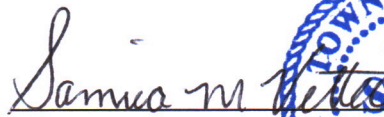
4. **Severability.** If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees declares that it would have adopted this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
5. **Effective Date and Time.** This Ordinance shall become effective thirty (30) days after publication in accordance with law.

PASSED AND ADOPTED this 10th Day of June 2025.



Paige Smith, Mayor

ATTEST:



Samira M. Vetter, Town Clerk

