

ORDINANCE NO. 2003-01

AN ORDINANCE TO REGULATE ADULT ENTERTAINMENT BUSINESSES
IN PROWERS COUNTY, COLORADO

BE IT ORDAINED by The Board of County Commissioners of Prowers County as follows, to-wit:

The Board of County Commissioners of Prowers County, Colorado has reviewed Ordinance Nos. 1045, 1046 and 1047 adopted by the City of Lamar, Colorado in 2001 and 2002 concerning the regulation and licensing of adult entertainment businesses, including an Ordinance which provides that a 17 acre parcel of land within the municipal limits of Lamar, Colorado be rezoned to allow adult entertainment businesses as provided in said Ordinances, and

The Board finds that there is presently no adult entertainment businesses in Prowers County, that the probability of such a business being located in Prowers County is unlikely, that the total population of Prowers County is approximately 14,500, of which approximately 8,600 reside in or immediately adjacent to the City of Lamar, and that no adult entertainment business has ever operated in Prowers County, Colorado nor has anyone ever attempted to open such an establishment, and

The Board finds that the Ordinances adopted by the City of Lamar, Colorado and the large area zoned for such businesses within the municipal limits of Lamar, Colorado provide adequate opportunity for the establishment of such a business, that it is therefore reasonable to prohibit such businesses in the unincorporated areas of Prowers County, Colorado, and that this Ordinance does not constitute a complete prohibition of such businesses in Prowers County as described in C.R.S. 30-15-401(1)(l) because the availability of such premises in the City of Lamar adequately serves any local need or demand in Prowers County,

IT IS THEREFORE ORDAINED by the Board of County Commissioners of Prowers County, Colorado that adult businesses, adult entertainment businesses and adult entertainment as more particularly defined in said Ordinances of the City of Lamar, Colorado are prohibited in the unincorporated areas of Prowers County, Colorado,

IT IS FURTHER ORDERED that any person violating any provision of this Ordinance is guilty of a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than One Thousand Dollars (\$1,000). Each day such violation continues shall be considered a separate offense.

IT IS FURTHER ORDERED that the Sheriff of Prowers County be and is hereby designated to enforce this Ordinance.

This Ordinance shall take effect and be in force following adoption and after thirty days of the date of publication.

This Ordinance was introduced and read at a regular meeting of The Board of County Commissioners on April 28, 2003 and ordered published in full in the Lamar Daily News at least ten days before its adoption by the Board. Comments from the public will be considered by the Board on May 19, 2003 at 11:00 a.m. in the Commissioners room.

BOARD OF COUNTY COMMISSIONERS
OF PROWERS COUNTY, COLORADO

By Leroy E. Mauch
Leroy E. Mauch, Chairman

John Stulp
John Stulp

Clede Widener
Clede Widener

ATTEST:

By Dorothy J. McCaslin
Dorothy J. McCaslin, County Clerk