

ORDINANCE NO. 09-01

INTRODUCED BY:

Councilperson Hoffman

Councilperson Clark

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES NORTH
ESTABLISHING A LOCAL LIQUOR LICENSING AUTHORITY,
REGULATING THE LICENSING OF THE MANUFACTURE,
DISTRIBUTION AND SALE OF ALCOHOLIC BEVERAGES AND
DECLARING AN EMERGENCY**

WHEREAS, the City of Castle Pines North (the “City”) is a statutory municipality incorporated and organized pursuant to the provisions of Section 31-2-101, et seq., C.R.S.; and

WHEREAS, pursuant to Title 12, Articles 46 and 47, C.R.S., the City has the authority to establish a local liquor licensing authority; and

WHEREAS, pursuant to Title 12, Articles 46, 47 and 48, and the rules and regulations promulgated thereunder, the City has the authority to establish certain application and liquor license fees and to regulate the licensure and sale of malt, vinous, spirituous liquors and fermented malt beverages; and

WHEREAS, in furtherance of the public health, safety and welfare of the inhabitants of the City, the City Council desires to regulate the licensing of the manufacture, distribution and sale of fermented malt beverages, alcoholic beverages, and special events permits for the same, as authorized under Sections 12-46-101 *et seq.*, C.R.S. and Sections 12-47-101 *et seq.*, C.R.S., and Sections 12-48-101 *et seq.*, C.R.S., respectively; and

WHEREAS, the City Council finds that, without the immediate passage of this Ordinance, the City will be unable to preserve and protect the health, peace, and safety of the residents through the regulation of liquor licensed establishments.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Castle Pines North, Colorado:

ARTICLE I. GENERAL LICENSING PROVISIONS

Section 1. Title and Scope.

This Ordinance shall be known and cited as the *City Alcoholic Beverage License Ordinance*. The City Alcoholic Beverage License Ordinance shall apply to all persons who sell alcoholic beverages at retail within the City. The existence of specific provisions in the City Alcoholic Beverage License Ordinance regarding any issue or subject shall not limit the requirements or authorities provided in the state liquor laws related to regulating or licensing the sale of alcoholic beverages within the City.

Section 2. Definitions.

All words and phrases used in this Ordinance shall have the meaning as set forth in Title 12, Articles 46 and 47, C.R.S., and the case law interpreting the same. All other words and phrases used in this Article shall have their common, ordinary and accepted meanings, except that the following terms shall have the following meanings.

Alcoholic beverages means malt, vinous or spirituous liquors, as defined in the Colorado Liquor Code, or fermented malt beverages as defined in the Colorado Beer Code.

Alcoholic beverage tasting means the sampling of malt, vinous, or spirituous liquors that may occur on the premises of a retail liquor store Licensee or liquor-licensed drugstore Licensee by adult Patrons of the Licensee pursuant to the provisions of Article V of this Ordinance and Section 12-47-301(10), C.R.S.

Applicant means a person or entity applying for a City license or permit under the City Alcoholic Beverage License Ordinance.

- a. If an individual, the person making the application.
- b. If a partnership, the partnership and each partner owning ten percent (10%) or more of the partnership.
- c. If a corporation or other legal entity licensed by the Colorado Secretary of State, the corporation and each and every officer, director, manager or stockholder holding ten percent (10%) or more of the stock therein.

Authority means the City Alcoholic Beverage Licensing Authority.

Code means the Colorado Liquor Code, the Colorado Beer Code and the Special Events Permits, collectively.

Colorado Beer Code means those provisions of state law codified in Article 46 of Title 12 of the Colorado Revised Statutes as may be amended.

Colorado Liquor Code means those provisions of state law codified in Article 47 of Title 12 of the Colorado Revised Statutes, as may be amended.

Licensee means an applicant that has been issued a City license pursuant to the City Alcoholic Beverage License Ordinance.

Alcoholic Beverage License Administrator means the administrative staff person for the City responsible for administration of alcoholic beverage licenses. In the event such position is vacant, the Alcoholic Beverage License Administrator shall be the Deputy City Clerk.

Manager means an on-site person who manages, directs, supervises, oversees and administers the transactions and acts of servants of the establishment issued a City license or permit.

Patron means any person who gains admission to enter or is knowingly allowed to remain inside of a licensed premises, regardless of whether the person paid any fee or exchanged anything of value to enter or remain inside, or purchased any product or service.

Special Events Permits means those provisions of state law codified in Article 48 of Title 12 of the Colorado Revised Statutes, as may be amended.

Specified anatomical areas means any of the following, to the extent not completely and opaquely covered:

- a. The female breast below the top of the areola;
- b. Male or female genitals and surrounding pubic region;
- c. The anus or the cleft or cleavage of the buttocks; and the male genitals in a discernibly turgid state even if completely and opaquely covered;
- d. All other terms shall be defined as set forth in the provisions of the Colorado Beer Code, and the Colorado Liquor Code and Special Events Permits, as the definitions presently exist or may hereafter be amended.

ARTICLE II. ALCOHOLIC BEVERAGE LICENSING AUTHORITY

Section 1. City Alcoholic Beverage Licensing Authority Established.

A. The City Alcoholic Beverage Licensing Authority (the “Authority”) is hereby established to be and act as the Local Licensing Authority for the City with all powers and authority granted to the local licensing authority by the Code.

B. The Authority shall have all the powers of a local licensing authority as set forth in Title 12, Articles 46, 47 and 48, C.R.S.

C. The Authority shall have the power to promulgate rules and regulations concerning the procedures for hearings before it and the presentation of evidence at hearings.

D. The Authority shall have the power to require any Applicant for a license to furnish any relevant information required by the Authority.

E. Until such time as the City Council may determine otherwise by ordinance, the Authority shall consist of the Mayor and members of City Council.

F. No person shall serve as a member of the Authority who has any interest in any entity required to have a City license or a state license issued pursuant to the state liquor laws. A person shall be deemed to have such an interest if the person or a member of his or her immediate family has such an interest. Ownership of stock solely for investment purposes in a corporation whose stock is publicly traded shall not be deemed a disqualifying interest.

G. All decisions of the Authority are final, subject only to appeal to a court of competent jurisdiction.

Section 2. Procedure at Hearing.

The rules of procedure to be followed in the conducting of the public hearing upon an application for an alcoholic beverage license shall be established by the Chairperson or his or her designee.

Section 3. Alcoholic Beverage License Administrator.

The Alcoholic Beverage License Administrator shall receive all applications for City licenses and, after such license is granted, shall issue all City licenses. Subject to the right to appeal to the Authority, the Alcoholic Beverage License Administrator shall decide all administrative applications.

Section 4. Adoption of Administrative Procedures.

The Authority, with the assistance of the Deputy City Clerk and the Alcoholic Beverage License Administrator, may adopt such administrative procedures, rules and regulations as necessary or convenient to implement the provisions of the City Alcoholic Beverage License Ordinance. All such procedures, rules and regulations shall be consistent with the Code.

Section 5. Administrative Applications.

A. The following administrative applications may be decided by the Alcoholic Beverage License Administrator, subject to appeal to the Authority:

- (1) Transfer of ownership of existing City license.
- (2) Change of corporate structure of existing City license.
- (3) Modification of premises of existing City license.
- (4) Renewal of existing City license.
- (5) Manager registration for existing City license.
- (6) Special events permit.
- (7) Change of corporate or trade name permit for an existing City license.
- (8) Bed and breakfast permits.
- (9) All other City license-related applications not requiring a public hearing by the state liquor laws.

B. The Alcoholic Beverage License Administrator may refer to the Authority for a decision regarding any administrative application when, as determined in the discretion of the Alcoholic Beverage License Administrator, the public interest would be best served by the determination of the matter by the Authority.

C. Administrative applications denied by the Alcoholic Beverage License Administrator may be appealed to the Authority. Appeals must be submitted in writing to the Alcoholic Beverage License Administrator within ten (10) days of denial, and may include a request for a hearing.

ARTICLE III. ALCOHOLIC BEVERAGE LICENSING REQUIREMENTS

Section 1. Alcoholic Beverage License Required.

A. No persons shall sell alcoholic beverages at retail within the City except pursuant to and in compliance with the City Alcoholic Beverage License Ordinance, the state liquor laws and a currently valid City license. All previously issued City licenses must be renewed annually upon proper application and payment of licensing and application fees.

B. It shall be deemed a condition of the issuance of every City license that the Licensee shall comply with the terms of this Ordinance and the Code.

Section 2. Application.

A. Application forms and written procedures for submitting applications for a City license shall be available to Applicants from the Alcoholic Beverage License Administrator. Applications shall be submitted to the Alcoholic Beverage License Administrator and accompanied by all the required fees and such additional materials as the Alcoholic Beverage License Administrator deems necessary or appropriate to carry out the provisions of the state liquor laws and the City Alcoholic Beverage License Ordinance. No application shall be considered which is not complete in every detail. Incomplete applications may be returned to the Applicant for completion or correction without any further action. Neither the City nor the Authority shall be responsible for the failure of a license to be issued or renewed prior to an expiration date because of a late, incomplete or defective application.

B. Applications requiring Authority determination will then be scheduled for public hearing before the Authority not less than thirty (30) days from the date of the application.

C. The Applicant shall post and publish the public notice thereof not less than ten (10) days prior to such hearing. Public notice shall be given by the posting of a sign in a conspicuous place on the premises for which application has been made and by publication in a newspaper of general circulation in the City.

Section 3. Investigation of Applicant.

A. The City, by and through its designated law enforcement agency, shall make an investigation of the Applicant for a new alcoholic beverage license, and, in the case of a corporation, the board of directors of the Applicant, and, in the case of a partnership, the partners of the Applicant. Such investigation shall include the fingerprinting and photographing of the Applicant and the obtaining from the Colorado Bureau of Investigation of a report on the Applicant. A written report of the findings of such investigation shall be delivered by the City's designated law enforcement agency, to the Alcoholic Beverage License Administrator at least ten (10) days prior to the hearing on the application.

B. Not less than five (5) days prior to the date of the hearing on an application, the written report of the findings based on the investigation by the City's designated law enforcement agency shall be made available to the Applicant and other interested parties.

C. The Applicant is responsible for all fees associated with investigation procedures.

Section 4. Financial Information Authorization and Release.

Every Applicant and Licensee shall execute an authorization for any source to release to the City, without further permission from the Applicant or Licensee, financial information concerning the Applicant or Licensee.

Section 5. Consideration of Factors.

Before entering any decision approving or disapproving the application for an alcoholic beverage license, the Authority shall consider the following:

- (1) The facts and evidence of the investigation;
- (2) The reasonable requirements of the neighborhood for the type of license for which an application has been made;
- (3) The desires of the adult inhabitants of the neighborhood as evidenced by petitions or otherwise; and
- (4) Other pertinent facts and evidence affecting the qualification of the Applicant.

Section 6. Fees.

A. License Fees. An Applicant shall pay a city license fee at the time of application, in the amount set by the City Alcoholic Beverage License Fee Schedule, as adopted by resolution of City Council. Such license fee shall not be rebated or discounted on a proportionate or other basis for any license in existence or issued for less than one (1) full year. City license fees shall be in addition to any annual state license or registration fees.

B. Application Fees. In addition to the fees set forth in Subsection (A), the Applicant shall pay to the City at the time of application for any alcoholic beverage license, alcoholic beverage license amendment, permit or other form of review and approval, including but not limited to an application for a new license, special events permit, transfer of location or ownership, change of corporate structure, renewal, late fee for renewal, alcoholic beverage tasting, or temporary permit pending transfer of ownership, an application fee in the amount as set forth in the City Alcoholic Beverage License Fee Schedule, as adopted by resolution of City Council.

Section 7. Manager Registration Required.

Each Licensee shall manage the licensed facility himself or herself or shall have a separate and distinct Manager who shall be registered by the Licensee with the City and the state licensing authority. Upon a change of Manager of a Licensee, the Licensee shall notify the Alcoholic Beverage License Administrator within five (5) days and shall designate a new registered Manager within thirty (30) days.

Section 8. Distance From Schools.

A. No alcoholic beverage license provided for by this Ordinance shall be issued to or held by any person who will operate any place where alcoholic beverages are sold or are to be sold by the drink within five hundred (500) feet from any public or parochial school or the principal campus of any college, university or seminary.

B. Subsection (A) does not apply to:

- (1) The renewal or reissuance of any license once granted;
- (2) An alcoholic beverage license in effect and actively doing business before the principal campus was constructed; or
- (3) Any club located within the principal campus of any college, university or seminary, as defined in Section 23-102(3), (4) and (5), C.R.S., which limits its membership to the faculty or staff of such institution.

Section 9. License Renewal.

A. All renewal applications for City licenses shall be submitted to the Alcoholic Beverage License Administrator no later than forty-five (45) days prior to the date on which the license expires, except that the Alcoholic Beverage License Administrator or the Authority may, for good cause shown, waive this time requirement.

B. If there is evidence that the license should not be renewed, the Alcoholic Beverage License Administrator shall set the application for hearing with the Authority.

C. Renewal of expired license:

- (1) A Licensee whose license has expired for not more than fifteen (15) days may file an expired license renewal application. A Licensee who files such complete application, pays the requisite fees, and has complied with all other City requirements may continue to operate until both the State and the City have taken final action to approve or deny the late renewal application.
- (2) An expired license renewal application will not be accepted more than fifteen (15) days after the expiration of a Licensee's permanent annual license. If more than fifteen (15) days have elapsed since the expiration of a permanent annual license, the Licensee must apply for a new license and shall not sell or possess for sale any alcoholic beverage until all required licenses have been obtained.

Section 10. Suspension, Revocation, and Fines.

A. The Authority shall have the power upon its own motion or upon complaint, and in accordance with the Code, to:

- (1) Summarily suspend any City license for a period not to exceed fifteen (15) days.
- (2) Upon notice to the Licensee and public hearing at which all parties in interest shall have an opportunity to be heard, suspend any City license for a period not to exceed six (6) months or revoke the license.
- (3) Accept payment of a fine in lieu of any suspension of fourteen (14) days or less.

B. Whenever the Authority, or the Alcoholic Beverage License Administrator, receives a written complaint charging any person with a violation of the state liquor laws or the City Alcoholic Beverage License Ordinance, the Authority shall cause an investigation to be made to determine the veracity of the charge. After investigating the charge and determining the probable truth of the charge, the Authority shall issue a written notice to show cause directed to such person.

C. The Authority has the power, on its own motion or on complaint, after investigation and public hearing at which the licensee shall be afforded an opportunity to be heard, to revoke any license or permit issued by The Authority for any violation by the licensee or by any of the agents, servants, or employees of such licensee of the provisions of this article, or any of the rules or regulations authorized pursuant to this article or of any of the terms, conditions, or provisions of the license or permit issued by The Authority. The Authority has the power to administer oaths and issue subpoenas to require the presence of persons and the production of papers, books and records necessary to the determination of any hearing that The Authority is authorized to conduct.

D. Whenever a decision of The Authority suspending a license or permit for fourteen days or less becomes final, whether by failure of the licensee to appeal the decision or by exhaustion of all appeals and judicial review, the licensee may, before the operative date of the suspension, petition for permission to pay a fine in lieu of having the license or permit suspended for all or part of the suspension period. Upon the receipt of the petition, The Authority may, in its sole discretion, stay the proposed suspension and cause any investigation to be made which it deems desirable and may, in its sole discretion, grant the petition if it is satisfied:

- (1) That the public welfare and morals would not be impaired by permitting the licensee to operate during the period set for suspension and that the payment of the fine will achieve the desired disciplinary purposes;

- (2) That the books and records of the licensee are kept in such a manner that the loss of sales of alcoholic beverages that the licensee would have suffered had the suspension gone into effect can be determined with reasonable accuracy therefrom; and
- (3) That the licensee has not had his or her license or permit suspended or revoked, nor had any suspension stayed by payment of a fine, during the two years immediately preceding the date of the motion or complaint which has resulted in a final decision to suspend the license or permit.

E. The fine accepted shall be the equivalent to twenty percent of the licensee’s estimated gross revenues from sales of alcohol beverages during the period of the proposed suspension; except that the fine shall be not less than two hundred dollars nor more than five hundred dollars.

- (1) Payment of any fine pursuant to the provisions of this article shall be in the form of cash or in the form of a certified check or cashier’s check made payable to the City of Castle Pines North.
- (2) Upon payment of the fine pursuant to this article, The Authority shall enter its further order permanently staying the imposition of the suspension. The Authority shall cause such moneys from the fine to be paid into the general fund.

ARTICLE IV. LICENSEE RESPONSIBILITIES

Section 1. Conduct of Premises.

A. Each Licensee shall conduct his or her establishment in a decent, orderly and respectable manner. No Licensee, Manager, agent or employee of a Licensee shall encourage, provoke or permit within or upon the licensed premises, either by its agents or employees or by a Patron, the violation of any section of this Ordinance or associated regulations; the loitering of intoxicated persons or person under the influence of alcohol, narcotic drugs, stimulants or depressants; lewd or obscene displays or activities; displays of Specified Anatomical Areas, disturbances, disorderly conduct or undue noise, any unlawful act; nor other activity offensive to the residents of the neighborhood in which the establishment is located.

B. Any Licensee, and any Manager, agent or employee of a Licensee, shall immediately report to the City any unlawful or disorderly act or conduct committed on the licensed premises or observed in the vicinity of the licensed premises.

Section 2. Interference with Officers.

No Licensee or other person shall by force or threat of force, including any letter, telephone or other communication threatening such force, endeavor to intimidate, obstruct or impede any police officer, the Alcoholic Beverage License Administrator, or any inspectors.

ARTICLE V. ALCOHOL BEVERAGE TASTINGS

Section 1. Authority.

Alcohol beverage tastings, as defined in Article I of this Ordinance, are permitted within the City only following approval of an application for an alcohol beverage tastings permit and subject to the limitations set forth in this Article and Section 12-47-301(10), C.R.S.

Section 2. Application for Alcohol Beverage Tastings Permit.

A. A retail liquor store or liquor-licensed drugstore Licensee desiring to conduct alcohol beverage tastings must submit an administrative permit application or administrative application permit renewal for that purpose.

B. An alcohol beverage tastings permit shall be valid for the period of the then-existing liquor license, and the permit may be renewed at the time of any liquor license renewal.

C. An application for an alcohol beverage tastings permit must be submitted to the liquor license Administrator no later than thirty (30) days prior to the date of the first alcohol beverage tasting requested in the application or at the time of license renewal, whichever occurs first.

D. At a minimum, the application must include the following information:

- (1) The name of the Licensee and location of licensed premises of the retail liquor store or liquor-licensed drugstore;
- (2) Description of the proposed tasting event, including information describing where within the licensed premises the tasting event will be conducted and how such event will comply with this Article.
- (3) Schedule of the specific dates and times of requested alcohol beverage tastings for the period of the permit. Such schedule shall conform to all requirements imposed by this Article. Following approval of a tastings permit and the tastings schedule by the City, the Licensee may amend such schedule by delivering to the liquor licensing Administrator, at least forty-eight (48) hours prior to an unscheduled event, a notice of amendment of the City-approved schedule.

- (4) Payment of the application fee in accordance with the City Alcoholic Beverage License Fee Schedule.
- (5) Any other information requested by the Alcoholic Beverage License Administrator reasonably necessary to ensure compliance with the requirements of this Article, state law, or applicable regulation.

E. The Alcoholic Beverage License Administrator shall approve, approve with restrictions, deny the application for alcohol beverage tastings or refer such decision to the City Council. The Alcoholic Beverage License Administrator or City Council, as appropriate, may deny an application if the Applicant fails to establish that the Applicant is able to conduct alcohol beverage tastings in compliance with this Article or Section 12-47-301(10), C.R.S., or if such alcohol beverage tastings create or threaten to create a public safety risk to the neighborhood. A decision to deny an alcohol beverage tastings application shall be made in writing and shall be provided to the Applicant within five (5) business days of the date of the decision. Approval of an application for alcohol beverage tastings shall also constitute approval of the schedule for tastings submitted with the application unless such schedule fails to conform to all applicable requirements imposed by Section 3 below.

Section 3. Alcohol Beverage Tastings Regulations.

The following regulations shall apply to all alcohol beverage tastings:

A. Alcohol beverage tastings shall be conducted only on a Licensee's licensed premises and only by a person who has completed a server training program that meets the standards established by the Liquor Enforcement Division of the Colorado Department of Revenue and who is either a retail liquor store Licensee, a liquor-licensed drugstore Licensee or an employee of a Licensee.

B. The alcohol used in alcohol beverage tastings shall be purchased through a license wholesaler, licensed brewpub or winery license pursuant to Section 12-47-403, C.R.S.

C. The size of an individual alcohol sample shall not exceed one (1) ounce of malt or vinous liquor or one-half (1/2) ounce of spirituous liquor. The Licensee shall not serve more than four (4) individual samples to a Patron during an alcohol beverage tasting.

D. Alcohol beverage tastings shall not exceed a total of five (5) hours in duration per day, which hours shall be consecutive.

E. Alcohol beverage tastings shall be conducted only during the operating hours in which the Licensee on whose premises the tastings occur is permitted to sell alcoholic beverages, and in no case not earlier than 11:00 a.m. or later than 7:00 p.m.

F. Alcohol beverage tastings shall occur only on those dates and times specified in the tastings schedule submitted with the application, as may be amended in conformance with this Article.

G. The Licensee shall prohibit Patrons from leaving the licensed premises with an unconsumed alcohol sample.

H. The Licensee shall promptly remove all open and unconsumed alcohol beverage samples from the licensed premises or shall destroy the samples immediately following the completion of the alcohol beverage tastings.

I. The Licensee shall not serve a person who is under twenty-one (21) years of age or who is visibly intoxicated.

J. Alcohol samples shall be in open containers and shall be provided to a Patron free of charge.

K. Alcohol beverage tastings may occur on no more than four (4) of the six (6) days of a week from a Monday to the following Saturday, not to exceed a total of fifty (50) days each calendar year.

L. No manufacturer of spirituous or vinous liquors shall induce a Licensee through free goods or financial or in-kind assistance to favor the manufacturer's products being sampled at a tasting. The Licensee shall bear the financial and all other responsibility of a tasting.

M. The Alcoholic Beverage License Administrator shall promptly transmit tastings schedules and any amendment to a tasting schedule to the appropriate law enforcement official responsible for monitoring and enforcing the laws governing liquor licenses.

ARTICLE VI. SPECIAL EVENTS PERMIT

Section 1. Special Events Permit Authorized.

The City shall be authorized to issue a special events permit in accordance with Section 12-48-101, C.R.S.

Section 2. Fee.

In addition to the fees paid to the Department of Revenue, an application for a special events permit shall be accompanied by a fee to the City for twenty-five dollars (\$25.00) to defray the expenses for any necessary investigation and for the issuance of the permit.

Severability.

Should any one or more sections or provisions of this Ordinance or of any of the primary or secondary codes adopted by reference be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or the codes adopted by reference hereby, the intention being that the various sections and provisions are severable.

Repeal of Previous Ordinances.

Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and 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 effective date of this Ordinance.

Emergency Declared.

The City Council finds that, without the immediate passage of this Ordinance, the City will be unable to preserve and protect the health, peace, and safety of the residents through the regulation of liquor licensed establishments. The formation of a local liquor licensing authority with jurisdiction over licensing, regulation, and sale of alcoholic beverages is immediately necessary for the health and safety of the community and will allow the City to collect liquor licensing fees and to better regulate such businesses.


Effective Date.

Except as otherwise expressly provided herein, this Ordinance shall become effective immediately upon adoption as provided in C.R.S. § 31-16-105.

INTRODUCED, READ, AND PASSED, ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO the 12th day of March, 2009.

READ, AND PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO the 9th day of April, 2009.

CITY OF CASTLE PINES NORTH:


Maureen A. Shul, Mayor

ATTEST:


Janie Berry, City Clerk



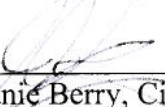
Approved as to form:


Linda C. Michow, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading at a regular meeting of the Castle Pines North City Council on March 12, 2009; published in full in the *Douglas County News-Press*; and finally passed and adopted on second reading by the City Council on April 9, 2009, following a duly noticed public meeting and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on April 16, 2009.

ATTEST:


Janie Berry, City Clerk

