

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, GRANTING
APPROVAL FOR A SUNDAY MARKET AT LIONS PARK IN DOWNTOWN BASALT**

**Town of Basalt, Colorado
Resolution No. 05
Series of 2010**

RECITALS

1. The Basalt Sunday Market group ("Applicant"), requested approval from the Basalt Town Council for the use of Lions Park and a portion of Midland Spur adjacent to Town Hall for the purpose of a weekly Sunday "farmers" Market.

2. The market will occur each Sunday beginning on June 20th through September 26th from 10:00 a.m. until 2:00 p.m.

3. The use of public spaces is allowed on a case by case basis pursuant to the completion of the Town's Public Property Registration and Acknowledgement form and final approval from the Town Council.

5. The Basalt Town Council considered the application at a public meeting on March 23, 2010 where an explanation of the market was provided from the Applicant and public comment was considered.

6. The Basalt Town Council finds that the Applicant's request is consistent with the applicable provisions of the Town Code, provided Applicant adheres to the conditions identified in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Basalt Town Council of Basalt, Colorado, as follows:

The Basalt Town Council incorporates the above recitals and all exhibits as references and as findings and determinations, and conclusively makes all of the findings of fact, determinations and conclusions contained herein.

Please return to:
TOWN OF BASALT
101 Midland Avenue
Basalt, CO 81621

FINDINGS

1. Based on the evidence, testimony, exhibits, and comments from the public, Applicant, and Town staff, the Basalt Town Council Finds and determines that the proposed use does not violate any standard of the Land Use Code.

2. The proposed market will add vitality to the downtown core as deemed an important Town goal in the 2007 Master Plan and reiterated during community meetings hosted by the Town.

CONCLUSIONS

Based on the evidence, testimony, exhibits, and comments from the public, Applicant and Town Staff, the Basalt Town Council hereby grants approval for the Basalt Sunday Market subject to the conditions contained herein and within **Exhibit A**.

READ AND ADOPTED by a vote of 7 to 0 on March 23, 2010.

TOWN OF BASALT, COLORADO

By: Leroy Duroux
Leroy Duroux, Mayor

ATTEST:

By: Pam Schilling
Pam Schilling, Clerk



Exhibit A

1. Applicant shall adhere to all material representations made in, or in connection with this application.
2. All vendors must comply with the Rules and Regulations adopted by the Sunday Market and must have a current Town of Basalt business license as well as all other applicable documentation needed to sell goods within the Town limits (i.e. liquor license if necessary).
3. All vendors must have a current proof of insurance that complies with the requirements stated in the Rules and Regulations of the Basalt Sunday Market.
4. The Sunday Market shall never block access to the Two River Apartment complex or extend into (or block) the main thoroughfare of Midland Avenue. Emergency access shall in no way be inhibited.
5. The Sunday Market shall comply with the requirements of the Basalt Fire Protection District and the Basalt Police Department.
6. The Sunday Market shall always have at least two operable fire extinguishers on site.
7. The use of electricity shall be coordinated with and approved by the Public Works Department. The Town is in favor of the Sunday Market exploring sustainable power sources such as solar.
8. The Sunday Market shall be responsible for trash collection and removal. All debris and equipment shall be cleared from the site by nightfall on the same day as the market.
9. The Sunday Market shall provide recycle bins for the collection of commingled materials (i.e. glass, plastic and metal) unless provided by the Town of Basalt.
10. The Sunday Market shall provide a location for the collection of previously used bags to be recycled or used by Sunday Market customers.
11. Vendors shall be required to use only paper bags that have been made from recycled paper. The use of thin film plastic shopping and vegetable

bags and Styrofoam containers shall be prohibited.

12. The Sunday Market shall work with the Green Team on efforts to establish a composting system for biodegradable waste generated from the market.
13. The Sunday Market group shall partner with the Green Team to establish goals for the "greening" of the Sunday Market, which may include a schedule that allows for the gradual implementation of such goals. At the end of the market season, the Town Council may request that the Green Team determine if the adopted goals were achieved and can request that new green goals be incorporated as conditions of approval for the following year. The Council recommends that the Green Team and the Sunday Market group collaborate and explore ways that the Green Team can undertake efforts to help implement solar power and the use of biodegradable materials (i.e. corn based utensils, plates, and bags) as part of the market.
14. The Sunday Market shall provide portable toilets on site upon the request of the Town. Portable toilets cannot be placed on site prior to 4:00 p.m. the day before the market. All portable toilets must be removed prior to nightfall on the same day as the market.
15. No vegetation shall be removed or modified for the purpose of accommodating the Basalt Sunday market without consent of the Town Horticulturalist.
16. The Sunday Market will be reimbursed by the Town for music, marketing, and efforts to make the market "green" not to exceed a total of \$5,000. Receipts or invoices for such expenditures shall be provided and approved by the Finance Department prior to payment.
17. The Sunday Market group shall work with Town Staff to establish an event package from which the Sunday Market can rent items (i.e. extension cords, tables, chairs, umbrellas, etc.). These items will be provided to the Sunday Market free of charge in 2010.
18. This approval is valid from June 20 through September 23, 2010. Additional days shall be approved by motion by the TRC. Approval of the Sunday Market for following years shall require subsequent application and review by the Town.
19. Any substantial changes to the operation of the market that are outside the parameters of this approval must be considered and approved by the

Basalt Town Council. Insubstantial changes may be authorized by the TRC. The Sunday Market may appeal a decision of the TRC to the Town Council.

20. If the Basalt Sunday Market is found to be in violation of this approval, it can be revoked at any time at the discretion of the Town Manager.