

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, GRANTING
APPROVAL FOR A SUNDAY MARKET ON MIDLAND SPUR AND LIONS PARK IN
DOWNTOWN BASALT**

**Town of Basalt, Colorado
Resolution No. 1
Series of 2011**

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 19, 2011 through September 25, 2011 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.
4. The Basalt Town Council considered the application at a public meeting on April 12, 2011 where an explanation of the market was provided from the Applicant and public comment was considered.
5. 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.

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 6 to 0 on April 12, 2011.

TOWN OF BASALT, COLORADO

By: _____
Leroy Duroux, Mayor

ATTEST:

By: _____
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. A primary goal of Town's approval of the Sunday Market is to support local retail and restaurant businesses. Therefore, before the layout of the Sunday Market is finalized, representatives of the Market shall meet with commercial businesses immediately adjacent to the market and the Town Council requests that the Sunday Market group locate vendors in a manner that does not directly compete with those commercial businesses. The Town Manager has the authority to address any issues that arise during the market season.
6. Pedestrian access to Saxy's commercial space shall not be blocked. All reasonable efforts will be made to accommodate the flow of pedestrians to the Saxy's entrance as a part of the Sunday Market.
7. Pedestrian access to the entrance of the Wyly Art Center shall not be blocked. All reasonable efforts will be made to accommodate pedestrian flow to the Wyly Art Center as part of the Sunday Market.
8. The Sunday Market shall comply with the requirements of the Basalt Fire Protection District and the Basalt Police Department.
9. The Sunday Market shall always have at least two operable fire extinguishers on site.

10. 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.
11. 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.
12. The Sunday Market shall provide a location for the collection of previously used bags to be recycled or used by Sunday Market customers.
13. The Sunday Market shall comply with the event standards set forth in the Town's Green Events Checklist (attached) or the conditions established in this resolution - whichever is more restrictive. The Town of Basalt, Sunday Market Coordinator may interpret or modify requirements of the Green Event Checklist for the Sunday Market as he/she deems appropriate.
14. The sale of bottled water shall not be permitted at the Sunday Market. The Market is encouraged to provide a water station where patrons can (buy and) fill reusable containers with water from the Town's water supply.
15. 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.
16. No vegetation shall be removed or modified for the purpose of accommodating the Sunday Market without consent of the Town Horticulturalist.
17. 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.
18. This approval is valid from June 19 through September 25, 2011. 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 Sunday 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 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.