

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, GRANTING  
APPROVAL FOR THEATRE PERFORMANCES IN LIONS PARK, BASALT,  
COLORADO BY JAYNE GOTTLIEB**

**Town of Basalt, Colorado  
Resolution No. 02  
Series of 2011**

**RECITALS**

1. Jayne Gottlieb ("Applicant"), requested approval from the Basalt Town Council for the use of the Lions Park Stage and surrounding area in the park to produce musical theatre performances.
2. The performances will occur each Friday, Saturday, Sunday, and Monday evening beginning on July 1, 2011 through August 1, 2011 from 7:00 PM until 9 PM.
3. The use of public spaces is allowed on a case by case basis through the Town's Special Event Review Policy.
4. The Basalt Town Council considered the application at a public meeting on June 14, 2011 where an explanation of the performances 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 performances 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 musical theatre performances in the park subject to the conditions contained herein and within **Exhibit A** and approves of amplified sound in Lions Park on the dates and times proposed in the Application.

READ AND ADOPTED by a vote of 6 to 0 on June 14, 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. The Applicant shall submit proof of liability insurance to the Town naming the Town as a coinsured prior to holding the first production.
3. Amplified performances shall only be held on the evenings specified in this resolution. Amplified sound checks and rehearsals may occur during the day on the Thursdays and Fridays of a new show opening that week. The Applicant shall coordinate with the tenants of Planning Annex. Building to ensure that the rehearsals are not substantially disturbing scheduled activities in the building. The performances shall not be scheduled to go beyond 9 PM.
4. The Applicant may use the restrooms in the Planning Annex. Building to accommodate the performances. One additional portable toilet shall be provided by the Applicant and serviced by the company on a weekly basis after the week's performances. The location of the portable toilet shall be approved by the Town's Public Works Director prior to commencing performances on the park. The Applicant shall provide a cleaning fee for use of the bathrooms in an amount equal to the Town's cost for having the bathrooms professionally cleaned four (4) times, one time per weekend. The Applicant shall be responsible for deep cleaning and stocking the bathrooms in the Planning Annex. Building after each performance. The Applicant shall encourage her cast and crew to use the portable toilet during rehearsals so as not to conflict with use by tenants of the Planning Annex. restrooms. An additional site maintenance deposit of \$25 shall be provided by the Applicant and refunded if the site, including the bathrooms, is maintained without damage and free of trash.
5. A plan showing the location of any easy-up canopy tents to be erected by the Applicant shall be reviewed and approved by the Town's Public Works Director prior to installation to ensure that stakes do not injure the irrigation lines and do not impede park maintenance. The Applicant shall provide the Town with a \$200 refundable deposit for the installation of stakes in the park. If no damage is done to the Town's irrigation system, the Town will refund the \$200 to the Applicant. Any easy-up canopy tents erected shall be 200 square feet or less to be exempt from needing a building permit. Any canopy tents erected over 200 square feet require a building permit and shall be made of fire resistant materials.
6. Except for the area of sidewalk identified as seating for the elderly and handicapped individuals, the public sidewalks on both side of the venue, an unobscured path shall remain open. Pedestrian access to the entrance of the Wyly Arts Center shall also not be blocked. All reasonable efforts will be made to accommodate pedestrian flow

to the Wylie Arts Center. The loading and unloading zone in front of the planning Annex. Building shall not be blocked during performances or during rehearsals.

7. The Applicant shall not use pyrotechnics unless first approved by the Basalt and Rural Fire Protection District.
8. The Applicant shall be responsible for trash collection on the stage and in the park around the stage after each performance for deposit in the Town's trash.
9. The Applicant shall provide recycle bins for the collection of commingled materials (i.e. glass, plastic and metal) and shall have her staff or volunteers monitor the collection stations.
10. The performances shall comply with the green event standards set forth in the Town's Green Events Checklist to the extent applicable. The Applicant shall conduct a post-event evaluation and de-briefing report and provide it to the Town within 14 days of the final performance that includes pertinent observations, notes, and data that may help reduce the environmental impacts of similar events to be held in the future.
11. Any printed materials advertising the event shall, at a minimum, be printed on 50% post-consumer recycled content paper.
12. The sale or distribution of bottled water shall not be permitted at the performances. The Applicant is encouraged to provide a water station where patrons can fill reusable containers with water from the Town's water supply.
13. No vegetation shall be removed or modified for the purpose of accommodating the performances without consent of the Town Horticulturalist.
14. This approval is valid for performances through August 1, 2011. Additional performances may be approved by the Town Manager pursuant to the review process established in the Town's Lions Park Stage Reservation Policy.
15. Any substantial changes to the performances 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 Town Manager.
16. If the performances are found to be in violation of the terms of this approval. This approval can be revoked at any time at the discretion of the Town Manager.
17. The Town will provide stakes and caution tape or rope and will delineate the seating area for the performances. The delineation tape or rope will be removed by the

Public Works Department each week after the final performance of the weekend.

18. The police that are on duty will patrol the area during the performances as part of their normal patrols, but will not be on-site specifically as security for the performances.
19. The Applicant shall obtain necessary approvals from the Eagle County Environmental Health Department for the accessory food vending operations that are proposed.
20. The Applicant may close up to two parking spaces at the south end of Midland Spur adjacent to the stage for the duration of the performances and have a portable storage facility (storage pod) delivered to store the Applicant's costumes and equipment.
21. The Town Manager may make insubstantial amendments to the approvals granted herein and establish administrative rules in order to ensure efficient and compatible use of the stage by the Applicant.
22. The Applicant shall encourage her cast and crew to park on Two Rivers Road whenever possible.
23. A stage usage fee as determined reasonable by the Town Manager shall be paid by the Applicant.