

TOWN OF SAN LUIS

Ordinance 2020-05

**AMENDMENT OF EMERGENCY CORONAVIRUS (COVID-19) CURFEW
ORDINANCE 2020-02**

AN AMENDMENT OF THE EMERGENCY ORDINANCE CONCERNING THE CORONAVIRUS (COVID -19) CURFEW ORDINANCE 2020-02 TO EXTEND A 10:00 PM TO 6:00 AM CURFEW THROUGH JUNE 9TH, 2020.

WHEREAS on March 10, 2020 Jared Polis, the Governor of the State of Colorado, declared a statewide state of emergency in response to coronavirus (COVID-19); and

WHEREAS, the World Health Organization has declared the coronavirus (COVID-19) to be a worldwide pandemic; and

WHEREAS, the coronavirus (COVID-19) has been confirmed to exist in the State of Colorado; the San Luis Valley and Costilla County; and

WHEREAS, the Board of Trustees of the Town of San Luis confirms that protecting public health is the Board of Trustee’s top priority; and

WHEREAS, the Board of Trustees is empowered by Section 31-15-401(1)(b), C.R.S., to do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, the Board of Trustees finds and determines that the adoption of the ordinance is necessary for the promotion of health and the suppression of disease; and

WHEREAS, the Board of Trustees further finds and determines that the adoption of this ordinance is proper under Section 31-15-401(1)(b), C.R.S., and other applicable law.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SAN LUIS, COLORADO:

Section 1. Title. This ordinance shall be known and may be cited as the “Amendment of the 2020-02 Town of San Luis Coronavirus (COVID-19) Curfew Ordinance.”

Section 2. Intent. It is the intent of this ordinance to provide the necessary organization, powers, and authority to enable the timely and effective use of all available Town resources to prepare for, respond to, and recover from the declared local public health emergency. This ordinance is intended to grant as broad a power as is permitted within the letter and spirit of the San Luis Municipal Code and the Board of Trustees-Manager form of government, and this ordinance shall be interpreted in accordance with such intent. The Board of Trustees retains the power to direct the Town Manager during the pendency of the current coronavirus (COVID-19) public health emergency.

Section 3. Public Health Emergency Declared. The Board of Trustees hereby declares that a public health emergency relating to the coronavirus (COVID-19) exists within the Town. Such circumstance is referred to in this ordinance as the “public health emergency.” The public shall be notified of this declaration through general dissemination to the news media, posting on the Town website, or other means of publicity intended to advise the general public.

Section 4. Declaration of curfew for the Town of San Luis, Colorado. Because of the Public Health Emergency created by the presence of the Coronavirus (COVID-19) within Costilla County and the San Luis Valley, the San Luis Board of Trustees is implementing a stay at home, shelter in place curfew between the hours of 10 pm and 6 am until 12:00 am June 9, 2020.

Section 6. Curfew Fines. The San Luis Board of Trustees will issue citations and fines of \$300 to anyone outside of their home or property from the hours of 10 pm to 6 am until 12:00 am, June 9th, 2020. This ordinance is being implemented because of the excessive number of children, youth and adults continuing to gather in groups and walking the streets during this period of time.

Section 7. Shopping Limits and Number of Customers Allowed in Stores. It is the responsibility of the store owners to keep citizens safe while shopping thus the number of customers allowed in stores within the San Luis town limits will be limited to ten (10) people at a time to allow for safe social distancing. Shoppers must wear a protective mask or and be refused entrance into the store if not wearing the protection of a mask. This section is mandatory for all stores within the town limits.

Section 8. Enforcement of Orders:

(a) The members of the Costilla County Sheriff’s Office, code enforcement, the Mayor or Town Manager are hereby authorized and directed to enforce the orders, rules, and regulations made or issued pursuant to this ordinance. All members of the public shall be deemed to have been given notice of all orders, rules, and regulations made or issued pursuant to this ordinance upon their dissemination to the news media or publication on the Town website or other means of publicity.

(b) It is unlawful and a misdemeanor offense for any person to violate any provision of this Section 6 and 7. Any person convicted of a violation of this section shall be subject to the penalties set forth in section 1.09.020 of the Town of San Luis Municipal Code.

Section 11. Conflict With Other Laws: If any provision of this ordinance conflicts with any provision of the Town of San Luis Municipal Code, or any provision of the Town Council’s Procedures and Rules of Order, this ordinance shall control.

Section 12. Police Power Finding. The Board of Trustees hereby finds, determines and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of San Luis and the inhabitants thereof.

Section 13. Authority. The Board of Trustees hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the provisions of Section 31-15-401(1)(b) 34 C.R.S., and the powers possessed by home rule municipalities in Colorado, including, but not limited to, Section 3.13 of the Town of San Luis Municipal Code entitled “Emergency Powers.”

Section 14. Emergency Declaration. The Board of Trustees of the Town of San Luis hereby finds, determines and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public property, health, welfare, peace or safety for the reasons enumerated in the introductory paragraphs of this ordinance, which are incorporated into this Section 13 by reference. The Town Council further determines that the adoption of this ordinance as an emergency ordinance is in the best interest of the citizens of the Town of San Luis.

Section 15. Effective Date. This Ordinance shall take effect and be in full force upon adoption of this ordinance by the three (3) affirmative votes of at least five (5) members of the Board of Trustees.

Section 16. Publication of Ordinance. This ordinance shall be published in full within ten (10) days after adoption on the town website, or as soon thereafter as possible, as required by Section 1.07.070 of the San Luis Municipal Code.

ADOPTED AND APPROVED as an Emergency Ordinance this 14th day of May, 2020.



TOWN OF SAN LUIS, COLORADO

by: Tiffany A. Gallegos
Tiffany A. Gallegos, Mayor

ATTESTED:
Rebecca Romero

Rebecca Romero, Town Clerk

	AYE	NAY	ABSENT	ABSTAIN
Mayor Tiffany Gallegos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Jessica Durgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee France LaVoie	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Shantae Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Robert Romero	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pro Tem Brian Valdez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>