

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, GRANTING
APPROVAL FOR THE WILLITS STREET FAIR ON EAST VALLEY ROAD AND THE
POCKET PARK IN BLOCK 2, WILLITS TOWN CENTER**

**Town of Basalt, Colorado
Resolution No. 34
Series of 2013**

RECITALS

1. The Independent Ventures and Whole Foods ("Applicants"), requested approval from the Basalt Town Council for the use of the Pocket Park in Block 2 of Willits Town Center and a portion of East Valley Road adjacent to the Pocket Park for the purpose of a weekly street fair.

2. The street fair will occur each Thursday beginning on July 11, 2013 through October 3, 2013 from 4:00 p.m. until 7:00 p.m.

3. The use of public spaces is allowed on a case by case basis pursuant to the final approval from the Town Council.

4. The Basalt Town Council considered the application at a public meeting on July 9, 2013 where an explanation of the street fair was provided 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, including Section 6-14, *Temporary vendor use of public property and rights of way*, and Council Policy 104.1(c), 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

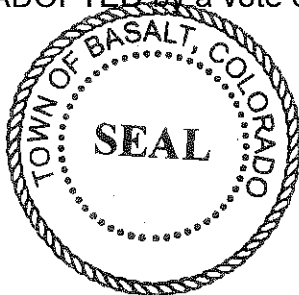
1. Based on the evidence, testimony, exhibits, and comments from the public, Applicant, and Town staff, the Basalt Town Council Finds and determines that the proposed use does not violate any standard of the Land Use Code.

2. The proposed street fair will add vitality to the Town of Basalt as deemed an important Town goal in the 2007 Master Plan.

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 Willits Street Fair subject to the conditions contained herein and within **Exhibit A**.

READ AND ADOPTED by a vote of 6 to 0 on July 9, 2013.



TOWN OF BASALT, COLORADO

By: _____

Jacque R. Whitsitt, 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 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 for the area of the street fair if alcohol is to be served).
3. Upon request of the Town Manager, all vendors shall be required to show proof of current insurance that complies with the Town's requirements. The Applicants shall provide proof of insurance to the Town Planning Department in the amount of \$1 Million listing the Town as an additional insured.
4. Emergency access shall in no way be inhibited.
5. A primary goal of Town's approval of the Willits Street Fair is to support local retail and restaurant businesses. Before the layout of the Willits Street Fair is finalized, Applicant shall meet with commercial businesses immediately adjacent to the Willits Street Fair and the Town Council requests that the Applicant 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 operations of the Willits Street Fair. If after the initial occurrence of the event on July 11th, the Town Manager determines that the closure of East Valley Road is unsafe or causes too many difficulties for the Town, he may require that the event be held in the Town's Pocket Park and the Whole Foods parking lot as an alternative to closing East Valley Road for future occurrences of the event. The Applicants may appeal any such decision by the Town Manager to the Town Council.
6. The Willits Street Fair shall comply with the requirements of the Basalt Fire Protection District and the Basalt Police Department. The Applicants shall hire professional traffic control for closing the street.
7. The Willits Street Fair shall always have at least two operable fire extinguishers on site. Every vendor that cooks food at the street fair shall have a fire extinguisher available at their booth. The Market Manager shall be trained to use the extinguishers if necessary and shall be aware of their location during each event throughout the season.
8. The use of electricity shall be coordinated with and approved by the Public

Works Department. The Town is in favor of the Applicant exploring sustainable power sources such as solar. Additionally, public restrooms shall be made available for the event.

9. The Applicant 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 street fair.
10. The Applicant shall provide a location for the collection of previously used bags to be recycled or used by Willits Street Fair customers.
11. The Applicant shall comply with the event standards set forth in the Town's Green Events Checklist or the conditions established in this resolution - whichever is more restrictive. The Town Manager may interpret or modify requirements of the Green Event Checklist for the Willits Street Fair as deemed appropriate.
12. The sale of bottled water shall not be permitted at the Willits Street Fair. The Applicant and its vendors are permitted to sell reusable water bottles.
13. No vegetation shall be removed or modified for the purpose of accommodating the Willits Street Fair without consent of the Town Horticulturalist and Town Planner.
14. This approval is valid from July 18th through October 3, 2013. Additional days may be approved by motion by the TRC. The first Approval of the Willits Street Fair for following years shall require a new application and review by the Town.
15. In exchange for the use of public property for the proposed event, the Applicants shall put in a good faith effort to once again operate the winter market in Willits Town Center instead of in El Jebel, where it operated last winter. The Applicants shall also allow the Sunday Market organizers to have a vendor space free of charge to advertise the Sunday Market if they so choose.
16. The Applicants shall submit a booth layout plan for review by the Town Planner.
17. Any substantial changes to the operation of the Willits Street Fair 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 Applicant may appeal a decision of the TRC to the Town Council.
18. If the Applicant is found to be in violation of this approval, it can be revoked at any time at the discretion of the Town Manager.