

## RESOLUTION NO. 2022-06-03

### **A RESOLUTION AUTHORIZING THE CREATION OF A PEDESTRIAN MALL AND THE SEMI-PERMANENT CLOSURE TO VEHICULAR TRAFFIC OF BEAVER AVENUE BETWEEN MAIN STREET AND STATE STREET**

**WHEREAS**, the City Council has been granted broad authority to provide for the construction, maintenance, operation, and disposition of public improvements, public works, public utilities, public services, and public buildings of every nature pursuant to the Fort Morgan Charter Article IV Section 4; and,

**WHEREAS**, pursuant to Colorado Revised Statutes §31-15-702, the governing body of each municipality has the power to “lay out, establish, open, alter, widen, extend, grade, pave, or otherwise improve street, parks, and public grounds and vacate the same and... to regulate the use of same”; and,

**WHEREAS**, the City desires for a semi-permanent pedestrian mall at Beaver Avenue, between Main Street and State Street, to encourage additional safe outdoor walkable space for citizens, customers and visitors of the City; and,

**WHEREAS**, in order to do so, the City wishes to close to vehicular traffic at Beaver Avenue, between Main Street and State Street; and,

**WHEREAS**, a City owned-park encompasses the entire block adjacent to one side of Beaver Avenue between Main Street and State Street, and no businesses or private properties front the other side of Beaver Avenue between Main Street and State Street; and,

**WHEREAS**, the City Council finds it desirable and prudent, and in the best interest of the general health, safety, and welfare of its residents to authorize the semi-permanent closure of this portion of Beaver Avenue.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:**

**SECTION 1:** Effective July 1, 2022, City Council hereby authorizes the establishment of a pedestrian mall and the semi-permanent closure to vehicular traffic of the streets and sidewalks on Beaver Avenue between Main Street and State Street.

**SECTION 2:** Said closure to vehicular traffic shall be in effect until a subsequent Resolution by City Council authorizes otherwise.

**SECTION 3:** The City Manager or his designee is hereby authorized to take any further action reasonably necessary or prudent to carry out the effect of this Resolution.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 21<sup>st</sup> day of June, 2022, the vote upon roll call being as follows:

Ayes: Mayor Deal, Councilmembers Anderson, Kaper, Parks, Schossow

Nays: Councilmember Urdiales

Absent /Abstain: Councilmember Garcia, Absent (excused)



THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

BY: *Lyn Deal*

Mayor Lyn Deal

ATTEST:

*John Brennan*  
John Brennan, City Clerk

STATE OF COLORADO )  
COUNTY OF MORGAN ) ss.  
CITY OF FORT MORGAN )

**CERTIFICATE**

I, John Brennan, City Clerk for the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Resolution** is a true, perfect and complete copy of the **Resolution** adopted by the Council of Fort Morgan, Colorado, and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have affixed the seal of the City of Fort Morgan this 21<sup>st</sup> day of June, 2022.

*John Brennan*  
John Brennan, City Clerk