

ORDINANCE NO. 14-_____

AN ORDINANCE AMENDING ARTICLE 1 (GENERAL BUSINESS LICENSE PROVISIONS) OF CHAPTER 2 (BUSINESS LICENSING, LIQUOR REGULATION AND TAXATION) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO GENERAL BUSINESS LICENSE PROVISIONS

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 103 (Definitions) of Part 1 (Title, Purpose and Definitions) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

2.1.103: DEFINITIONS:

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HEARING OFFICER: A person designated by the Licensing Officer who conducts hearings: a) on appeal of the Deputy Licensing Officer's decisions, and b) on allegations of license violations requiring a suspension or revocation hearing.

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PERSON: Includes individual, corporation, business trust, estate, trust, partnership, association, **company, organization**, sole proprietorship or any other legal entity.

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RECORDS: Includes, but is not limited to, the history of corporate or partnership status, trade name registration with the Colorado ~~Department of Revenue~~ **Secretary of State**, employee records, employee schedules, contracts for

services, **invoices, receipts, and purchase orders, and applicable income and sales tax returns.**

Section 2. Section 202 (Duties and Functions) of Part 2 (Deputy Licensing Officer) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

2.1.202: DUTIES AND FUNCTIONS:

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F. Administer Oaths; Issue Subpoenas: In conducting any investigation ~~or hearing~~, the ~~Licensing and Deputy Licensing Officers~~ **are is** empowered to administer oaths and issue subpoenas. Compliance with any subpoena issued by the ~~Licensing or Deputy Licensing Officer~~ may be enforced by application to the Municipal Court of the City, where enforcement may be in the same manner as contempt of court.

Section 3. Section 303 (Bond Requirements) of Part 3 (License Requirements) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

2.1.303: BOND REQUIREMENTS:

Whenever the terms of the provisions applicable to a particular license require the posting of a bond, no license shall be issued, or if issued no license shall be effective, until the licensee or applicant furnishes a good and sufficient ~~original~~ bond certificate, ~~with surety to be~~ **in a form** approved by the City Attorney, in the prescribed sum, conditioned upon the faithful observance of all the terms of the provisions pertaining to the business licensed. Bonds shall also be conditioned upon payment of all fines, penalties and costs that may be adjudged against the licensee for violation of the provisions pertaining to the license.

Section 4. A new section 306 (Notices; Service) of Part 3 (License Requirements) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is hereby added to read as follows:

2.1.306: NOTICES; SERVICE

A. All notices required or permitted under this General Licensing Code shall be given in writing. Notice sent to the last mailing or e-mail address furnished to the City Clerk's Office by the licensee for the business shall constitute prima facie evidence that the licensee received the notice.

B. Unless otherwise specified, any process, notice or order required or permitted under this General Licensing Code may be served by hand delivery to the licensee or to any principal, managing agent or the agent for process of the licensee, or by first-class mail, postage prepaid, or e-mail to the last mailing or e-mail address furnished to the City Clerk's Office by the licensee for the business, by posting on the premises, or by a combination of these methods.

C. Service upon a principal, managing agent, or designated agent for process of a licensee shall be deemed to be service upon the licensee.

Section 5. Sections 402 (Form of Applications; Sworn Statements) and 403 (Contents of Applications) of Part 4 (Applications for License) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

2.1.402: FORM OF APPLICATION; SWORN STATEMENTS:

All applications shall be ~~written statements~~ **submitted** upon forms provided by the City Clerk's Office. ~~The truthfulness of all statements upon the forms shall be sworn to by the applicant before a notary public or other oath taking official. In the event any person knowingly makes any false statement or omits any pertinent information on any application, that act or omission shall be grounds~~

~~for denial of the license or for suspension or revocation of any license issued upon the basis of the false statement, and shall be grounds for prosecution for perjury.~~

2.1.403: CONTENTS OF APPLICATIONS:

Unless otherwise provided, ~~the~~ application for every license required by and issued under the authority of the City shall contain:

A. The **full name and mailing address** of each applicant desiring the license, **and any other names under which the applicant is or has been known**, ~~a copy of the applicant's registration with the Colorado Department of Revenue, and a copy of the corporate form from the Secretary of State as applicable;~~

B. The name under which the applicant intends to do business;

C. A copy of the applicant's trade name registration and certificate of good standing from the Colorado Secretary of State as applicable;

~~BD.~~ The residence address, **telephone number and date of birth** of the applicant, if an individual, ~~of each of the individual members of the entity, if a partnership, corporation, business trust, estate, trust or association, and of each of the directing officers, if a corporation;~~

E. The full name and any other names under which each principal and managing agent of the applicant is or has been known and the residence address, telephone number, and date of birth of each principal and managing agent of the applicant;

F. The full name, residence address, and telephone number of the resident agent for process of the applicant;

~~CG.~~ The type of license desired, stating the business to be performed, practiced or carried on;

~~DH.~~ The local street address, if any, where the business is to be conducted; the principal place of business if other than the local street address;

EI. The year for which the license is sought;

J. A statement containing the date, place and disposition of any criminal history of the applicant and each principal and managing agent of the applicant;

K. A statement containing information relating to the denial, suspension or revocation of any business license held by the applicant and each principal and managing agent of the applicant, whether in this State or any other state;

L. A statement of release allowing the City to check all known records and review and pertinent criminal record of the applicant and each principal and managing agent of the applicant;

FM. Any other relevant information required by the provisions pertaining to the particular license sought or any other relevant information required by the City Clerk's Office; and

GN. ~~An affirmation made under penalty of perjury in the second degree notarized statement of the truthfulness of that the applicant's statements contained in the application and any attachments thereto are true, correct, and complete. The Deputy Licensing Officer may also require proof of the applicant's identity.~~

O. The Deputy Licensing Officer may also require proof of the applicant's identity.

Section 6. A new Section 404 (Unlawful Acts) is added to Part 4 (Applications for License) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is hereby added to read as follows:

2.1.404: UNLAWFUL ACTS:

It shall be unlawful for any person to knowingly make any false statement or omit any pertinent information on any application for a license. In the event any person knowingly makes any false statement or omits any pertinent information on any application, that act or omission shall, in addition to all other remedies, be grounds for denial of the license or for suspension or revocation of any license issued upon the basis of the false statement.

Section 7. Sections 501 (Application Fees; Refund) and 502 (Payment of License Fees; Refund) of Part 5 (License Fees) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

2.1.501: APPLICATION **AND RELATED** FEES; REFUND:

All **original and renewal** license applications shall be accompanied by an application fee ~~including~~ **and** any applicable exam, **background check, registration, or other** fee ~~and a background check fee when applicable as established by City Council under this part.~~ The City Clerk's Office shall not accept a license application unless accompanied by the required fees. **The City Clerk's Office shall also charge fees for copies of licenses or identification cards and for a change of employer as applicable.**

Application **and related** fees ~~and background check fees~~ are charged to defray the expense of processing license applications **and changes**, and shall not be refunded to the applicant if the license is denied, the application **or change** is withdrawn, or for any other reason after the application **or change** is filed and the ~~application~~ fee paid. Application **and related** fees are separate and distinct from license fees and may not be applied to or deducted from a required license fee.

2.1.502: ~~PAYMENT OF~~ LICENSE FEES; REFUND:

The license fee ~~and application fee~~ for every license issued shall be payable in advance and shall accompany ~~the~~ **every** application **for an original or renewal license. License fees shall be as established by City Council under this part.** License fees shall be payable to the City and the City Clerk's Office shall endorse payment on the application and issue a receipt. The City Clerk's Office shall not accept an application for a license unless accompanied by the required ~~application and license~~ fees. In the event the Deputy Licensing Officer denies the application for the license, the license fee tendered shall be refunded unless otherwise specified. The Deputy Licensing Officer shall initiate the refund procedure.

Section 8. Sections 601 (Issuance or Denial) and 605 (Renewal of License) of Part 6 (Issuance and Conditions of License) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

2.1.601: ISSUANCE OR DENIAL:

A. * * *

2. The application **and related fees** ~~has~~ **have** been paid;

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B. If the ~~City Clerk's Office~~ **Deputy Licensing Officer** finds the criteria in subsection A of this section have not been met, the application shall be denied. The Deputy Licensing Officer shall notify the applicant of the denial by ~~registered or certified~~ **first class** mail, **postage prepaid, or e-mail to the address furnished to the City Clerk's Office by the applicant**, along with a copy of the denial and the reasons supporting the denial.

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D. In the event an appeal is filed, it shall be heard de novo and recorded electronically or otherwise at least ten (10) days after the appeal is filed with the City Clerk's Office. If a postponement of this hearing is requested, the applicant must file a written request for continuance at the same time the appeal is filed. The Licensing Officer shall have the discretion to grant or deny the request for continuance. At the Deputy Licensing Officer's request, the City may be represented by a prosecuting attorney. **The Licensing Officer shall have the discretion to conduct the hearing or designate a hearing officer to do so. In conducting any hearing, the Licensing Officer and hearing officer are empowered to administer oaths and issue subpoenas. Compliance with any subpoena issued by the Licensing Officer or hearing officer may be enforced by application to the Municipal Court of the City, where enforcement may be in the same manner as contempt of court.** At the hearing on the appeal, the Licensing Officer **or hearing officer** shall consider the evidence presented and either uphold the decision of the Deputy Licensing Officer and deny the license or overturn the decision of the Deputy Licensing Officer and grant the license. The Licensing Officer **or hearing officer** may impose appropriate conditions upon

any license granted to protect the general health, safety and welfare. Failure to appeal in accord with this section shall be deemed a waiver of the right to appeal pursuant to CRCP 106 by virtue of a failure to exhaust administrative remedies.

2.1.605: RENEWAL OF LICENSE:

A. At any time within thirty (30) days prior to the expiration of the current license, a licensee may ~~make~~ **submit an** application for a license renewal for the succeeding year and pay the required fees. Unless otherwise provided, if renewal application is made and no action or proceeding is pending against the licensee for suspension or revocation of the current license or licenses, the licensee may continue the business for the succeeding period unless or until the application for license renewal is denied.

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C. All renewal applications shall be submitted on forms provided by the City Clerk's Office and shall contain an affirmation under penalty of perjury in the second degree that the statements contained in the application and any attachments thereto are true, correct, and complete.

D. It shall be unlawful for any person to knowingly make any false statement or omit any pertinent information on any renewal application for a license. In the event any person knowingly makes any false statement or omits any pertinent information on any renewal application, that act or omission shall, in addition to all other remedies, be grounds for denial of the renewal or for suspension or revocation of any license issued upon the basis of the false statement.

EE. * * *

EF. * * *

EG. * * *

Section 9. Section 702 (Approval or Inspection of Renewal Licenses) of Part 7 (Inspections and Investigations) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of

the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

2.1.702: APPROVAL OR INSPECTION OF RENEWAL LICENSES:

Any approval or inspection required for renewal of a license, or deemed necessary in the Deputy Licensing Officer's discretion, shall be conducted by the appropriate City officer or agency. A renewal application which is disapproved by a City officer or agency shall be accompanied by a written statement of the grounds for disapproval. The Deputy Licensing Officer shall ~~renew~~ **grant** or deny the renewal application in accord with the provisions pertaining to the particular license and this article.

Section 10. Sections 801 (Authority), 803 (Order to Show Cause), 804 (Hearing Procedure), 805 (Decision), 806 (Fine in Lieu of Suspension), 807 (Appeals), 808 (Cease and Desist Order), and 809 (Summary Suspension) of Part 8 (Suspension and Revocation Procedures) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

2.1.801: AUTHORITY:

The City Council hereby finds that the suspension or revocation of a license may be necessary in the public interest when a licensee fails to operate the business or exercise the privileges associated with the license in accord with the provisions of this General Licensing Code. The Deputy Licensing Officer is authorized to initiate suspension or revocation proceedings against a licensee when these circumstances arise. The Licensing Officer is authorized to conduct suspension or revocation hearings in accord with the provisions of this part **or may designate another person to conduct such hearings.**

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2.1.803: ORDER TO SHOW CAUSE:

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B. The order to show cause shall be served upon the licensee not less than ten (10) days prior to the scheduled hearing date, including Saturdays, Sundays and City holidays. Service may be accomplished by hand delivery to the licensee **or to any principal, the managing agent or the agent for process of the licensee**, or by first-class certified mail, postage prepaid, **or e-mail** to the last **mailing or e-mail** address furnished to the City Clerk's Office by the licensee **for the business, or by a combination of these methods.**

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2.1.804: HEARING PROCEDURE:

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C. City Attorney: At the Licensing Officer's **or hearing officer's** discretion, a corporate attorney from the Office of the City Attorney may advise the Licensing Officer **or hearing officer** regarding any procedural questions during a suspension or revocation hearing. Under no circumstances will the same corporate attorney act as a prosecuting attorney during any suspension or revocation hearing

D. Administrative Hearing: As a suspension or revocation hearing is an administrative hearing, the Licensing Officer **or hearing officer** shall not be bound by the Colorado Rules of Civil Procedure or the Colorado Rules of Evidence. The Licensing Officer **or hearing officer** may consider hearsay evidence, or any other evidence reasonably calculated to assist the Licensing Officer **or hearing officer** in rendering a decision, and give it whatever weight the ~~licensing~~ **Licensing Officer or hearing officer** deems appropriate. Depending upon the nature or complexity of the suspension or revocation hearing, the Licensing Officer **or hearing officer** may request that the City and licensee submit, prior to the hearing, any documentary or demonstrative evidence which they plan to present during the hearing.

E. Powers Of Licensing Officer / **Hearing Officer**: The Licensing Officer **or hearing officer** shall have the power to administer oaths, issue subpoenas, grant continuances, limit evidence or testimony which is repetitive and determine the order in which evidence will be presented.

F. Evidence: All evidence presented to the Licensing Officer **or hearing officer** during a suspension or revocation hearing shall be recorded electronically or otherwise. The Licensing Officer **or hearing officer** shall mark any documentary or demonstrative evidence received and shall maintain this tangible evidence in a separate file at the conclusion of the hearing.

Documentary or demonstrative evidence received by the Licensing Officer **or hearing officer** during any suspension or revocation hearing shall not be released by the Licensing Officer **or hearing officer** except for purposes of appeal. If no appeal is filed, the Licensing Officer **or hearing officer** may dispose of documentary or demonstrative evidence not less than ninety (90) days after the date of the hearing.

G. Continuances: If requested prior to the scheduled suspension or revocation hearing date, the City and the licensee shall each be granted one continuance of the hearing not to exceed sixty (60) days. The Licensing Officer **or hearing officer** shall use discretion in granting additional continuances.

2.1.805: DECISION:

A. Findings: At the conclusion of the evidence, the Licensing Officer **or hearing officer** shall make written findings of fact, ~~and~~ conclusions **of law and orders** regarding the suspension or revocation of the license. The Licensing Officer **or hearing officer** may, at the conclusion of the hearing, take the matter under advisement and issue the written findings of fact, ~~and~~ conclusions **of law and orders** within thirty (30) days.

B. Determine Actions: The findings of fact and conclusions **of law** shall summarize the witnesses and evidence presented at the hearing and state whether there was competent evidence in the record to determine that the allegations contained in the show cause were ~~true~~ **established**. If finding the allegations to be ~~true~~ **established**, the Licensing Officer **or hearing officer** shall determine whether suspension or revocation of the license is appropriate. When ordering suspension or revocation, the Licensing Officer **or hearing officer** shall consider any mitigating or aggravating evidence presented at the hearing.

C. Suspension:

1. The Licensing Officer **or hearing officer** may suspend a license issued pursuant to this General Licensing Code for no more than six (6) months.

2. The Licensing Officer **or hearing officer** may impose an active suspension or a suspension held in abeyance, or a combination of both, so long as the total number of days the license is suspended does not exceed six (6) months.

3. A suspension will be held in abeyance so long as the licensee meets all conditions imposed by the Licensing Officer **or hearing officer**. Any subsequent violation will revoke the suspension held in abeyance. The

licensee would then serve an active suspension equal in time to the suspension held in abeyance, as well as any other penalty imposed as a result of the subsequent violation and the subsequent suspension or revocation hearing.

4. If the Licensing Officer **or hearing officer** imposes an active suspension of fifteen (15) days or less, the licensee may request a fine in lieu of suspension pursuant to section 2.1.806 of this part.

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6. Suspension shall become effective immediately upon issuance of the Licensing Officer's **or hearing officer's** decision, unless the decision states otherwise.

D. Revocation:

1. The Licensing Officer **or hearing officer** may revoke a license if the findings of fact and conclusions **of law** indicate any of the following:

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2. Revocation shall become effective immediately upon issuance of the Licensing Officer's **or hearing officer's** decision.

3. A revoked license may not be renewed. A licensee who has had a license revoked may not reapply for any new business license for a period of two (2) years from the date of the Licensing Officer's **or hearing officer's** decision.

4. The Licensing Officer **or hearing officer** shall serve a copy of the findings of fact, ~~and~~ conclusions **of law**, and any order of suspension or revocation upon the licensee. Service shall be accomplished in the same manner as service of the order to show cause. If the licensee has a permanent business location, the Licensing Officer **or hearing officer** may also affix a copy of the findings of fact, ~~and~~ conclusions **of law and order** to the principal entrance of the licensed premises, which is deemed to be the principal place of business or the main office, or may affix a copy to a prominent structure on the licensed premises.

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2.1.806: FINE IN LIEU OF SUSPENSION:

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B. * * *

2. The licensee makes a written request to the Licensing Officer **or hearing officer**.

C. Request:

1. The licensee may make written request to the Licensing Officer **or hearing officer** for payment of a fine in lieu of suspension if, after issuance of an order to show cause and at least ten (10) days before commencement of a suspension or revocation hearing, the licensee admits the alleged violations contained in the order to show cause. The licensee may also include in this written request any mitigating factors the Licensing Officer **or hearing officer** should consider when calculating the fine. After receiving the written request, the ~~L~~ Licensing Officer **or hearing officer** shall vacate the scheduled hearing date and calculate the fine.

2. The licensee may make written request to the Licensing Officer **or hearing officer** for payment of a fine in lieu of suspension if, after the conclusion of a suspension or revocation hearing, the Licensing Officer **or hearing officer** finds and determines that the license should be suspended and the Licensing Officer **or hearing officer** imposes an active suspension of fifteen (15) days or less. Any suspension held in abeyance as a result of a suspension or revocation hearing shall not be affected by a fine in lieu of active suspension and shall remain suspended in abeyance for a period of one year from the date of the Licensing Officer's **or hearing officer's** decision. The licensee's written request for payment of a fine in lieu must be filed with the Licensing Officer **or hearing officer** within ten (10) days of the date of the Licensing Officer's **or hearing officer's** decision following a suspension or revocation hearing.

D. Calculation:

1. The Licensing Officer **or hearing officer** may impose a fine in lieu of not less than five hundred dollars (\$500.00) and not more than ten thousand dollars (\$10,000.00).

2. The Licensing Officer **or hearing officer** shall consider the following factors when calculating the amount of the fine in lieu:

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e. Within ten (10) days of the licensee's written request for payment of a fine in lieu, the Licensing Officer **or hearing officer** may request and the licensee must provide any books or records reasonably necessary for the purpose of calculating the fine. Within thirty (30) days of the Licensing Officer's **or hearing officer's** receipt of these books or records, the Licensing Officer **or hearing officer** must determine the fine in lieu and shall serve notice upon the licensee in writing of the amount and the factors considered when calculating the amount. Service may be accomplished by either hand delivery or by first-class ~~certified~~ mail, postage prepaid, **or e-mail** to the last address furnished to the Licensing Officer **or hearing officer** by the licensee **for the business**.

3. The licensee shall pay the fine in lieu in accord with the schedule established by the Licensing Officer **or hearing officer**.

E. Appeals: By requesting a fine in lieu of suspension, the licensee expressly waives the right to an appeal on the merits of the order to show cause or on the Licensing Officer's **or hearing officer's** decision after the conclusion of a suspension or revocation hearing. The licensee retains the right to appeal the Licensing Officer's **or hearing officer's** calculation of the fine in lieu or the schedule of payment. An appeal of a fine in lieu shall follow the procedure set forth in section 2.1.807 of this part.

2.1.807: APPEALS:

The decision or determination of the Licensing Officer **or hearing officer** shall in all cases be final and conclusive. A decision or determination of the Licensing Officer **or hearing officer** may only be reviewed by the District Court pursuant to CRCP 106(a)(4). There shall be no stay of execution of the Licensing Officer's **or hearing officer's** decision pending decision by the District Court, except by court order. In the event the District Court remands the matter back to the Licensing Officer **or hearing officer** for additional proceedings, there shall be no reinstatement of licensed privileges pending additional proceedings, except by court order.

2.1.808: CEASE AND DESIST ORDER:

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B. * * *

2. Notice: The Deputy Licensing Officer shall serve the cease and desist order upon the business by posting the order on the premises, by

personally serving the order upon ~~the owner or manager of the business~~ **any principal, managing agent or the agent for process of the licensee**, by mailing the order via first-class ~~certified~~ mail, **postage prepaid, or e-mail to the last mailing or e-mail address furnished to the City Clerk's Office by the licensee for the business**, or by a combination of these methods.

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2.1.809: SUMMARY SUSPENSION:

A. Policy: The City Council hereby finds that it is in the interest of the City to take action against those licensees who violate any Federal, State or local offenses pertaining to weapons, firearms, controlled substances, unlawful sexual behavior, or offenses relating to morals, while exercising the privileges of the license or while on the licensed premises. This type of conduct, which rises to the level of an immediate threat to the health, safety or welfare of the public, constitutes an emergency and it is appropriate for the **Deputy** Licensing Officer to summarily suspend the licensee's license.

B. Effect: Upon a finding that the licensee has violated the policy established in subsection A of this section, the Deputy Licensing Officer shall issue a notice of summary suspension and shall schedule a de novo hearing before the Licensing Officer **or hearing officer** to determine whether to suspend or revoke the license. The summary suspension hearing shall not be held more than thirty (30) days after the issuance of the notice. If the licensee waives this time limit in writing, the hearing shall be held no more than sixty (60) days after issuance of the notice. At the summary suspension hearing, the burden shall be upon the licensee to show cause why the notice of summary suspension should not be made a final order of suspension or revocation. The Licensing Officer's **or hearing officer's** decision to suspend or revoke the license shall be final, in accord with section 2.1.807 of this part.

C. Notice of Summary Suspension:

1. Contents: The notice of summary suspension shall be in writing and shall state the grounds for its issuance, cite this section as authority for issuing the notice, order the licensee to cease operations immediately and set a date for a summary suspension hearing before the Licensing Officer **or hearing officer**.

2. Service: The Deputy Licensing Officer shall serve a written notice of summary suspension upon the licensee by posting the notice on the premises, by personally serving the notice upon ~~the owner or manager of the business~~ **any principal, managing agent or the agent for process of the**

licensee, by mailing the notice via first-class, ~~certified~~ U.S. mail, **postage prepaid, or e-mail to the last mailing or e-mail address furnished to the City Clerk's Office by the licensee for the business**, or by a combination of these methods.

Section 11. This ordinance shall be in full force and effect as of January 1, 2015, and after its final adoption and publication as provided by Charter.

Section 12. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2014.

Finally passed: _____
Keith King, Council President

Delivered to Mayor on _____.

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Steve Bach, Mayor

Council Action After Disapproval:

- Council action on _____ failed to override the Mayor's veto.

□ Finally adopted on a vote of _____, on _____.

Keith King, Council President

ATTEST:

Sarah B. Johnson, City Clerk