

ORDINANCE NO. 14-39

AN ORDINANCE REINSTATING AND AMENDING SECTION 507 (LICENSE FEES ENUMERATED) OF PART 5 (LICENSE FEES) AND AMENDING SECTION 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, PERTAINING TO BUSINESS LICENSE FEES

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

Section 1. Section 507 (License Fees Enumerated) of Part 5 (License Fees) of Article 1 (General Business License Requirements) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is reinstated and amended to read as follows:

2.1.507: LICENSE FEES ENUMERATED:

The following enumerated fees set out the various fees for licenses subject to this General Licensing Code except for medical marijuana business licenses under article 3, part 1 of this chapter. All fees are annual fees unless otherwise indicated:

<u>Alarms</u>	§ 2.3.401 <i>et seq.</i>	
Application fee		\$0.00
Annual alarm company license, per year		\$0.00
Annual alarm registration		
Regular		\$0.00
Senior Citizen (65+ years of age)		\$0.00
Alarm re-registration		\$0.00
Background check (Each principal)		\$20.00
<u>Ash, Garbage, Refuse, Trash and Rubbish</u>	§ 2.3.501 <i>et seq.</i>	
<u>Haulers</u>		
Application fee		\$0.00

License fee		\$0.00
Each truck or vehicle used for collection		\$0.00
<u>Billiard and Pool Tables</u>	§ 2.2.201 <i>et seq.</i>	
Application fee		\$0.00
Per table		\$0.00
<u>Circuses, Carnivals and Menageries</u>	§ 2.2.101 <i>et seq.</i>	
Application fee		\$0.00
Per week		\$0.00
<u>Coin-Operated Machines</u>	§ 2.2.301 <i>et seq.</i>	
Application fee		\$0.00
Nonoperator's license		\$0.00
Operator's license		\$0.00
Per device (§ 2.2.304)		\$0.00
<u>Concrete Contractors</u>	§ 3.3.501 <i>et seq.</i>	
Application fee		\$0.00
Initial license		\$0.00
Renewal license		\$0.00
<u>Escort Services</u>	§ 2.3.601 <i>et seq.</i>	
<i>Escort</i>		
Application fee		\$15.00
Initial license		\$100.00
Renewal license		\$100.00
Background check		\$20.00
<i>Escort Bureau</i>		
Application fee		\$15.00
Initial license		\$750.00
Renewal license		\$500.00
Background check		\$20.00
<i>Escort Service Runner</i>		
Application fee		\$15.00
Initial license		\$100.00
Renewal license		\$100.00
Background check		\$20.00
<u>Excavations</u>	§ 3.3.201 <i>et seq.</i>	
Application fee		\$0.00
Initial license		\$0.00
Renewal license		\$0.00
<u>Funeral Escorts</u>	§ 2.3.1101 <i>et seq.</i>	
<i>Funeral Escort Officer</i>		

Application fee		\$0.00
Initial license		\$0.00
Renewal license		\$0.00
Background check		\$20.00
Change of employer		\$0.00
License or identification card copy		\$0.00
<i>Funeral Escort Agency</i>		
Application fee		\$0.00
Initial license		\$0.00
Renewal license		\$0.00
Background check		\$20.00
License or identification card copy		\$0.00
<u>Game Rooms</u>	§ 2.2.401 <i>et seq.</i>	
Application fee		\$0.00
Per game room		\$0.00
<u>Going-Out-Of-Business Sales</u>	§ 2.3.901 <i>et seq.</i>	
Application fee		\$0.00
30-day license		\$0.00
30-day extension (maximum of 2 extensions; or 90 days total)		\$0.00
<u>Pawnbrokers</u>	§ 2.3.801 <i>et seq.</i>	
Application fee		\$0.00
Each location		\$0.00
<u>Peddlers of Food Wares</u>	§ 2.3.701 <i>et seq.</i>	
Application fee		\$0.00
License and first unit		\$0.00
Each additional unit		\$0.00
<u>Private Security Services</u>	§ 2.3.201 <i>et seq.</i>	
<i>Contract Security Agency</i>		
Application fee		\$0.00
1-25 employees		\$0.00
26-50 employees		\$0.00
51-75 employees		\$0.00
76 or more employees		\$0.00
Background check (Each principal)		\$20.00
<i>Private Security Officer</i>		
Application fee		\$0.00
Initial license		\$0.00
Background check		\$20.00
Renewal license		\$0.00
Additional license fee		\$0.00
Transfer fee		\$0.00

First	\$0.00
Second	\$0.00
License replacement fee	\$0.00
Firearms endorsement	\$0.00

Private Snow Removal Activities on Public Streets § 3.3.401 *et seq.*

Application fee	\$0.00
License fee	\$0.00

Sexually Oriented Businesses § 2.4.101 *et seq.*

Application fee	\$15.00
Annual business license fee	\$500.00
Annual business manager's registration fee	\$75.00
Background check (Each principal)	\$20.00

Taxicabs § 2.3.1001 *et seq.*

Application fee	\$0.00
Initial license	\$0.00
Background check	\$20.00
Renewal license	\$0.00
Additional license fee	\$0.00
Transfer fee	\$0.00
First	\$0.00
Second	\$0.00
License replacement fee	\$0.00

Tree Service §2.3.301 *et seq.*

Application fee	\$0.00
License fee	\$0.00
Exam fee	\$0.00
Exam packet fee	\$0.00

Section 2. Section 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 amended to read as follows:

2.1.605: RENEWAL OF LICENSE:

A. **Except for licenses issued pursuant to article 3, part 6 (Escort Services) of this chapter for which the provisions of section 2.3.605 shall apply, Aat any time**

within thirty (30) days prior to the expiration of the current license, a licensee may make 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.

* * *

D. **Late Renewal Penalty:** Whenever any renewal application and accompanying license fee payment is not received on or before the expiration date of any license issued for the current license term, and the licensee continues to engage in the business for which the license was issued, ~~an additional penalty of fifty percent (50%) of the amount of the license fee shall be imposed and collected~~ **as follows:-**

1. **For licenses issued pursuant to article 3, part 1 (Medical Marijuana Licenses Code) and article 4 (Sexually Oriented Businesses) of this chapter, the penalty shall be fifty percent (50%) of the amount of the license fee.**

2. **For licenses issued pursuant to article 3, part 6 (Escort Services) of this chapter, the provisions of section 2.3.605 shall apply.**

3. **For all other licenses subject to this General Licensing Code, the penalty shall be twenty dollars (\$20.00).**

E. The Deputy Licensing Officer shall be authorized to waive or adjust any or all of ~~this~~ **the late renewal** penalty and additional fee whenever the Deputy Licensing Officer determines the delinquency is not the fault of the licensee and to collect or require payment would be an injustice.

EF. * * *

Section 3. Except for any and all resolutions setting fees for medical marijuana business licenses under Part 1 (Medical Marijuana License Code) of Article 3 (Sales of Goods and Services) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation), this ordinance shall supersede and rescind any and all prior resolutions or ordinances setting any amount of fee for any license subject to the General Licensing Code of the City of Colorado Springs, including without limitation Resolution No. 197-02, as amended by Resolution 158-08.

Section 4. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by charter.

Section 5. 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 24th day of June, 2014.

Finally passed: July 8, 2014



Keith King, Council President

Delivered to Mayor on _____.

Mayor's Action:

- Approved on _____
- Disapproved on 7.9.2014, based on the following objections: expressed in the Mayor's Disapproval by Veto, dated July 9, 2014 and incorporated herein.



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



July 9, 2014

Mayor's Disapproval by Veto of Ordinance No. 14-39, passed on July 8, 2014, Attached and Incorporated into Ordinance No. 14-39

Honorable President and Members of City Council:

Consistent with Charter Section 3-70 (e), I hereby exercise my authority to veto City Council Ordinance No. 14-39. This disapproval is based upon the objections set forth herein.

Ordinance No. 14-39 is one of four contemporaneously passed ordinances by City Council, all of which are calculated to eliminate most City licensing fees for businesses operating within the City. While the sentiment behind these ordinances of being "business friendly" is laudable, the ordinances represent a piecemeal approach to a larger issue and will create a significant revenue loss for the City.

The City Clerk is presently undertaking a comprehensive review of City licensing requirements and the appropriateness of license fees relative to the cost of administering such business licenses. This review includes looking at innovative ways to address these matters, and the best practices of successful cities. That detailed review should be allowed to proceed and may lead to the adjustment of fees based upon actual cost, recommendations to follow different procedures, or possibly even the elimination of licensing altogether for some types of businesses.

The ordinances passed by Council still require licensing, but without any fees to cover the costs which would still be borne by the Clerk and other departments of the City. This loss of \$400,000 in fees creates a hardship for the Clerk's office, and would be added to other budget shortfalls the City now faces.

Additionally, the elimination of all license fees effectively shifts the costs incurred by the City in issuing licenses and enforcing regulations from the licensed businesses to the City's general taxpayers. It is neither fair nor appropriate for all the taxpayers to pay the costs of regulating businesses that serve customers representing only a portion of the taxpaying public. Moreover, this is not a sound practice for government to follow.

I must therefore disapprove and veto Ordinance No. 14-39.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Steve Bach', with a long horizontal flourish extending to the right.

Steve Bach
Mayor of the City of Colorado Springs