

ORDINANCE NO. 14-_____

AN ORDINANCE AMENDING SECTIONS 1103 (LICENSE REQUIRED; EXPIRATION; TRANSFERABILITY; FEES), 1104 (APPLICATIONS; FUNERAL ESCORT SERVICE AGENCY, FUNERAL ESCORT SERVICE AGENCY OFFICERS) AND 1105 (FUNERAL ESCORT AGENCY LICENSE; INSURANCE REQUIREMENTS; TRAINING) OF PART 11 (FUNERAL ESCORTS) OF ARTICLE 3 (SALES OF GOODS AND SERVICES) OF CHAPTER 2 (BUSINESS LICENSING, LIQUOR REGULATION AND TAXATION) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO FUNERAL ESCORT LICENSES

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

Section 1. Section 1103 (License Required; Expiration; Transferability; Fees) of Part 11 (Funeral Escorts) of Article 3 (Sales of Goods and Services) 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:

2.3.1103: LICENSE REQUIRED; EXPIRATION; TRANSFERABILITY; FEES

* * *

E. ~~The City Clerk's Office shall charge fees for applications for original and renewal licenses, background checks, copies of licenses or identification cards, and for a change of employer.~~ Fees shall be **as established** ~~determined and collected by the City Council Clerk's Office pursuant to~~ **under** article 1, part 5 of this chapter.

* * *

Section 2. Section 1104 (Applications: Funeral Escort Service Agency, Funeral Escort Service Agency Officers) of Part 11 (Funeral Escorts) of Article 3 (Sales of Goods and Services) 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:

2.3.1104: APPLICATIONS: FUNERAL ESCORT SERVICE AGENCY, FUNERAL ESCORT SERVICE AGENCY OFFICERS:

A. Funeral Escort Service Agency. **In addition to those matters required by section 2.1.403, e**Every application for a license to operate a funeral escort agency shall contain the following:

~~1. The full name and any other names under which each principal is or has been known, address and telephone number, date of birth, and social security number of each principal and registered or managing agent for the applicant;~~

~~2. The full name and any other names under which the managing principal or managing agent is or has been known, residence address, residence telephone number, date of birth and social security number;~~

~~3. The name under which the applicant intends to do business and the address of the principal place of business;~~

41. A description of the specific types of services to be rendered;

~~5. One (1) classifiable set of fingerprints of each principal and managing agent;~~

~~62. * * *~~

3. A certificate of the required workers' compensation insurance or a statement that workers' compensation insurance coverage is not required; and

4. A statement of the work history of each principal of the applicant.

~~7. A statement containing the date, place and disposition of any criminal history of any principal and managing agent of the applicant; and~~

~~8. A release statement signed by the applicant, principal(s) and managing agent allowing the City to check all known records and review any pertinent criminal record.~~

~~B. An application for an original or renewal license shall be accompanied by:~~

~~1. The fees as established by the City;~~

~~2. A trade name registration, if any, and a certificate of good standing from the Colorado Secretary of State;~~

~~3. A certificate of the required workers' compensation insurance, or a notarized statement requesting an exemption from this requirement and stating the grounds for the request;~~

~~4. A statement of the work history of each principal of the applicant.~~

EB. Funeral Escort Officers. **In addition to those matters required by section 2.1.403,** every application for an original or renewal funeral escort officer license shall contain the following:

~~1. The applicant's full name and any other names under which the applicant is or has been known, date of birth, social security number and current residence address and a telephone number where the applicant may be contacted;~~

21. A list of the residence addresses of the applicant for the five (5) years prior to the date of application;

32. A statement of the work history of the applicant for the five (5) years prior to the date of application; **and**

~~4. A statement containing the date, and place of any criminal history of the applicant;~~

~~5. A statement containing information relating to the denial, suspension or revocation of any funeral escort officer's driver's license held by the applicant, whether in this State or any other state; and~~

~~6. A release statement signed by the applicant allowing both the City and employer to check all known records of the applicant and review any criminal record pertaining to the applicant.~~

73. Documentary evidence that the applicant possesses a valid Colorado driver's license.

Section 3. Section 1105 (Funeral Escort Agency License; Insurance Requirements; Training) of Part 11 (Funeral Escorts) of Article 3 (Sales of Goods and Services) 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:

2.3.1105: FUNERAL ESCORT AGENCY **AND FUNERAL ESCORT OFFICER** LICENSES; INSURANCE REQUIREMENTS; TRAINING

A. Each funeral escort **agency** license shall specify the name under which the licensee is to operate, the address of the principal place of business, the expiration date, the number of the license and any other information the City Clerk's Office deems necessary.

~~B. A license of a funeral escort agency shall expire one year from the date of issuance, unless suspended or revoked earlier.~~

~~B.~~ * * *

~~D.~~ * * *

~~D.~~ Each licensed funeral escort agency shall notify the City Clerk's Office within ten (10) days after the removal, replacement or addition of any principal. Every new principal shall ~~complete~~ **submit** an application ~~with~~ **to** the City Clerk's Office.

E. Each funeral escort officer shall be issued a license in the form of an identification card. The identification card shall contain the name, a recent photograph of the funeral escort officer, the expiration date, the number of the license, the signature of the funeral escort officer, and the name of the funeral escort officer's employer. Every licensed funeral escort officer shall keep the City Clerk's Office informed of the correct name, residence address, and employer

and shall notify the City Clerk's Office within ten (10) days of any change in name, address, or employer.

F. Each identification card shall be on the person of the funeral escort officer licensee at all times the licensee is working in the capacity of a funeral escort officer and shall be exhibited upon request by a peace officer, the Deputy Licensing Officer or the Deputy Licensing Officer's designee.

FG. * * *

GH. * * *

HI. The following insurance requirements shall be met by each licensed funeral escort agency:

1. Workers' compensation and employers' liability **insurance** as required by statute. Employers' liability coverage is to be carried for a minimum limit of one hundred thousand dollars (\$100,000.00).

2. * * *

5. Each **insurance** policy **required** ~~of insurance~~ shall contain ~~an endorsement requiring the insurance carrier to notify the City of the effective date of any reduction or cancellation or change of the policy.~~ **not be reduced, suspended, voided or canceled except after prior written notice has been given to the City. Such notice shall be sent directly to the Deputy Licensing Officer, City Clerk's Office, 30 S. Nevada Ave., Ste. 101, Colorado Springs, CO 80903. If any insurance company refuses to provide the required notice, the licensee or its insurance broker shall notify the City of any reduction, suspension, voiding, cancellation, or non-renewal of any insurance upon receipt of an insurer's notification to that effect. All policies shall be kept in force and effect for the period of the license.**

6. * * *

7. The **suspension, voiding, non-renewal**, cancellation or reduction of insurance shall be cause for automatic suspension of the license until the coverage shall be reinstated. All policies shall be kept in force and effect for the ~~period~~ **term** of the license.

IJ. * * *

Section 4. 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 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 ____ 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