

ORDINANCE NO. 14-38

AN ORDINANCE AMENDING SECTION 401 (LICENSE REQUIRED; FEE) OF PART 4 (PRIVATE SNOW REMOVAL ACTIVITIES ON PUBLIC STREETS) OF ARTICLE 3 (STREETS AND PUBLIC WAYS) OF CHAPTER 3 (PUBLIC PROPERTY AND PUBLIC WORKS) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED

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

Section 1. Section 401 (License Required; Fee) of Part 4 (Private Snow Removal Activities on Public Streets) of Article 3 (Streets and Public Ways) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

3.3.401: License **Required** :

* * *

B. All applications for licenses shall be submitted on a form provided by the City. Licenses shall be for the term of one year, commencing on September 1 and ending on August 31 . The license fee shall be set annually by the City Traffic Engineer through a written administrative regulation prior to August 1 of the annual license term.

* * *

Section 2. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by charter.

Section 3. 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 attached hereto and in@d 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

AITEST:

Sarah B. Johnson, City Clerk



July 9, 2014

Mayor's Disapproval by Veto of Ordinance No. 14-38, passed on July 8, 2014, Attached and Incorporated into Ordinance No. 14-38

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. 14-38. This disapproval is based upon the objections set forth herein.

Ordinance No. 14-38 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. 14-38.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'S' followed by a horizontal line that curves upwards at the end.

Steve Bach
Mayor of the City of Colorado Springs