



CHAPTER 6: BUSINESS REGULATIONS

ARTICLE 4: BUSINESS LICENSES

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See Ord. #02-1989 Adopted Mar. 27, 1989
See Ord. #06-1992 Adopted May 26, 1992
See Ord. #04-2003 Adopted May 27, 2003
See Ord. #40-2009 Adopted Oct. 26, 2009
See Ord. #03-2014 Adopted July 14, 2014

See Ord. #03-1990 Adopted June 25, 1990
See Ord. #05-1995 Adopted Oct. 9, 1995
See Ord. #19-2006 Adopted Sept. 25, 2006
See Ord. #17-2011 Adopted Sept. 26, 2011

CHAPTER 6: BUSINESS REGULATIONS

ARTICLE 4: BUSINESS LICENSES

6-4-1 Definitions

- (A) “Business” means and includes each kind of vocation, occupation, profession, enterprise and establishment, or any and all other kind of activity and matter, any of which are conducted for private profit or benefit, either directly or indirectly, on any premises within the Town or anywhere else within its jurisdiction, and shall also mean and include all devices, machines, vehicles, and appurtenances used therein.
- (B) “Casual transaction” is an isolated, single, or incidental transaction which in itself does not constitute the carrying on of business. Examples include but are not limited to: fund raisers; garage sales; bake sales; or, private sale of a vehicle.
- (C) “Fixed-Business” is any business operating from a set operating location. Fixed-Business does not include a home occupation.
- (D) “License” means a business license.
- (E) “Licensee” is any person required to obtain a license.
- (F) “Home Occupation” is any business operated from a residence. No Home Occupation shall be allowed on property zoned as Commercial, as the same is defined in the Town Zoning Code. Examples of home occupations include, but are not limited to: licensed day care facilities; accountants; hairdressers; attorneys; and, seamstresses.
- (G) “Non-fixed Business” is any established business not having a set operating location within the Town, but which otherwise does business within the Town. Examples of non-fixed businesses include, but are not limited to: wholesale and retail distributors; carpenters; construction trades; trash hauling; route sales; door-to-door sales; and paper delivery.
- (H) “Person” means and includes individual natural persons, partnerships, joint ventures, societies, associations, clubs, trustees, trusts, or corporations, or any officers, agents, employees, factors, or any kind of personal representatives of any other person, under either personal appointment or pursuant to law.
- (I) “Premises” means and includes all lands, structures, and places, and the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to, or is otherwise used in connection with any such



business conducted on such premises.

(J) “Town” means the Town of Grand Lake, Colorado.

6-4-2 Purpose

The purposes of this Article are:

- (A) to promote the economic growth and development of the Town;
- (B) to generate revenues for advertising and promoting the Town;
- (C) to provide for the general health, safety, and welfare of the Town;
- (D) to require the annual licensing and appropriate regulation of all businesses conducted on premises within the Town; and
- (E) to provide a uniform procedure for the issuance, administration, enforcement, and revocation of licenses issued by the Town.

To those ends, the provisions contained in this Article shall be liberally construed in order that the true meaning and intent of this Article may be carried out.

6-4-3 License Required

It shall be unlawful for any person to commence or carry on any business within the Town without having first obtained a license from the Town. It shall be unlawful for any person to operate or carry on a business under the license of another and no licensee shall allow or permit any other person to operate under the licensee’s permit.

- (A) The Town of Grand Lake shall not issue this license unless the applicant (its constituents or members) are current with the Town and all Town enterprises for all fees, assessments, charges, taxes, or amount due of any type.
- (B) Exception Electricians complying with (C.R.S. 12-23-111-15).

6-4-4 Separate Premise or Separate Business Requires License

A separate license shall be obtained for each separate business in Town regardless of whether the business conducted is a separate business at the same locale or is a branch, division or agency of a licensee situated at another premise in Town. Each realtor licensed by the State of Colorado and engaging in business in Town shall be required to obtain a business license. At the time of license application, the Town Clerk shall determine how many business licenses are required of the licensee. A licensee may appeal the determination of the Town Clerk to the Board of Trustees and their determination shall be final. A finding by the Town Clerk of any one of the following conditions shall be prima facie evidence that the licensee has more than one business:

- (A) Separate physical locales;
- (B) Separate business activities in segregated portions of the same building;



- (C) Issuance of multiple sales tax licenses;
- (D) Issuance of multiple sign permits advertising businesses at the same locale; or
- (E) Separate business ownerships.

6-4-5 Exemptions

Persons exempt from the provision of this Article are:

- (A) Churches or established religious organizations
- (B) Tax exempt organizations
- (C) Schools
- (D) Governments
- (E) Persons exempt under federal or Colorado law
- (F) Persons engaged in a casual transaction
- (G) Wholesalers of Vinous and Spirituous Liquors

6-4-6 Obligations of License

Every licensee shall:

- (A) Ascertain and at all times comply with all laws and regulations applicable to a licensed business.
- (B) Avoid any illegal, unreasonably dangerous or harmful practices or conditions which are detrimental to the public property, health, welfare, peace or safety.
- (C) Not be in default under the provisions of this Article nor be in default financially to the Town in any manner.
- (D) Refrain from engaging in business in Town whenever the license for that business is revoked or suspended.

6-4-7 Miscellaneous License Provisions

- (A) Unlawful to Use Public Streets and Rights-of-Way

It shall be unlawful to conduct business on any public street or right-of-way except in accordance with the Ordinances of the Town.

- (B) License to be Posted

Post the current and valid license in a conspicuous place on the premises, or other place as appropriate, at all times.



(C) License is Non-transferable

The business license is issued solely to the licensee and no license issued pursuant to this Article shall be transferable to any person.

6-4-8 Administration

The administration of this Article is hereby vested with the Town Clerk who is hereby authorized to:

- (A) Collect license fees and issue receipts therefore.
- (B) Adopt all forms and prescribe the information to be given therein.
- (C) Investigate and determine the eligibility of each applicant for a license.
- (D) Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Article.
- (E) Investigate, report and recommend to the Board of Trustees the suspension of license for violation by the licensee of a provision of this Article.
- (F) Require an applicant to produce documentation supporting information given on the business license application if the initial documentation is missing, incomplete, or the Clerk has reason to believe the nature of the business has substantially changed since the time of application.

6-4-9 License Application

Every person required to procure a license shall submit an application in the manner and form required by the Town Clerk along with the required license fee for each license. The full payment is required at the time of application.

Said application shall at a minimum contain:

- (A) The name and address of the person, firm or corporation desiring the license and the name of the business for which the license is being sought. If the application is other than a natural person, the application shall also provide the names and addresses of the individuals, officers, or directors comprising the applicant.
- (B) The nature of the business to be performed, practiced or carried out.
- (C) The street address, if any, where such business is to be carried on.
- (D) The applicant's state and local sales tax number, if applicable.
- (E) Any other information deemed by the Town Clerk to be reasonably necessary to carry out the provisions and the fair administration of this Article.
- (F) An affidavit signed by the applicant stating that the information contained on the



application is true and correct to the applicant's knowledge and further stating that knowing submission of false information shall be cause for the license to be immediately revoked without notice or hearing.

6-4-10 License Renewal and Fees

Every business shall pay an annual license fee and shall obtain a license prior to the commencement of business. The license shall be valid from July 1 of the year of issuance through June 30 of the succeeding year. The Business License Fee is due each July 1 and payable to the Town on or before July 31 annually. First time businesses applying for a business license between January 1 and June 30 of any year shall pay one-half of the License Fee otherwise due, but shall be liable for a full license fee payment in the succeeding July.

The annual Business License Fee is hereby levied upon every person doing business within the Town according to the following schedule, which may be amended by Resolution by the Board of Trustees:

a. Each Fixed Business:	One Hundred Sixty-Five (\$165.00) Dollars
b. Each Non-fixed Businesses:	Fifty-Five (\$55.00) Dollars
c. Each Home Occupation:	Fifty-Five (\$55.00) Dollars
d. Each Business Not Otherwise Classified:	Fifty-Five (\$55.00) Dollars
e. Each Town Retail Liquor Licensee Except 3.2% Beer:	Fixed Business Fee plus an additional Twenty-Two (\$22.00) Dollars

6-4-11 Administrative Fees and Expenditure Restrictions

In order to defray the costs of administration and enforcement, the Town shall retain to itself five (5%) percent of all business license fees collected. The remaining ninety-five (95%) percent of the business license revenue shall be expended as restricted revenue for marketing purposes only in a manner to be decided by the Board of Trustees.

6-4-12 Revocation and Suspension

(A) Revocation

A license may be revoked should the Town Clerk ascertain: that the licensee deliberately and knowingly provided false information on the license application; the licensee has not paid the annual fee; or, the licensee is engaged in an unlawful business or is not qualified or licensed to engage in such a business within the state.

(B) Suspension

A license may be suspended by the Board of Trustees if the Board should find the licensee has violated any of the terms of this Article or any regulation or order lawfully made relating thereto; or if should find any fact or condition which, if it had



existed or been known at the time of license issuance, would have warranted the refusal of said issuance. Such a finding and determination shall not be made by the Board until:

1. the licensee is provided with seven days written notice stating the contemplated action and in general, the grounds therefore, and
2. the licensee is given a reasonable opportunity to be heard by the Board.

6-4-13 Unpaid License Fees a Lien

Pursuant to (C.R.S. 31-20-101, 1973), the Town may cause any delinquent charges or fees made or levied hereunder to be certified to the Grand County Treasurer, to be collected and paid over by said Treasurer in the same manner as real or personal property taxes, including provisions for the creation of a lien upon the subject property.

6-4-14 Repealed

6-4-15 Repealed

6-4-16 Severance Clause

If any article, section, paragraph, sentence, clause, or phrase of this Article is found for any reason to be unconstitutional or invalid, such decision shall not affect the validity of the remainder of the Article.

6-4-17 Conflicts Found in Code are Repealed

All Sections of the Grand Lake Code of Ordinances found to be in conflict with this Ordinance are hereby repealed.