

**TOWN OF MOFFAT, COLORADO
ORDINANCE NO. 3-2009**

**AN ORDINANCE AMENDING THE BUSINESS LICENSE ORDINANCE FOR
THE TOWN OF MOFFAT**

WHEREAS, the Board of Trustees has the authority pursuant to C.R.S. § 31-15-501 to regulate business within the Town of Moffat, and

WHEREAS, the Board of Trustees desires to update and amend its existing ordinance related to business licenses.

NOW THEREFORE, Be It Ordained by the Board of Trustees of the Town of Moffat, Colorado:

1. Chapter 5-1 of the Moffat Code is hereby repealed in its entirety.
2. Procedure for Issuance

Every person or entity conducting or desiring to conduct a business within Moffat shall annually submit an application for a business license or renewal of the License to the Town Clerk. The following businesses shall be required to obtain a business license:

- a. All individuals or entities operating a retail or wholesale business located in Moffat.
- b. All individuals or entities furnishing services in Moffat, where the principal office address is also located in Moffat.

Upon receiving a complete application and a determination the business is currently in compliance with all applicable Town Ordinances and other State laws, the Town Clerk shall be authorized to issue the business license.

3. License Fee and Period

Each applicant shall pay a \$25.00 annual fee for the business license application. The fee may be amended in the future by resolution of the Board of Trustees. The fee is an annual fee and will not be prorated irregardless of when the application is made. The license period shall be from January 1 to December 31 of each year. Licenses must be renewed annually by March 31.

4. Suspension or Revocation

Upon receipt of a complaint of any violation of any Town Ordinance, the Town Board shall have the power to suspend or revoke any business license if the Town Board of Trustees finds, in its sole discretion, that the Licensee has committed any of the following acts or omissions:

- a. Failure to comply with any zoning, land use or building permit requirements.
- b. Willfully and/or deliberately disregard any Town Ordinances.
- c. Misrepresented a material fact in order to obtain the License.
- d. Engaged in any willful, fraudulent act by which another or their property is injured.
- e. Engaged in any conduct injurious to the public or the Licensee's employees.

- f. Failed to obtain any other relevant licenses required by the Federal or State government.
- g. Violated any laws or regulations applicable to such business.

5. Transfer or Assignment

A License may be transferred or assigned by the Licensee upon application with the Town Clerk and payment of a \$15 transfer fee. The transfer fee may be changed by resolution of the Board of the Trustees in the future.

6. Fines and Penalties

The Municipal Court is hereby authorized to impose a fine of up to \$100 per day for violations of this Ordinance, and shall also have the authority to revoke or suspend the license.

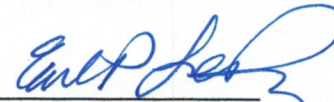
7. Effective Date

The Ordinance shall take effect January 1, 2010.

INTRODUCED AND READ IN FULL this 7th day of April 2009;

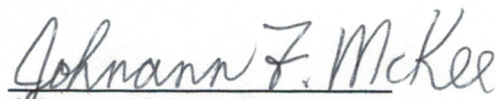
APPROVED AND ADOPTED this 5th day of May 2009.

TOWN OF MOFFAT



Earl LeRoy, Mayor

ATTEST:



Johann McKee, Town Clerk

CERTIFICATION

I hereby certify that the above Ordinance was introduced, read in full on April 7, 2009, and read in full, approved, and adopted at the regular meeting of the Board of Trustees of the Town of Moffat, Colorado on the 5th day of May, 2009 and posted at the following locations in the Town of Moffat credit union, post office, comm. center.

Johnann F. McKee
Johnann McKee, Town Clerk

