

ORDINANCE NO. 2013-2

AN ORDINANCE INSTITUTING THE REGULATION AND REGISTRATION OF BUSINESS LICENSES WITHIN THE TOWN OF SAGUACHE, COLORADO

BE IT HEREBY ORDAINED, by the Town Board of Trustees of the Town of Saguache, Colorado:

I. Purpose.

The purpose of this Ordinance is the regulation and registration of businesses operating within the town for the health, safety and welfare of the citizens of the Town and to enable the Town to enforce the obligation of businesses to remit sales tax and business license fees to support the Town.

II. License Required; renewal

A. It is unlawful for any person located in the Town of Saguache and /or doing business on a regular basis, or unless by state statute to engage in the business of selling tangible personal property and to furnish services, without first having obtained a license on or before January 31 of each year. The license shall be granted and issued by the Town Clerk at a fee determined by the Town's current fee schedule and shall be in force and effect until December 31 of the year in which it is issued, unless sooner revoked.

B. Such licenses shall be granted and renewed only upon application, stating the name and address of the person desiring a license, the name of the business and location, and such other facts as the Town Clerk may desire. It shall be the duty of each licensee on or before January 31 of each year to obtain a renewal thereof

A. Separate license for each location.

1. Any person operating, conducting or carrying on any retail trade, service or business, as described herein, within the Town must obtain a separate license for each location of such trade, service or business.

2. License contents, posting.

a. Each license shall be numbered, shall show the name, resident, place and character of business of the licensee and shall be posted in a conspicuous place in the place of business for which it is issued. If the business is not operated, conducted or carried on at a fixed location, the licensee must carry

the license upon his or her person when operating, conducting or carrying on any such retail trade, service or business. Every licensee shall produce his or her license for examination when requested to do so by any police officer or by any person representing the Town.

3. Transfer of license.

- a. No license shall be transferable, except by filing with the Town Clerk an application for transfer. In case the licensee sells the business, the then-existing license shall become void and a new license shall be issued by the Town Clerk for the location of the business upon the filing of an application for a license by the new owner.

4. Violation.

- a. Any person engaged in the business of conducting or carrying out any retail trade, service or business in the Town without having secured a license therefor, shall be guilty of a violation of this Ordinance.

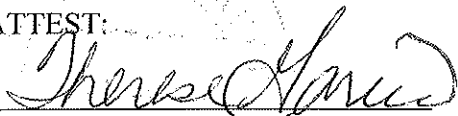
Penalty. Any person, corporation, company, partnership, business association or organization violating the provisions of this ordinance shall be subject to a fine not exceeding \$ 300.00 and/or incarceration not exceeding 90 days or both such fine and imprisonment. Each day of continued violation shall be considered a separate offense.

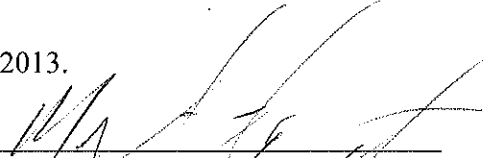
Severability. If any part or parts of this ordinance are for any reason held to be invalid, such provision shall not affect the validity of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof, irrespective of the fact that any one part or parts be declared invalid.

THE BOARD OF TRUSTEES FINDS THAT THIS ORDINANCE IS NECESSARY TO THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, AND SAFETY, DUE TO THE NEED FOR CONTROL AND ENFORCEMENT LICENSING BUSINESSES FOR THE TOWN, AND SHALL TAKE EFFECT AND BE ENFORCED FROM AND AFTER PASSAGE OF THE SAME.

Passed by the Board of Trustees and signed this 20th day of May, 2013.

ATTEST:


Therese Garcia, Town Clerk


Milton Jones, Mayor