

ORDINANCE NO. 2022-1150

INTRODUCED BY: BRUCE FITZGERALD

AN ORDINANCE AMENDING SECTIONS 6-32, CLASSIFICATION AND SECTION 6-35, WHEN FEE DUE, OF THE FORT LUPTON MUNICIPAL CODE REGARDING CLASSES OF LICENSES AND DUE DATE OF FEE FOR LIQUOR LICENSED BUSINESSES

WHEREAS, pursuant to C.R.S. §31-15-501 (c) *et seq.* the governing bodies of municipalities have the power to regulate businesses; to license, regulate, and tax, subject to any law of this state, any lawful occupation, business place, amusement, or place of amusements and to fix the amount, terms, and manner of issuing and revoking licenses issued therefor; and

WHEREAS, the Fort Lupton Municipal Code (the "Code") currently lists four (4) classes of licenses with the occupation fee due January 1st of each year; and

WHEREAS, additional classes of licenses need added to the Code in anticipation of future liquor licensed businesses; and

WHEREAS, for tracking purposes, the Occupation Fee shall be due at time of submittal of a liquor license application or for transfer of ownership or at time of submittal of an annual liquor license renewal application.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO THE FORT LUPTON MUNICIPAL CODE IS HEREBY AMENDED AS FOLLOWS:

Section 1. Section 6-32 of the Fort Lupton Municipal Code shall be amended to read as follows:

Sec. 6-32. - Classification.

The business of selling at retail any fermented malt beverages, malt, vinous or spirituous liquors for beverage purposes within the City is hereby defined and separately classified as such occupation for the purposes of this Article, as follows:

- (1) Class "A" Operators: All operators who are licensed as hotel and restaurant, tavern, brew pub, distillery pub, vintner's restaurant, beer and wine, and lodging and entertainment.
- (2) Class "B" Operators: All operators licensed as retail liquor store.
- (3) Class "C" Operators: All operators licensed as clubs
- (4) Class "D" Operators: All operators licensed as fermented malt beverage.
- (5) Class "E" Operators: All operators licensed as liquor-licensed drugstores.
- (6) Class "F" Operators: All operators licensed as arts.
- (7) Class "G" Operators: All operators licensed as racetracks.

Section 2. Section 6-35 of the Fort Lupton Municipal Code shall be amended to read as follows:

Sec. 6-35. When fee due.

(a) Such fee shall be due and payable to the City Clerk upon submission of an application for a new license or for transfer of ownership and upon submission of the application for annual renewal of any license. No application for a license of any type shall be accepted for processing without payment of such fee at the time of filing of any such application.

(b) Upon receipt of such fee, it shall be the duty of the City Clerk to execute and deliver to the operator paying the fee the occupational license showing the name of the licensed operator, fee, the date of payment, the annual period for which said license is paid and the place at which said operator conducts business.

(c) The operator shall, at all times during said year, keep said license posted in a conspicuous place in his or her place of business.

(d) No refund shall be made to any person who discontinues said business during the year. All fees provided for in this Article shall be due as provided above, except all fees provided for in this paragraph shall be due and payable upon the beginning of business and shall be delinquent ten (10) days thereafter.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED this 15th day of November 2022.

PUBLISHED in the Fort Lupton Press the 1st day of December 2022.

FINALLY READ BY TITLE ONLY, PASSED, AND ORDERED FINALLY PUBLISHED BY TITLE ONLY this 3rd day of January 2022.

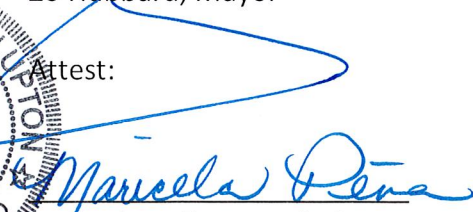
PUBLISHED in the Fort Lupton Press the 12th day of January 2023.

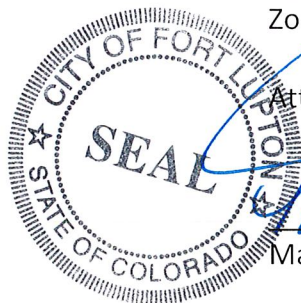
EFFECTIVE (after publication) the 11th day of February 2023.

CITY OF FORT LUPTON


Zo Hubbard, Mayor

Attest:


Maricela Peña, City Clerk



Approved as to form:



Andy Ausmus, City Attorney

ORDINANCE NO. 2022-1150

INTRODUCED BY: BRUCE FITZGERALD

AN ORDINANCE AMENDING SECTIONS 6-32, CLASSIFICATION AND SECTION 6-35, WHEN FEE DUE, OF THE FORT LUPTON MUNICIPAL CODE REGARDING CLASSES OF LICENSES AND DUE DATE OF FEE FOR LIQUOR LICENSED BUSINESSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO:

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED this 15th day of November 2022.

PUBLISHED in the Fort Lupton Press the 1st day of December 2022.

FINALLY READ BY TITLE ONLY, PASSED, AND ORDERED FINALLY PUBLISHED BY TITLE ONLY this 3rd day of January 2023.

PUBLISHED in the Fort Lupton Press the 12th day of January 2023.

EFFECTIVE (after publication) the 11th day of February 2023.

CITY OF FORT LUPTON




Zo Hubbard, Mayor

Attest:


Maricela Peña, City Clerk

Approved as to form:


Andy Ausmus, City Attorney