

TOWN OF CRESTONE, COLORADO

ORDINANCE NO. 2023-002

**AN ORDINANCE AMENDING THE TOWN OF CRESTONE MUNICIPAL CODE,
SECTION 6, BUSINESS LICENSES AND REGULATIONS IN THE TOWN OF
CRESTONE**

WHEREAS, the Board of Trustees of the Town of Crestone, Colorado, has determined it necessary to amend its current Municipal Code;

WHEREAS, updates incorporate legislative changes made by the State of Colorado; and

WHEREAS, updates are made from time to time to facilitate business operations within the Town; and

WHEREAS, these updates are specifically aimed to increase participation in the Saturday Market Events and increase local business activity.

NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Crestone, that the Town of Crestone Municipal Code, be amended as follows:

§6-1-20 License required. Be amended to read:

Every person must obtain a license from the town before operating, conducting or carrying on any retail trade, profession or business within the town; except that nonprofit state corporations, and federal, state or municipal corporations, and any other exempt operations as set forth by state law, are hereby exempt from the license requirements set forth in this article.

§6-5-60 Application contents; fees.

The following subsections of §6-5-60 will be removed, and the remaining sections will be renumbered sequentially. Removal of §6-5-60, (4) (b), (c), (g), (h), (j).

§6-5-70 Duration of Permit; Renewal. (a) Will be amended to read:

(a) Each Permit shall be valid for one year, effective from the date of issuance.

§6-5-210 Permit fees. Be amended to read:

The fee for each application under this article shall be uniform and shall be set on a yearly basis by resolution of the board of trustees, with fee schedule is set forth in appendix 2-F. Any applicant that provides proof of a valid exemption under SB 22-032, will be issued a permit at no cost to the applicant.

Section §6-6-10 et sec will be created:

ARTICLE 6. SATURDAY MARKETS

Sec.6-6-10. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant means any person or entity who has submitted an application for a permit.

Permit means a document issued by the town clerk authorizing a person or business to engage in sales or transactions during a Saturday Market.

Person means a natural person or business entity, such as, without limitation, a corporation, association, firm, joint venture, estate, trust, business trust, syndicate, fiduciary, partnership or any group or combination thereof.

Saturday Market means the event organized by Town and held within the Town on Town property, on Saturdays during the spring, summer and fall months.

Sec.6-6-20. Permit required.

It is unlawful for any person, peddler, solicitor or merchant to engage in any commercial transaction during the Saturday Market without first obtaining a permit in compliance with the provisions of this section.

Sec.6-6-30. Exemptions.

The terms of this article do not include the acts of persons selling personal property at wholesale to dealers in such articles, newspapers subscriptions or other acts of merchants or their employees in delivering goods in the regular course of business. Nothing contained in this article prohibits any sale required by statute or by order of any court or prevents any person from conducting a bona fide action pursuant to law.

Sec.6-6-40. Permit contents; fees.

(a) Each person applying for a Saturday Market permit shall file with the town clerk, or Saturday Market Organizer, an affidavit on a form supplied by the town clerk stating:

(1) The full name, business address and business telephone number of the applicant.

- (2) Information regarding the business as required by the town clerk, including, without limitation, its legal status, and proof of registration with or a certification of good standing from the secretary of state, if applicable.
- (3) Affirmation that any sales or use tax due will be remitted to the state.
- (4) A brief explanation of the nature of the activity that requires a permit under this article and a description of any goods to be sold.
- (5) Any other information determined to be relevant by the town clerk.

Sec.6-6-50. Duration of the permit; renewal.

- (a) Each permit shall be valid for one calendar season of the Saturday Markets.
- (b) Each permittee shall reapply for a permit prior to the following calendar season of Saturday Markets.

Sec.6-6-60. Denial of permit, revocation of a permit.

The Town clerk shall deny a permit application, or revoke a permit under this article if the town clerk determines that the applicant has:

- (a) Made a material misrepresentation or false statement in the application for the permit; or
- (b) Failed to remit state or local sales tax as required by law.
- (c) Received a citation by the Town Code Enforcement Officer for violations of Town Code.
- (d) Failed to comply with the Saturday Market Vendor rules and regulations.

Sec.6-6-70. Permissible uses.

This permit shall only allow for persons or merchants to engage in sales during the official and posted hours for Saturday Markets. Persons or merchants must remove all belongings or stands from the premises at the close of the Saturday Market.

Sec.6-6-80. Permit Fee.

The fee for each application under this article shall be uniform and shall be set on a yearly basis by resolution of the board of trustees, with fee schedule is set forth in appendix 2-F. Any applicant that provides proof of a valid exemption under SB 22-032 will be issued a permit at no cost to the applicant.

Sec.6-6-90. Penalty for violation.

Any person or business violating any of the provisions of this Code shall be deemed guilty of an ordinance violation, and, upon conviction, shall be punished in accordance with the provisions of section 1-40-10.

Should any one or more sections or provisions of this Ordinance enacted hereby be judicially determined to be unenforceable, such judgement shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

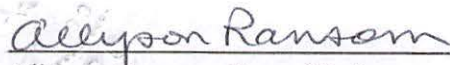
This Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED AND PASSED ON FIRST READING THIS 8th DAY OF May 2023.

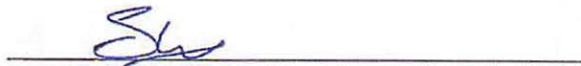
TOWN OF CRESTONE BY:


Karina Danforth, Mayor

ATTEST:


Allyson Ransom, Town Clerk

Approved as to Form:


Attorney Seth Walker

CERTIFICATION

I hereby certify that the within Ordinance was introduced, read in full, approved and adopted at the regular meeting of the Board of Trustees of the Town of Crestone, Colorado on the

8th Day of May, 2023 and will be published in the Crestone Eagle News, or the Saguache Crescent, or the Valley Courier, being the approved legal newspapers for the town of Crestone, on 10th day of May, 2023 (and _____, _____ and _____).

Allyson Ransom
Allyson Ransom, Town Clerk

The Crestone Eagle

TOWN OF CRESTONE, COLORADO ORDINANCE #2023-002

Classifieds › TOWN OF CRESTONE, COLORADO ORDINANCE #2023-002

May 17, 2023

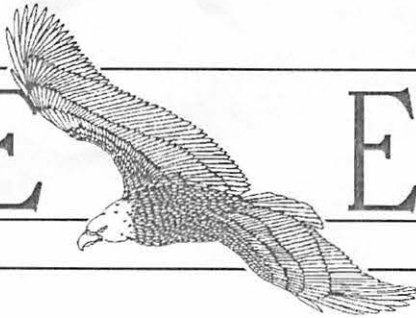
AN ORDINANCE AMENDING THE TOWN OF CRESTONE MUNICIPAL CODE, SECTION 6, BUSINESS LICENSE AND REGULATIONS IN THE TOWN OF CRESTONE.

DONE AND SIGNED THIS 8TH DAY OF MAY, 2023 BY THE CRESTONE BOARD OF TRUSTEES

SUBMITTED FOR PUBLICATION BY THE TOWN CLERK, ALLYSON RANSOM ON MAY 10, 2023

PUBLISHED BY TITLE ONLY AS PER CRS 31-16-105

The CRESTONE EAGLE



Proof of Publishing - Not an invoice

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Submitted to the Crestone Eagle by Allyson Ransom on May 10, 2023

Notice of Ordinance No. 2023-002

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