

TOWN OF PALMER LAKE, COLORADO

ORDINANCE NO. 10 - 2024

AN ORDINANCE AMENDING SECTION 5.04.020 OF THE PALMER LAKE MUNICIPAL CODE TO EXCLUDE CERTAIN COMMERCIAL ACTIVITIES THAT ARE LIMITED IN SCOPE FROM THE REQUIREMENT TO HAVE A PALMER LAKE BUSINESS LICENSE

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town; and

WHEREAS, Chapter 5.04 of the Town Code sets forth the business licensing requirements of the Town; and

WHEREAS, Section 5.04.020 defines, among other things, what constitutes “a business” and therefore requires a Palmer Lake business license; and

WHEREAS, the Board of Trustees has determined that certain commercial activities are sufficiently limited in scope or duration that they should be exempted from the definition of “business” under Section 5.04.020 and should not be required to obtain a separate business license.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:

1. The definition of “business” set forth in Section 5.04.020 is hereby amended by adding the underlined language to include additional exceptions to the definition and to read in its entirety as follows:

Business means all trades, vocations, occupations, professions, enterprises and establishments and all other kinds of activities which are conducted for gain, financial profit, advantage or benefit either directly or indirectly, on any location regardless of whether of a permanent or temporary nature in this town, including, but not limited to, all retail sales, wholesale sales, services and including contractor services. The term "business" does not include:

- (1) Billboards and signs;
- (2) Coin-operated amusement machines;
- (3) Peddlers;
- (4) Solicitors and canvassers;
- (5) Individuals who engage in at-home office work from their residence for a remotely located business;

- (6) Trades persons performing repair or improvement work on an existing single-family residence, including but not limited to electrical, plumbing, carpentry, tile work, or other similar contracting work;
- (7) A subcontractor working at the direction of a general contractor who has a business license; and
- (8) A general contractor whose work within the Town is limited to no more than one single-family residence at any time and the owner for whom the general contractor is working does not own any adjacent lots. It is not the intent of this exception to exempt general contractors who are working with the developer of a subdivision or multiple lots, even if the general contractor only works on one single-family home at a time.

2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality 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 thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

INTRODUCED AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 22ND DAY OF AUGUST, 2024.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor