

**TOWN OF RED CLIFF, COLORADO
ORDINANCE 1, SERIES 2023**

AN ORDINANCE OF THE TOWN OF RED CLIFF, COLORADO, REPEALING ARTICLE 1 OF SECTION 6 BUSINESS LICENSES, AS WELL AS ANY REFERENCES TO OR REQUIREMENTS FOR A BUSINESS LICENSE WITHIN ANY ORDINANCE OF THE TOWN

WHEREAS, the Town of Red Cliff (“Town”) is a statutory municipal corporation duly organized and existing under the laws of the State of Colorado and possessing the maximum power, authority and privileges to which it is entitled under Colorado law; and

WHEREAS, in 2022, the Colorado General Assembly adopted SB22-032 in connection with efforts to streamline the imposition, collection and administration of sales and use taxes imposed by local taxing jurisdictions on retail sales made by retailers that have a state standard retail license and either do not have physical presence within the local taxing jurisdiction or have only incidental physical presence within a location, by eliminating fees or licenses in such jurisdictions; and

WHEREAS, the provisions of SB22-032 prohibit a local taxing jurisdiction from charging a fee for a local general business license to a retailer that has a state standard retail license, makes retail sales within the local taxing jurisdiction, and either does not have physical presence or has only incidental physical presence within the local taxing jurisdiction, effective July 1, 2022, and prohibits the local taxing jurisdiction from requiring such a retailer to apply separately to the local taxing jurisdiction for a general business license; and

WHEREAS, Town staff has reviewed the number of business licenses issued by the Town on an annual basis, and has determined that requiring a business license within the Town for a retailer with a physical presence is potentially discriminatory and also does not generate sufficient revenue to continue the licensing program; and

WHEREAS, the Town has determined that it will offer an opportunity to local businesses to pay a fee set each year in the fee schedule and will promote and market activities and events beneficial to the business community purposes.

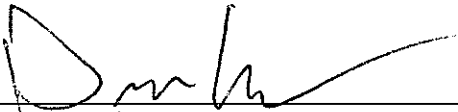
NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF RED CLIFF, COLORADO:

Section 1. **Severability.** If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which may be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are declared to be severable.

Section 2. **Savings Clause.** Except as amended hereby, the Red Cliff Municipal Code, as previously amended, shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

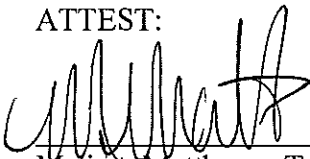
The Ordinance was approved by majority vote of the Board of Trustees of the Town of Red Cliff this 17th day of January, 2023.

TOWN OF RED CLIFF, COLORADO



Duke Gerber, Mayor

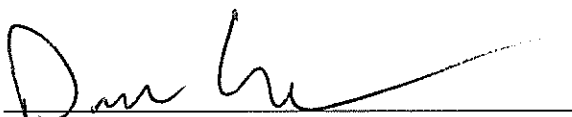
ATTEST:



Melissa Matthews, Town Clerk

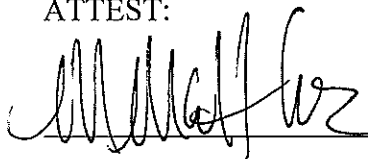
ORDINANCE 1, SERIES 2023 WAS ADOPTED AND ORDERED PUBLISHED on this 7th day of February, 2023.

TOWN OF RED CLIFF, COLORADO



Duke Gerber, Mayor

ATTEST:



Melissa Matthews, Town Clerk