

**ORDINANCE NO. 242**

AN ORDINANCE RELATING TO BUSINESSES, PROFESSIONS AND OCCUPATIONS, PROVIDING FOR LICENSES THEREFOR AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. It shall be unlawful for any person, firm or corporation to carry on or engage in any business, profession or occupation within the City limits of the City of Golden, subject to any law of the State of Colorado, now in force, or hereafter to be enacted, which business, profession or occupation shall consist in the selling of goods, wares, merchandise, service or the performing or rendering of service for charge without first having obtained a license therefor from the City of Golden.

Section 2. Any person, firm or corporation now engaged in any such business, profession or occupation shall on or before August 1, 1948, apply to the City Clerk-Treasurer of the City of Golden for a license therefor, which application shall state the name of the applicant, the business address, the kind or nature of business, profession or occupation to be engaged in and such other information as may be required by the City Clerk-Treasurer.

Section 3. The City Clerk-Treasurer may require the premises to be occupied by the licensee to be inspected for the purpose of ascertaining if such premises are sanitary and in reasonably safe condition for occupancy. The City Clerk-Treasurer is authorized to issue a license to such applicant upon payment of license fee of Twenty-five (\$25.00) Dollars; provided, however, that if, upon inspection, any such premises are found to be unsanitary or unsafe or if extraordinary fire hazards are found to exist, then the City Clerk-Treasurer may require such changes or alterations in the premises as may reasonably be necessary before issuing such license.

Section 4. All licenses shall expire on the Thirty-first day of March following the issuance of such license and no rebate or credit shall be allowed for licenses issued or used for a portion of a year only, except during the first year after the passage of this ordinance when credit will be given for the period from April 1, 1948 to July 31, 1948.

Section 5. A separate license shall be required for each separate establishment or place of business; all licenses shall be transferable as to place upon approval of the City Clerk-Treasurer, but no license shall be transferable as to person. No person, firm or corporation shall operate or carry on a business, profession or occupation under the license of another and no license shall allow any other person, firm or corporation to operate under his or its license.

Section 6. Licenses may be renewed by paying the license fee and without filing a new application therefor; provided, however, that if such renewal license fee is not paid when due, the City Clerk-Treasurer may require a new application; provided further, that the City Clerk-Treasurer may require an inspection of the premises at any time a license expires and before a renewal license is issued and the City Clerk-Treasurer shall have the same right to refuse a renewal of a license for the same causes as if an application for an original license had been filed.

Section 7. The licensing provisions of this ordinance shall apply only to the owners or operators of said business, and employees of the owners or operators of said business are not required to obtain a license; The City Clerk-Treasurer shall have power to determine whether or not a particular person is an employee or an operator or owner of such a business and the decision of the City Clerk-Treasurer shall be final, subject only to appeal to the Courts. Any business which is now or may hereafter be licensed under any other ordinance or ordinances of the City of Golden and paying a license fee to engage in such business, profession or occupation shall be exempt from the provisions of this ordinance, so long as such other ordinance or ordinances remain in force and effect. The renting of rooms in a private home or the renting of four houses or cottages or less or the renting of four apartments or less shall not be construed as a business or occupation within the terms of this ordinance.

Section 8. In case the owner of said of business cannot be found, or in case the owner is a firm or corporation, the duties hereby imposed upon the owner or operator of such business shall be performed by the manager or person actually in charge of such business and such person shall upon failure to apply for such license or otherwise obey the provisions of this ordinance be declared guilty of violation of this ordinance and subject to the penalties herein provided for.

Section 9. Any person, firm or corporation violating the provisions of this ordinance shall upon conviction be fined in an amount not to exceed Three hundred (\$300.00) Dollars and each day that any such person, firm or corporation shall operate or carry on any business, profession or occupation without a license shall be deemed a separate offense and punishable as such.

Section 10. It is hereby declared that this ordinance is necessary for the immediate preservation of the public peace, health and safety and this ordinance shall take effect and be in force immediately after its passage and publication.

Introduced and read this 17th day of June, A. D. 1948.

Passed and adopted this 1st day of July, A. D. 1948.

C. T. FREDERICK,  
Mayor.

EARL P. WAGNER,  
City Clerk-Treasurer.  
(OVER)

I, Earl P. Wagner, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced and read at a regular meeting of the City Council of said City, held on the 17th day of June, 1948, and by order of the said City Council was published as a proposed ordinance as the law directs, and for more than ten days prior to its passage in the Colorado Transcript, legal newspaper; and that on the 1st day of July, 1948, the said proposed ordinance was read and passed by the City Council aforesaid, the said meeting being a regular meeting of said City Council, and ordered published in aforesaid newspaper as the law directs.

Witness my hand and official seal of the City of Golden, Colorado, this 2nd day of July, 1948.

(SEAL) EARL P. WAGNER,  
City Clerk-Treasurer.