

ORDINANCE NO. 877

AN ORDINANCE AMENDING MISCELLANEOUS PROVISIONS OF TITLE 4 OF THE GOLDEN REVISED ORDINANCES RELATING TO GENERAL BUSINESS LICENSE, COIN-OPERATED AMUSEMENT DEVICE, AND NIGHTCLUBS AND CABARETS

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

Section 1. General Business License Amendments. Chapter 4.04 of the Golden Revised Ordinances of 1965, as amended, entitled General Business License, is hereby amended by reference to City Clerk and by the repeal and re-enactment of Sections 4.04.010 and 4.04.100, as follows:

- (a) Throughout said chapter 4.04 the reference to "Clerk-Treasurer" is hereby repealed and re-enacted as "City Clerk". All other portions of the affected sections shall remain unchanged.
- (b) "4.04.010 License required. 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, 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 first obtained a license therefor from the City of Golden.

A sales tax license obtained pursuant to Title 3 of this Code shall operate in lieu of the requirement for a general business license as set forth in this Chapter; provided that the suspension and revocation provisions of Section 4.04.100 herein shall likewise apply to said sales tax license."

- (c) "4.04.100 Suspension and Revocation of License.
  - (a) Any license granted in lieu of or under the terms of this chapter shall be revocable for cause, or may be suspended for a period not to exceed six months, where the City Council determines that violations of any of the provisions of this chapter have occurred, or where continued operation of the license would be contrary to the public welfare. Nothing in this section shall prevent the summary suspension of such license for a period of not more than fifteen days. If any license is suspended or revoked no part of the fees paid therefor shall be returned to the licensee.

- (b) The term "contrary to the public welfare"

Section 2. Coin-operated amusement device amendments. Chapter 4.16 of the Golden Revised Ordinances of 1965, as amended, entitled Coin-Operated Amusement Device is hereby amended by repealing and re-enacting sub-sections (A) and (D) of Section 4.16.010 as follows:

"4.16.010 Definitions. A. Coin-operated amusement games and devices. The term "coin-operated amusement games and devices" or "game or device" as used in this chapter shall mean any amusement device placed in operation by coin or slug or the payment of any other consideration whether or not it is actually placed in said amusement device, the operation of which is dependent upon a player who by means of any mechanism, manually or electronically, propels balls, discs, electronic configurations, or anything resembling the same, upon or against a playing surface. The within definition includes but is not limited to pool tables, pinball machines, video games, and foosball tables.

. . .

D. Operator-Dealer. The term "operator-dealer" as used in this chapter shall include any person, firm or corporation who actually owns and operates not more than three coin-operated amusement games or coin-operated amusement devices and which are used or operated in their own place or places of business, provided that there shall be only one operator-dealer per licensed premises."

Section 3. Nightclubs and cabarets amendments. Chapter 4.32 of the Golden Revised Ordinances of 1965, as amended, entitled Nightclubs and Cabarets, is hereby amended by the repeal and re-enactment of Sections 4.32.030 and 4.32.040 therein as follows:

"4.32.030 Application for license. The license prescribed aforesaid shall be issued upon the order of the city council. Application for such license shall be filed with the city clerk and contain such information as may be deemed necessary. Before granting any such license the city council shall consider the needs of the community and the desires of the inhabitants and the city clerk shall secure the approval of the building inspector regarding compliance to zoning and building code regulations, the fire marshal regarding compliance to fire prevention regulations and the approval of the chief of police.

4.32.040 Hours. A cabaret or nightclub shall furnish vocal, dancing, or any other entertain-

Adopted, approved and ordered published this 28th day of  
December, 19 81.

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Frank I. Leek, Mayor

ATTEST:

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Sharon L. Bennetts, City Clerk

Approved as to form:

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Russell J. Sindt, City Attorney

I, Sharon L. Bennetts, 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 10th day of December, 1981, and was published as a proposed ordinance in the Colorado Transcript, legal newspaper, as the law directs seven days or more prior to its passage; and, that on the 28th day of December, 1981, the said proposed ordinance was read and passed by the City Council at a regular meeting and ordered published in the aforesaid newspaper as the law directs.

Witness my hand and official seal of the City of Golden, Colorado, this 29th day of December, 1981.

(SEAL)

Attest:

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Sharon L. Bennetts, City Clerk  
of the City of Golden, Colorado