



REGULAR MEETING AGENDA

City of Black Hawk City Council
211 Church Street, Black Hawk, CO

March 11, 2015
3:00 p.m.

RINGING OF THE BELL:

1. CALL TO ORDER:
2. ROLL CALL & PLEDGE OF ALLEGIANCE:
3. ADENDA CHANGES:
4. CONFLICTS OF INTEREST: (Council disclosures are on file w/City Clerk & Sec. of State)
5. INTRODUCTION OF NEW EMPLOYEES: Terri Lupo, Accountant
Sara Lang, CP&D Admin Assistant/Permit Tech
6. PUBLIC COMMENT: *Please limit comments to 5 minutes*
7. APPROVAL OF MINUTES: February 25, 2015
8. PUBLIC HEARINGS:
 - A. CB6, An Ordinance Amending Chapters 4 and 6 of the Black Hawk Municipal Code
 - B. CB7, An Ordinance Stating the Intent of the City of Black Hawk to Acquire Certain Property for Municipal Parking and Recreational Purposes within the Meaning of C.R.S. § 38-6-101 and C.R.S. § 31-25-201
9. ACTION ITEMS:
 - C. Resolution 19-2015, A Resolution Approving Professional Agreements with the City of Black Hawk for 2015
 - D. Resolution 20-2015, A Resolution Adopting the 2015 City of Black Hawk Fee Schedule
 - E. Resolution 21-2015, A Resolution Approving the Fireworks Production Contract Between the City of Black Hawk and Western Enterprises, Inc.
 - F. Resolution 22-2015, A Resolution Approving and Adopting the City of Black Hawk's Scholarship Program
10. CITY MANAGER REPORTS:
11. CITY ATTORNEY:
12. EXECUTIVE SESSION:
13. ADJUORNMENT:

MISSION STATEMENT

The mission of the City of Black Hawk is to progressively provide cost effective programs and services of the highest quality to the community.



BLACK HAWK ®

CITY OF BLACK HAWK NEW EMPLOYEE INTRODUCTION



TERRI LUPO **ACCOUNTANT**

My husband Doug and I purchased a home and moved to Gilpin County in the spring of 2013. I'm actually a native of northwest Kansas. Growing up, my family spent a lot of time in this area skiing, camping and hiking. It was a long-term goal of mine to settle and retire in this beautiful area and finding this position with the City of Black Hawk was the last piece of the puzzle. Most of my family is in Kansas, however I have a son, daughter-in-law and two grandchildren who live in Kansas City. I think my friends would describe me as an honest, intelligent, and generous person with a great sense of humor. I lived in Kansas City for a number of years and it was there I earned my BS in Accounting from DeVry University and began my career. Most of my professional background has involved the agricultural commodities and restaurant management industries. My most recent position was District Accounting Manager for Canteen Vending in Denver, and I've previously served as Controller for Capital Restaurant Concepts LTD in Washington, D.C. and Assistant Controller for Bartlett & Company in Kansas City. I love to read, paint and listen to classical music. I also enjoy spending time with our canine family. Doug and I have two Jack Russell Terriers, Mia and Max, a Basenji mix named Ginger, and my beloved French bulldog Ozzy. For outdoor activities I enjoy biking and I've recently taken up snow shoeing.



BLACK HAWK [®]

**CITY OF BLACK HAWK
COMMUNITY PLANNING & DEVELOPMENT**



**SARA LANG
ADMINISTRATION ASSISTANT/PERMIT TECHNICIAN**

Sara was born in Upstate New York (near Syracuse), but has also lived in Texas (a Dallas Cowboys fan), Ohio (an Elementary Education graduate of *Ohio State University: Go Buckeyes!*), Maryland and Virginia (where she taught 3rd grade for 12 years in a multicultural elementary school and got her Master's degree in Curriculum Design for English as a Second Language Populations from the *George Mason University*) before finding her forever home in Evergreen, Colorado.

Prior to joining the department on February 23, she was the Grants & Contracts Administrator and Financial Assistant for the Western Governors' Association in downtown Denver.

She is single with no children, but keeps very busy organizing a wide variety of social events and groups in Evergreen. She enjoys hiking trails with her black lab, as well as doing photography and a variety of arts and crafts, including teaching mosaics.



**City of Black Hawk
City Council**

February 25, 2015

MEETING MINUTES

City Accountant Teri Lupo rang the bell.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, February 25, 2015 at 3:00 p.m. by Mayor Spellman.

2. **ROLL CALL:** Present were: Mayor Spellman, Aldermen Armbright, Bennett, Johnson, Midcap, Torres and Moates.

Staff present: City Attorney Hoffmann, City Manager Lewis, Fire Chief Taylor, City Clerk/Administrative Services Director Greiner, Police Chief Cole, Police Lieutenant Watson, Police Sergeant Jantz, Public Works Director Isbester, Fleet Superintendent Jackson, Community Planning and Development Administrator Linker, Finance Director Hillis, City Accountant Lupo, and Deputy City Clerk Martin.

PLEDGE OF ALLEGIANCE: Mayor Spellman led the meeting in the recitation of the Pledge of Allegiance.

3. **AGENDA CHANGES:** Deputy City Clerk Martin confirmed there were no changes to the agenda.

4. **CONFLICTS OF INTEREST:** City Attorney Hoffmann asked Council to declare any Conflicts of Interest on any issue appearing on the agenda this afternoon other than those previous disclosures and conflicts that have already been disclosed and are on file with the City Clerk and Secretary of State. There were no conflicts noted from City Council.

City Attorney Hoffmann asked the audience if there were any objections to any member of Council voting on any issue on the agenda this afternoon. The audience had no objections.

5. PUBLIC COMMENTS: Deputy City Clerk Martin stated that one person had signed up to speak, Tom Feeney.

Tom Feeney, of Marchant Street, said he walks a lot and just wanted to thank the Public Works Department for the great job of snowplowing last week. He was very pleased and wanted to express it to the City.

6. APPROVAL OF MINUTES

February 11, 2015.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve the Minutes as presented.

MOTION PASSED

There was no discussion and the motion **PASSED 5-1**, with Alderman Midcap abstaining.

7. PUBLIC HEARINGS:

None

8. ACTION ITEMS:

A. Resolution 18, A Resolution Approving a Boundary Line Agreement for the Property Line Between 221 and 231 Gregory Street Between the City of Black Hawk and Culver W. Van Der Jagt and Frank J. Garofalo

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained that after rezoning and development of 231 Gregory Street, the City became aware that a portion of the building may be located on City property. The City and owners had previously entered into an easement agreement that acknowledged the discrepancy. This Boundary Line Agreement will memorialize what was agreed upon and settle any encroachment issues. Staff recommends approval.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 18, A Resolution Approving a Boundary Line Agreement for the Property Line Between 221 and 231 Gregory Street Between the City of Black Hawk and Culver W. Van Der Jagt and Frank J. Garofalo.

MOTION PASSED

There was no discussion and the motion **PASSED** unanimously.

9. CITY MANAGER
REPORTS:

City Manager Lewis was proud to introduce a collaboration between Public Works and the Police Department, which resulted in the “Black Hawk Boot”. The Boot is a door locking device created to preserve criminal evidence in a hotel room, instead of posting a patrolman at the door, which could take days and be costly.

Sgt. Jantz showed a video on how it secures on a door and gave a presentation with the sample that Steve Jackson built. He said the Police Department researched possible solutions out there, and there was nothing like this on the market.

Council and the audience were amazed at the ingenuity and agreed it should be patented. City Attorney Hoffmann asked for the video to be sent to him so that he could start the patent process. Everyone applauded the collaboration effort and congratulated the individuals for a job well done.

10. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

11. EXECUTIVE SESSION: City Attorney Hoffmann recommended item number 5 for Executive Session.

**MOTION TO
ADJOURN INTO
EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbricht to adjourn into Executive Session at 3:15 p.m. to hold a conference with the City’s attorney to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S., § 24-6-402(4)(e).

MOTION PASSED

There was no discussion and the motion **PASSED** unanimously.

**MOTION TO
ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Moates to adjourn the Executive Session at 4:35 p.m.

MOTION PASSED

There was no discussion and the motion **PASSED** unanimously.

12.ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council closed at 4:35 p.m.

Melissa A. Greiner
City Clerk

David D. Spellman
Mayor

DRAFT

COUNCIL BILL 6
ORDINANCE 2015-6
AN ORDINANCE AMENDING
CHAPTERS 4 AND 6 OF THE
BLACK HAWK MUNICIPAL
CODE

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

COUNCIL BILL NUMBER: CB6

ORDINANCE NUMBER: 2015-6

TITLE: AN ORDINANCE AMENDING CHAPTERS 4 AND 6 OF THE BLACK HAWK MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. Section 4-12, subsection (b) of the Black Hawk Municipal Code is amended to read as follows:

(b) The City adopts by reference Sections 31-20-105, 106 and 107, C.R.S., and hereby ordains and establishes its authority to certify to the County Clerk by resolution adopted by the City Council, delinquent charges, assessments or taxes of any nature whatsoever, including assessments for the City's costs of enforcing its building code.

Section 2. Section 4-68 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 4-68. Purchasing sales tax license.

It shall be unlawful for any person to engage in the business of selling at retail, as the same is defined in this Article, without first having obtained a business/sales tax license therefore, which license shall be granted and issued by the City Clerk and shall be in force and effect until December 31 of the year in which it is issued unless sooner revoked. Such license shall be granted or renewed only upon application stating the name and address of the person desiring such a license, the name of such business, and the location, including the street number of such business, and such other facts as the City Clerk may require.

Section 3. Section 4-70 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 4-70. Costs of License.

For each business/sales tax license issued, a fee shall be paid pursuant to a separate resolution setting the City of Black Hawk Fee Schedule, which shall accompany the application.

Section 4. Section 4-71 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 4-71. Amendments.

The City Council may amend, alter or change this Article, except as to the four-percent rate of tax herein imposed, subsequent to adoption by a majority vote of the City Council. Unless required by Article X, Section 20, of the Colorado Constitution, such amendment, alteration or change need not be submitted to the electors of the City for their approval.

Section 5. Section 4-111, subsection (a) of the Black Hawk Municipal Code is amended to read as follows:

(a) The City Council has the authority to adopt this Article pursuant to the City Charter.

Section 6. Section 4-118, subsection (c) of the Black Hawk Municipal Code is amended to read as follows:

(c) If the City is the supplier of services for the District, each fiscal period the City Manager shall present to the City Council a proposed capital improvement program for parking services, assigning funds, including any accrued interest, from the relevant Trust Fund to designated projects and related expenses. Funds, including any accrued interest, not assigned in any fiscal period shall be retained in the same Parking Fee Trust Fund until the next fiscal period except as provided by the refund provisions of this Article.

Section 7. Section 4-192 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 4-192. Occupation taxes.

(a) All persons carrying on or engaging in any business, profession or occupation within the City limits shall pay an annual occupational tax of fifty dollars (\$50.00), unless otherwise provided in Subsection (b) below.

(b) The following businesses, professions, and occupations shall pay an annual occupational tax as follows:

(1) Operators of any equipment or mechanical, electromechanical or electronic contrivance, component or machine used remotely or directly in connection with gaming or any game, including slot machines, video gambling machines, poker tables, blackjack tables or video blackjack tables (a video gambling machine that consists of five (5) or less stations which has one (1) mechanical dealer and limits simultaneous play to the stations that are permanently attached to the table in the same manner as a "blackjack table"), shall pay per machine or table: the sum of seven hundred fifty dollars (\$750.00).

(2) Operators of vending machines shall pay per machine: the sum of ten dollars (\$10.00).

(3) Owners, suppliers and/or lessors of amusement machines or games of skill of whatever nature shall pay per machine: the sum of thirty dollars (\$30.00).

(4) Route delivery to residential areas; any and all delivery vehicles which sell and deliver food, goods or services at retail prices direct to residences in the City and which represent businesses or firms located outside the City, for each such vehicle: the sum of fifteen dollars (\$15.00).

(5) A direct selling agent shall be construed to be any person who engages in or conducts the business of going from house to house, place to place, or in or along the streets within the City, selling or offering for sale at retail any goods, wares or merchandise, service or anything of value in the possession of the direct selling agent to persons other than manufacturers, jobbers or retailers in such commodities:

a. Per person, per quarter per year: the sum of five dollars (\$5.00).

b. Per person, per calendar year: the sum of fifteen dollars (\$15.00).

If such agent is a member of a resident business, and so reported and included in such tax for that business, there shall be no charge for that agent engaging in direct selling on behalf of such resident business.

(6) Junk dealers and used parts dealers: the sum of one hundred fifty dollars (\$150.00).

(7) Auctioneers: the sum of seventy-five dollars (\$75.00).

(8) Hotels, motels, inns, bed and breakfasts, rooming houses or boarding houses:

a. One (1) to twenty-five (25) rooms for rent, the sum of thirty dollars (\$30.00);

b. Twenty-six (26) to fifty (50) rooms for rent, the sum of fifty-five dollars (\$55.00);

c. Fifty-one (51) to one hundred (100) rooms for rent, the sum of seventy-five dollars (\$75.00); and

d. Over one hundred (100) rooms for rent, the sum of one hundred ten dollars (\$110.00).

(9) Commercial rental units:

a. Base tax, the sum of twenty-five dollars (\$25.00); and

b. Per unit, the sum of ten dollars (\$10.00).

(10) Home occupation: the sum of fifteen dollars (\$15.00).

(11) Motion picture theaters: the sum of one thousand five hundred dollars (\$1500.00)

(12) Adult book stores and pawnbrokers: the sum of five thousand dollars (\$5,000.00).

(13) Massage parlors: the sum of five thousand dollars (\$5,000.00).

(14) Asphalt production and production of commercial concrete products: the sum of two hundred fifty dollars (\$250.00).

(15) Restaurants:

a. Seating capacity of one (1) to ten (10) patrons, the sum of seventy-five dollars (\$75.00);

b. Seating capacity of eleven (11) to twenty-five (25) patrons, the sum of ninety dollars (\$90.00);

c. Seating capacity of twenty-six (26) to fifty (50) patrons, the sum of one hundred fifty dollars (\$150.00);

d. Seating capacity of fifty-one (51) to one hundred (100) patrons, the sum of two hundred twenty-five dollars (\$225.00);

e. Seating capacity of more than one hundred (100) patrons, the sum of three hundred dollars (\$300.00); and

f. Where patrons drive from the street onto the parking lot and "drive-in service" is provided by the restaurant, the sum of two hundred dollars (\$200.00).

(16) Parking lots:

a. One (1) to ten (10) motor vehicles, the sum of twenty dollars (\$20.00);

b. Eleven (11) to twenty-five (25) motor vehicles, the sum of forty dollars (\$40.00);

c. Twenty-six (26) to forty (40) motor vehicles, the sum of sixty dollars (\$60.00);

d. Forty-one (41) to sixty (60) motor vehicles, the sum of seventy-five dollars (\$75.00);

e. Sixty-one (61) to ninety (90) motor vehicles, the sum of ninety dollars (\$90.00); and

f. Over ninety (90) motor vehicles, the sum of one hundred fifteen dollars (\$115.00).

(17) Race track: the sum of four hundred fifty dollars (\$450.00).

(18) Golf course, includes private, public and municipally owned or operated golf courses: the sum of twenty-five dollars (\$25.00).

(19) Country clubs: the sum of twenty-five dollars (\$25.00).

(20) Kennels, groomers, pet shops and veterinary clinics: the sum of ninety dollars (\$90.00).

(21) Banks, financial institutions and lenders: the sum of one hundred dollars (\$100.00).

(22) Barbershops, spas and beauty salons: the sum of sixty-five dollars (\$65.00).

(23) Dry cleaning: the sum of ninety dollars (\$90.00).

(24) Travel agency: the sum of one hundred dollars (\$100.00).

(25) Liquor license:

a. All operators who are licensed to sell beer, wine and spirituous liquors for consumption on the premises either as hotels or restaurants, the sum of five hundred dollars (\$500.00).

b. All operators who are licensed to sell beer and wine only for consumption on the premises either as hotels or restaurants, the sum of four hundred dollars (\$400.00).

c. All operators who are licensed to sell beer, wine and spirituous liquors for consumption on the premises either as taverns or gaming taverns, the sum of seven hundred dollars (\$700.00).

d. All operators licensed to sell malt, vinous or spirituous liquors in original containers for consumption off the premises, as retail liquor stores or drugstores, the sum of three hundred fifty dollars (\$350.00).

e. All operators licensed to sell only three and two-tenths percent (3.2%) beer in original containers for consumption off the premises, the sum of three hundred fifty dollars (\$350.00).

f. All operators licensed to sell only three and two-tenths percent (3.2%) beer by the drink for consumption on the premises, the sum of one thousand dollars (\$1,000.00).

Section 8. Section 4-202, subsection (a)(1)g. of the Black Hawk Municipal Code is amended to read as follows:

g. The City Council determines that there is a financial hardship.

Section 9. Section 6-5 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-5. License fees.

Every person required to be licensed by the provisions of this Article shall pay the amount set forth pursuant to a separate resolution setting the City of Black Hawk Fee Schedule.

Section 10. Section 6-13 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-13. Notice and hearing prior to suspension or revocation.

All hearings to revoke, suspend or cancel a license shall be before the City Council and conducted according to Article V, Chapter 2 of this Code. The suspension or revocation of any license shall not release or discharge anyone from his or her civil liability for the payment of the taxes, penalty and interest nor from the prosecution of the offense.

Section 11. Section 6-14 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-14. Cease and desist.

If any business is operating without a license, the Mayor may issue an order to the business to cease and desist all further operation until a license is issued for the business. The order shall give the business three (3) days to pay all amounts due the City; or to post a bond in the amount owing the City and to request in writing a hearing with the City Clerk. If the business does nothing, it shall cease operations on the third day. The hearing will be before the City Council and conducted according to Article V, Chapter 2 of this Code. These proceedings shall not relieve or discharge anyone from the civil liability for the payment of the taxes, penalty and interest nor from the prosecution of the offense.

Section 12. The following definition in Section 6-51 of the Black Hawk Municipal Code is amended to read as follows:

Local licensing authority means, for purposes of this Article, the City Council.

Section 13. Section 6-52, subsections (a)(5) and (a)(7) of the Black Hawk Municipal Code are amended to read as follows:

(5) Any person employing, assisted by or financed in whole or in part by any other person who is not of good character and reputation satisfactory to the City Council;

* * *

(7) Any person whose character, record and reputation is not satisfactory to the City Council; and

Section 14. Section 6-55 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-55. Sale of all or part of business interest.

(a) Whenever any individual, corporation or partnership existing or licensed under this Article sells all or part of its corporate stock, partnership interest or business interest in a beer or liquor outlet and a new license application is required by the State, an application fee pursuant to a separate resolution setting the City of Black Hawk Fee Schedule shall be paid to the City at the time of making the application.

(b) The City Clerk shall follow the procedures in this Article for the investigation of the applicant, and shall determine whether the investigation reveals any information tending to establish that the applicant may be prohibited from holding a license pursuant to Section 6-52. If the investigation reveals no information tending to establish that the applicant may be prohibited from holding a license, the City Clerk shall issue a license to the applicant; provided, however, that if the investigation reveals any information tending to establish that the applicant may be prohibited from holding a license, the City Clerk shall cause the new application for the existing outlet to be placed on the agenda not less than four (4) days nor more than thirty (30) days after the City Clerk has received the application. The applicant, or his or her attorney, shall be in attendance at the City Council meeting at which his or her application is presented. The date of presentation of the application to the City Council shall be deemed the date of filing the application. Upon receipt of the application, the City Council shall follow procedures set forth in this Article for the conduct of a public hearing. The City Council shall only consider the criteria listed in Section 6-52 when conducting the hearing.

(c) The City Clerk shall have the authority to issue a temporary permit to any applicant under this Section who has also satisfied the applicable provisions of Section 12-47-303, C.R.S., and the provision of such statute shall apply to both the issuance and administration of such a temporary permit. The City Clerk shall not charge a fee for a temporary permit if the application for the temporary permit is filed with the City Clerk at the same time as the application to transfer ownership of a license. Otherwise, the City Clerk shall charge a fee pursuant to the Fee Schedule as determined by the Colorado Department of Revenue for a temporary permit.

Section 15. Section 6-56, subsection (a) of the Black Hawk Municipal Code is amended to read as follows:

(a) Whenever any corporation causes a change in its corporate officers or directors, and a license addendum is required to be filed with the State, an application fee pursuant to a separate resolution setting the City of Black Hawk Fee Schedule shall be paid to the City at the time of filing the addendum with the City.

Section 16. Section 6-57 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-57. Renewal fee and procedures.

(a) All renewal applications for malt, vinous and spirituous liquor licenses and fermented malt beverage licenses shall be submitted to the City Clerk on the prescribed forms, together with the applicable license fee, in accordance with the fee schedule as determined by the Colorado Department of Revenue, no later than forty-five (45) days prior to the date on which the license expires. No renewal application shall be accepted by the City Clerk which is not complete in every detail.

(b) Upon receiving the completed renewal application, the City Clerk shall assemble the file of the applicant and review the file to determine whether "good cause" is present for nonrenewal. Whether "good cause" is present is a fact specific inquiry depending on the circumstances of the case, and may be based on evidence that continuation of the license would be contrary to the public interest, as well as the conduct of the licensee. If the City Clerk's review indicates no facts or circumstances supporting "good cause" for nonrenewal, the City Clerk shall issue a renewal license; provided, however, that in the event the renewal application is made by a financial institution which came into possession of the license by virtue of a deed in lieu of foreclosure, a hearing must be held before the City Council.

(c) If there is information before the City Clerk tending to constitute good cause for not renewing a particular license for an additional year, the City Clerk, at the direction of the City Council, shall cause to be issued a notice of hearing on the license renewal. In the event the City Clerk issues a notice requiring a hearing to renew a license, the notice shall be served at least thirty (30) days prior to the expiration date on the license and a notice of the hearing shall be conspicuously posted on the premises at least ten (10) days prior to hearing.

(d) Hearings held on any renewal application, after proper notice has been given, may result in denial of renewal of the license for good cause.

(e) In the event that a license is renewed by the licensing authority, such renewal will not affect a pending show cause order which relates to an incident that occurred prior to the date of the renewal. The licensing authority shall be authorized to take whatever action is necessary against a licensee either in the form of suspension or revocation of the liquor license regardless of when such license has been renewed.

Section 17. Section 6-59, subsection (4) of the Black Hawk Municipal Code is amended to read as follows:

(4) After all information pertinent to the application has been provided, the City Council's decision shall be made by resolution within thirty (30) days. No public hearing shall be required unless the City Council, in its discretion, determines that a public hearing is necessary.

Section 18. Section 6-60 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-60. Application fee.

An application fee in accordance with the fee schedule as determined by the Colorado Department of Revenue shall be made to the City at the time of making an application for a liquor license, or renewal. This fee shall be used by the City to defray the expenses incurred by the City in investigating the applicant and conducting the hearing. No part of this fee shall be refundable to the applicant for any reason. This fee shall be in addition to the license fees set forth in Section 6-72 of this Article.

Section 19. Section 6-61 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-61. Initial appearance before the City Council; setting public hearing.

(a) The City Clerk shall place on the agenda of a City Council meeting the request for a new liquor license. The meeting shall be held not less than four (4) days nor more than thirty (30) days after the City Clerk has received the application. The date the completed application is received by the City Clerk shall be deemed the date of filing of the application.

(b) The City Council shall set the boundaries of the neighborhood and shall set a date for public hearing. The public hearing shall be held not less than thirty (30) days from the date of the City Council meeting in which the application was presented.

Section 20. Section 6-62 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-62. Public notice.

The applicant for a liquor license shall cause to be posted and published, not less than ten (10) days prior to the public hearing, a public notice of the hearing:

(1) The sign used for posting such notice shall be of suitable material, not less than twenty-two (22) inches wide and twenty-six (26) inches high, composed of letters not less than one (1) inch in height and stating the type of license applied for, the date of the application, the date of hearing, the name and address of the applicant and such other information as may be required to fully apprise the public of the nature of the application. If the applicant is a corporation, association or other organization, the sign shall contain the

names and addresses of the president, vice-president, secretary and manager or other managing officers.

(2) The published notice shall contain the same information as that required for signs, and shall be composed of eight-point boldface type set so as to be not less than one (1) column in width nor less than six (6) inches in length.

(3) If the building in which liquor is to be sold is in existence at the time of the application for the license, the sign shall be placed on the premises so as to be conspicuous and plainly visible to the general public from the exterior of the building. If the building is not in existence at the time of the application, the sign shall be posted upon the premises where the building is to be constructed in such a manner that it shall be conspicuous and plainly visible to the general public.

Section 21. Section 6-64 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-64. Consideration of factors.

Before entering any decision approving or disapproving the liquor license application, the City Council shall consider the following:

(1) The facts and evidence of the investigation;

(2) The reasonable requirements of the neighborhood for the type of liquor license for which application has been made, including reference to the number, type and availability of liquor outlets in or near the neighborhood under consideration;

(3) The desires of the adult inhabitants of the neighborhood as evidenced by petitions, remonstrances or otherwise;

(4) The use of additional law enforcement resources; and

(5) Other pertinent facts and evidence affecting the qualifications of the applicant.

Section 22. Section 6-65 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-65. Decision of the City Council.

The decision of the City Council approving or denying the application for a liquor license shall be in writing stating the reasons and shall be issued within thirty (30) days after the date of the public hearing. A copy of the decision shall be sent by mail to the applicant at the address shown in the application.

Section 23. Section 6-66 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-66. Business premises prerequisite.

In the case of buildings not yet in existence, where the City Council votes in favor of the issuance of a liquor license, the license shall not be issued until the building in which the business is to be conducted is ready for occupancy, and then only after inspection of the premises has been made to determine that the applicant has substantially complied with the architect's drawings and plans and specifications submitted for such license.

Section 24. Section 6-70 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-70. Rehearing limitation.

No application for the issuance of a liquor license shall be considered by the City Council if an application for a similar type of license has been denied for the same location within the two (2) years immediately preceding the date of the new application.

Section 25. Section 6-71 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-71. Penalty for violation.

(a) Any licensee who violates the terms of this Article may be subject to suspension or revocation of his or her license pursuant to Section 12-47-601, C.R.S.

(b) Whenever the City Council's decision to suspend a license becomes final, whether by failure of the licensee to appeal the decision or by exhaustion of all appeals and judicial review, the licensee may, before the operative date of the suspension, petition for permission to pay a fine in lieu of the license or permit suspension for all or part of the suspension period. Upon the receipt of the petition, the Authority may, in its sole discretion, stay the proposed suspension and cause any investigation to be made that it deems desirable and may, in its sole discretion, grant the petition if it is satisfied:

(1) That the public welfare and morals would not be impaired by permitting the licensee to operate during the period set for suspension and that the payment of the fine will achieve the desired disciplinary purposes; and

(2) That the books and records of the licensee are kept in such a manner that the loss of sales of alcohol beverages that the licensee would have suffered had the suspension gone into effect can be determined with reasonable accuracy.

(c) Payment of any fine shall be in the form of cash, a certified check or a cashier's check payable to the City. Such fine shall be paid into the general fund of the City.

(d) The City Council may grant such conditional or temporary stays as are necessary for it to complete its investigations, to make its findings as specified in Subsection (b) of

this Section, and to grant a permanent stay of the entire or part of the suspension. If no permanent stay is granted, the suspension shall go into effect on the operative date finally set by the City Council.

Section 26. Section 6-72 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-72. License and application fees.

(a) The license fees in the appropriate amount in accordance with the fee schedule as determined by the Colorado Department of Revenue shall be paid to the City Clerk at the time of application submittal.

(b) No rebate shall be paid by the City of any alcoholic beverage license fee paid for any such license issued by it except upon affirmative action by the local licensing authority rebating a proportionate amount of such license fee.

(c) Each application for a license provided for in this Section filed with the local licensing authority shall be accompanied by an application fee in accordance with the fee schedule as determined by the Colorado Department of Revenue to cover actual and necessary expenses.

(e) The local licensing authority will charge applicants according to the City of Black Hawk Fee Schedule for the cost of each fingerprint analysis and background investigation undertaken to qualify new officers, directors, stockholders, members or managers pursuant to the requirements of Section 12-47-307, C.R.S.; however, the local licensing authority shall not collect such a fee if the applicant has already been approved by the State licensing authority with an approved master file.

Section 27. Section 6-73 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-73. Administrative approval.

(a) In addition to the authority vested in the City Clerk pursuant to Sections 6-55, 6-56 and 6-57 of this Article, the City Clerk is authorized to administratively approve the following:

- (1) Registration of managers;
- (2) Alteration of licensed premises that do not materially alter the premises or expand the premises to an outside area;
- (3) Change of trade name; and
- (4) Change of corporate structure.

(b) The City Clerk shall have the discretion to determine, based on the City Clerk's investigation, to cause a request for approval under this Section to be placed on the agenda of the City Council for the City Council's determination.

Section 28. Section 6-74 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-74. Special events liquor permits.

(a) Pursuant to Section 12-48-107(5)(a), C.R.S., the City Council, acting as the Local Licensing Authority ("Authority"), elects not to notify the state licensing authority to obtain the state licensing authority's approval or disapproval of applications for special events.

(b) The City Clerk shall report to the Colorado Liquor Enforcement Division, within ten (10) days after the Authority issues a special event liquor permit, the name of the organization to which the permit was issued, the address of the permitted location and the permitted dates of alcohol beverage service.

(c) Upon receipt of an application for a special event permit, the City Clerk shall, as required by Section 12-48-107(5)(c), C.R.S., access information made available on the state licensing authority's web site to determine the statewide permitted activity of the organization applying for the permit. The Authority shall consider compliance with the provisions of Section 12-48-105(3), C.R.S., which restricts the number of permits issued to an organization within a calendar year to fifteen (15), before approving any application.

(d) A special event liquor permit may be issued only upon a satisfactory showing by an organization or a qualified political candidate that:

(1) Other existing facilities are not available or are inadequate for the needs of the organization or political candidate; and

(2) Existing licensed facilities are inadequate for the purposes of serving members or guests of the organization or political candidate and that additional facilities are necessary by reason of the nature of the special event being scheduled; or

(3) The organization or political candidate is temporarily occupying premises other than the regular premises of such organization or candidate during special events such as civic celebrations or county fairs and members of the general public will be served during such special events.

(e) Each application for a special event liquor permit shall be accompanied by a permit fee in accordance with the fee schedule as determined by the Colorado Department of Revenue.

Section 29. Section 6-92 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-92. Fee.

An application fee and a license or renewal fee, in accordance with the fee schedule as determined by the Colorado Department of Revenue shall be made to the City at the time of making an application for a 3.2 beer license. This fee shall be used by the City to defray the expenses incurred by the City in investigating the applicant and conducting the hearing. No part of this fee shall be refundable to the applicant for any reason.

Section 30. Section 6-93 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-93. Initial appearance before City Council; setting public hearing.

(a) The City Clerk shall place on the agenda of a City Council meeting the request for a 3.2 beer license. The meeting shall be held not less than four (4) days nor more than thirty (30) days after the City Clerk has received the completed application.

(b) The City Council shall set the boundaries of the neighborhood and shall set a date for public hearing. The public hearing shall be held not less than thirty (30) days from the date of the City Council meeting in which the application was presented.

Section 31. Section 6-94 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-94. Public notice.

(a) The applicant for a 3.2 beer license shall cause to be posted and published a public notice of hearing not less than ten (10) days prior to the public hearing. The sign used for posting such notice shall be of cardboard material, not less than twenty-two (22) inches wide and twenty-six (26) inches high, composed of letters not less than one (1) inch in height and stating the type of license applied for, the date of the application, the date of hearing, the name and address of the applicant, and such other information as may be required to fully apprise the public of the nature of the application. If the applicant is a partnership, the sign shall contain the names and addresses of all partners. If the applicant is a corporation, association or other organization, the sign shall contain the names and addresses of the president, vice-president, secretary and manager or other managing officers.

(b) The published notice shall contain the same information as that required for signs, and shall be composed of eight-point boldface type set so as to be not less than one (1) column in width nor less than six (6) inches in length.

(c) Where the building in which the 3.2 beer is to be sold is in existence at the time of the application for the license therefore, the sign shall be placed on the premises so as to be conspicuous and plainly visible to the general public from the exterior of the building. If the building is not in existence at the time of such application, the sign shall be posted

upon the premises upon which the building is to be constructed in such manner that it shall be conspicuous and plainly visible to the general public.

Section 32. Section 6-95 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-95. Investigation of applicant.

(a) The City Clerk shall make an investigation of the applicant for a 3.2 beer license, and, in the case of a corporation, the board of directors of the applicant, and, in the case of a partnership, the partners of the applicant. Such investigation shall include fingerprinting and the obtaining from the Colorado Bureau of Investigation a report on the applicant.

(b) Not less than five (5) days prior to the date of the hearing on an application under this Article, the written report of the findings based on the investigation by the City Clerk shall be made available to the applicant and other interested parties.

Section 33. Section 6-97 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-97. Considerations for approving or denying application.

Before entering any decision approving or denying the application for a 3.2 beer license, the City Council shall consider the following:

- (1) The desires of the adult inhabitants of the neighborhood as evidenced by petitions, remonstrances or otherwise;
- (2) The reasonable requirements of the neighborhood;
- (3) The character and reputation of the applicant; and
- (4) Other pertinent facts and evidence affecting the qualification of the applicant.

Section 34. Section 6-98 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-98. Approval or disapproval.

The decision of the City Council approving or denying the application for a 3.2 beer license shall be in writing stating the reasons and shall be issued within thirty (30) days after the date of the public hearing on the application. A copy of such decision shall be sent by mail to the applicant at the address shown in the application.

Section 35. Section 6-99 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-99. Issuance of license when building not yet constructed.

In the case of buildings not yet in existence, where the City Council votes in favor of the issuance of a 3.2 beer license, the license shall not be issued until the building in which the business is to be conducted is ready for occupancy, and then only after inspection of the premises has been made to determine that the applicant has substantially complied with the architect's drawings and specifications submitted with the application for such license.

Section 36. Section 6-101 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-101. Rehearing limitation.

No application for the issuance of a 3.2 beer license shall be considered by the City Council if an application for a similar type of license has been denied for the same location within the two (2) years immediately preceding the date of such new application.

Section 37. Section 6-222 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-222. Registration.

Any person who engages in the business of general contracting or construction work shall register with the City Clerk and obtain a business license prior to beginning any construction within the City. The contractor must also provide any bond or certificate of insurance as directed by the City Clerk prior to the commencement of any construction operations within the City.

Section 38. Section 6-224, subsection (a) of the Black Hawk Municipal Code is amended to read as follows:

(a) Failure of a contractor to comply with the terms of this Article shall be grounds to suspend or revoke its registration or issue a cease and desist order according to Sections 6-11 through 6-14 of this Chapter.

Section 39. Section 6-245 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-245. Fees.

The annual license fees under this Article shall be set by resolution of the City Council adopting the City of Black Hawk Fee Schedule.

Section 40. Section 6-293, subsection (a) of the Black Hawk Municipal Code is amended to read as follows:

(a) Each individual applicant, partner, officer, director and holder of ten percent (10%) or more of the corporate stock of a corporate applicant, and all managers, shall be

designated in each application form, and each of them shall be and fingerprinted by the City Clerk.

Section 41. Section 6-294 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-294. Initial application fee.

Each applicant shall pay an initial application fee as set by the City of Black Hawk Fee Schedule at the time of filing an application. In the event the application is denied, the City shall retain fees to cover costs related to the investigation and processing of the application, and any remainder of the fee shall be refunded to the applicant.

Section 42. Section 6-295 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-295. Investigation of applicant.

(a) Upon receipt of a properly completed application, as determined by the City Clerk, the payment of the application fee and verification of bond and insurance requirements, the City Clerk shall conduct an investigation of the background, character and financial responsibility of each individual applicant, and of the partners, officers, directors and holders of ten percent (10%) or more of the stock of a corporation, and each person named as a manager of a proposed pawnbroker's establishment. The City may issue an applicant a temporary license pending completion of the investigation.

(b) The City Clerk shall furnish the results of such investigation to the City Council.

Section 43. Section 6-296 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-296. Denial of license.

(a) The application of any applicant may be denied by the City Council on grounds including, but not limited to, the following:

(1) An individual applicant, partner, officer or director of a corporation, holder of ten percent (10%) or more of the stock of a corporation, or manager of a pawnbroker's establishment, is not of such character as to reasonably assure that the operations of the pawnbroker's establishment will be conducted lawfully and in a manner which will not be detrimental to the public interest or well being. Having been adjudged in any civil or criminal proceeding to have indulged in business or trade practices prohibited by law, or convicted of any felony or other offense involving moral turpitude and pertinent circumstances connected therewith, shall be considered in determining whether the individual applicant, manager, partner, director or holder of ten percent (10%) or more of the applicant's stock is a person of good moral character.

(2) Failure to comply with any law, rule or regulation relating to the conduct or operation of any pawnbroker or secondhand dealer business.

(3) The suspension or revocation of any pawnbroker or secondhand dealer license.

(b) The City Council shall not deny a license to an applicant without notice to the applicant of the reasons for such denial and an opportunity for a hearing before the City Council by the applicant to respond to or defend the issues which may constitute reasons for denial of the license.

Section 44. Section 6-297 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-297. Annual license fee and occupational tax.

Upon notification by the City Clerk of approval of an application, an annual business license fee and the occupational tax, pursuant to a separate resolution setting the City of Black Hawk Fee Schedule shall be paid to the City. All pawnshops licensed at the time of enactment of this Article must, as a condition of the initial renewal of such licenses following the effective date of the ordinance codified herein, fulfill all the requirements of Section 6-293 of this Article and pay actual costs for investigation and processing as set forth in Section 6-295 above. Notwithstanding the foregoing, the City may require an investigation pursuant to renewal of any license if it is determined that reasonable cause exists for such investigation to maintain the public health, safety and welfare of the community.

Section 45. Section 6-300 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-300. Change of managers.

In the event of a change of managers, the licensee shall disclose to the City the change in managers; and the new manager shall fulfill all the requirements of Section 6-293 (a)-(c) above. Failure of a manager to meet the prescribed standards and qualifications shall constitute grounds for termination of the license.

Section 46. Section 6-331, subsection (a) of the Black Hawk Municipal Code is amended to read as follows:

(a) The City Council finds that the practice of individuals, businesses and casinos conducting special events involving musical performances, entertainment or various promotions outside of the licensed business premises or upon vacant property constitutes a potential public nuisance, and should be regulated. When alcoholic beverages are consumed outside of the licensed premises, the potential for liquor violations, underage consumption and civil disturbances increases.

Section 47. Section 6-334 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-334. Application and Fee.

Applications for a special event permit or an annual program of special events permits shall be made to the City Clerk upon forms provided by the City Clerk for that purpose. An application fee pursuant to a separate resolution setting the City of Black Hawk Fee Schedule shall be submitted at the time of application. If liquor is requested, an additional Special Event Liquor Permit will be required, see Section 6-74. The application shall include a site plan which shall show where the event will be held and specifically identify what effect, if any, the special event or the annual program of special events will have on private property. The application shall further provide the methods to be used to maintain public safety during the special event or the annual program of special events. The City Clerk shall grant a special event or the annual program of special events permit, provided that the application form is fully completed and is in compliance with this Article and the ordinances of the City. Each separate day that a special event is conducted shall require a separate special event permit, except for the annual program of special events, and except for the promotion or display of a maximum of one (1) vehicle outside of any licensed premises, which shall be for a duration as set forth in the application, but not to exceed thirty (30) days.

Section 48. The definition of *Licensing Officer* in Section 6-352 of the Black Hawk Municipal Code is amended to read as follows:

Licensing Officer means the City Clerk or his or her designee.

Section 49. Section 6-356 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-356. Investigation and application.

(a) Upon receipt of a completed application for a sexually oriented business permit properly filed with the Licensing Officer and upon payment of the nonrefundable application and permit fee pursuant to a separate resolution setting the City of Black Hawk Fee Schedule, the Licensing Officer shall immediately stamp the application as received and send photocopies of the application to the Department of Community Development, the Police Department and the Building Department. Each department or agency shall promptly conduct an investigation of the applicant, application and the proposed sexually oriented business in accordance with its responsibilities under law. Said investigation shall be completed within twenty (20) days of receipt of the completed application by the Licensing Officer. At the conclusion of its investigation, each department or agency shall indicate on the copy of the application its approval or disapproval of the application, date it, sign it and, in the event it disapproves, state the reasons therefore. The Police Department shall only be required to provide the information specified in Subsection 6-354(c) above and shall not be required to approve or disapprove applications.

(b) A department or agency shall disapprove an application if it finds that the proposed sexually oriented business will be in violation of any provision of any statute,

code, ordinance, regulation or other law in effect in the City. After its indication of approval or disapproval, each department or agency shall immediately return a copy of the application to the Licensing Officer.

Section 50. Section 6-377 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-377. Fees for sexually oriented businesses.

The annual license fees under this Article shall be set by resolution of the City Council adopting the City of Black Hawk Fee Schedule.

Section 51. Section 6-393 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-393. Vending Conditional use permit.

It shall be unlawful for any person to sell or attempt to sell any commodity by means of vending such commodity within the City without first securing a permit and payment of the permit fee, as set forth in the City of Black Hawk Fee Schedule. In order to obtain a vending conditional use permit, proof of insurance and a current business license from the City must be submitted along with the permit fee.

Section 52. Section 6-412 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-412. Permit required.

(a) No person shall solicit within the City without a valid solicitation permit, which must be carried on his or her person at all times.

(b) A solicitation permit obtained by an organization shall be valid for use by all members or employees of, or volunteers affiliated with, such organization, provided that each person operating under said permit carries a copy of the permit at all times.

(c) Permit application.

(1) An application for a solicitation permit shall be made to the City Clerk. There shall be no fee for such application. Proof of all other required City licenses, including a City business license, shall apply.

(2) Each applicant shall provide a valid government-issued identification and current contact information for his or her immediate supervisor and current contact information for his or her employer. The failure to provide valid identification or any of the requested contact information shall result in the denial of the application.

(3) Within thirty (30) days of receipt of the application, the City Clerk shall either grant the solicitation permit or deny the application.

(4) A completed set of fingerprints for the applicant, owner, officers, manager and employees, and associated fee pursuant to a separate resolution setting the City of Black Hawk Fee Schedule.

(5) If the City Clerk determines that the applicant has violated any provision of this Code under a prior solicitation permit or that the proposed solicitation would violate any provision of this Code, the City Clerk may deny the application for a solicitation permit. Otherwise, the solicitation permit shall be granted.

(6) All permits shall expire not more than thirty (30) days after the date of issuance, unless revoked. The expiration date shall be determined by the City Clerk at the time of application and shall be written on the permit itself.

(d) Permit revocation.

(1) If the City Clerk determines that a permittee has violated any provision of this Code while soliciting under a solicitation permit, the City Clerk may revoke the solicitation permit immediately upon verbal or written notice to the permittee.

(2) The permittee shall be entitled to an informational hearing on the revocation before the City Clerk, which hearing shall be held within seventy-two (72) hours of the revocation. At the time of revocation, the permittee shall be provided verbal or written notice of the time and place of said hearing.

(3) At such hearing, the permittee shall be provided an opportunity to be heard and, at the conclusion of the hearing, the City Clerk shall either affirm the revocation or reinstate the permit. If the permittee fails to appear for such hearing, the revocation shall stand.

Section 53. Section 6-433 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-433. Permit required.

(a) It shall be unlawful for any person to operate a mobile auto repair business within the City without first securing a permit and paying the permit fee pursuant to a separate resolution setting the City of Black Hawk Fee Schedule.

(b) Application requirements. Prior to the issuance of a mobile auto repair business license, the applicant shall provide the City Clerk with the following:

(1) The applicant's written policies and procedures for:

a. The storage, use and disposal of cleaning solvents and thinners used in conjunction with painting and repair activities in accordance with federal, state and local laws;

b. The recording of the daily use of solvents, thinners, coating materials and formulations used in conjunction with mobile body and paint repairs;

c. The packaging, handling and transportation of hazardous materials used in conjunction with mobile auto repairs;

d. The control of solids and liquids produced during grinding, sanding or coating, to prevent contact with the ground and potentially contaminating storm water runoff;

e. The storage, handling and disposal of hazardous wastes created as a result of mobile auto repairs, in accordance with federal and state laws; and

f. Workplace safety and organization.

(2) The permanent street address of the applicant's primary place of business where calls are received and the mobile vehicles are parked when not in use.

(3) The make, model and year of all vehicles to be used for purposes of the mobile auto repair business.

(c) License period. All licenses shall expire January 1 of each calendar year.

(d) Renewal. In the event that a mobile auto repair licensee wishes to renew his or her license, the licensee shall first submit to the City an application updating all information contained in the initial application, along with the annual permit fee.

Section 54. Section 6-501 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-501. Findings.

The City Council adopts this Article on the following findings of fact:

(1) That the business of providing escorts and escort services within the City seriously affects the health, safety and general welfare of the public, specifically with regard to the economic, social and moral well-being of the City, its residents and its visitors;

(2) That entities and individuals operating under the guise of providing escorts and escort services contribute to prostitution within the City and confuse the public as to what is a legitimate business;

(3) That individuals operating under the guise of providing outcall entertainment services for compensation, such as companionship, rub-downs, sensual massage, relaxation services and other nontherapeutic massage, contribute to prostitution within the City and confuse the public as to what is a legitimate business;

(4) That the existence of such businesses and individuals operating within the City constitutes a legitimate need for the exercise of the City's police powers; and

(5) That such businesses must be regulated strictly to ensure the protection of the public health, safety and general welfare.

Section 55. Section 6-502 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-502. Purpose.

(a) The City Council declares that this Article is intended to provide for the orderly regulation and licensing of escort and related services within the City by establishing certain minimum standards for the conduct of this type of business in order to protect the health, safety and welfare of the citizens of the City.

(b) The City Council further declares its intent to regulate outcall entertainment services by curtailing prostitution under the guise of such services without de facto prohibiting or curtailing legitimate business or potentially protected expression. The purpose of this Article is to strike a balance between the legitimate ends of the community by:

(1) Imposing an incidental, content-neutral time, place and manner regulating those entities and individuals providing outcall entertainment services without limiting alternative avenues of communication; and

(2) Requiring those entities and individuals providing outcall entertainment services to carry their fair financial share of law enforcement activities related to such outcall entertainment services.

(c) Nothing contained within this Article is intended to supplant or supersede the regulation of massage therapists under Title 12, Article 35.5, C.R.S.

Section 56. The definition of *Local licensing authority* in Section 6-503 of the Black Hawk Municipal Code is amended to read as follows:

Local licensing authority means the City Council.

Section 57. Section 6-506 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-506. Application fees.

(a) Each applicant, whether an individual, partnership, limited liability company or corporation, shall pay an application processing fee pursuant to a separate resolution setting the City of Black Hawk Fee Schedule at the time of submission of an application to the City Clerk. Such application fee shall be nonrefundable.

(b) Each applicant shall pay an application investigation fee pursuant to a separate resolution setting the City of Black Hawk Fee Schedule for each person who will be investigated as required by this Article.

Section 58. Section 6-507, subsection (e) of the Black Hawk Municipal Code is amended to read as follows:

(e) At the hearing, the local licensing authority shall hear and consider such evidence and testimony presented by the City, the applicant or any other witnesses called by the City or the applicant which are relevant to the stated reason and basis for the City Clerk's denial of the license application. The local licensing authority shall conduct the hearing in conformity with quasi-judicial proceedings and shall permit the relevant testimony of witnesses, cross-examination and presentation of relevant documents and other evidence. The hearing shall be recorded. Any person requesting a transcript of such record shall pay the reasonable cost of preparing the record.

Section 59. Section 6-509 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-509. License fee.

The annual license fee for any license issued pursuant to this Article shall be payable to the City Clerk at the time an initial license application is filed or at the time a renewal application is filed. The license fee is in addition to any application fee required by this Article, and pursuant to a separate resolution setting the City of Black Hawk Fee Schedule. The license fee shall be nonrefundable unless an application is denied.

Section 60. Section 6-511, subsection (c) of the Black Hawk Municipal Code is amended to read as follows:

(c) At the hearing, the local licensing authority shall hear and consider such evidence and testimony presented by the Police Department or other enforcement officers, the City, the licensee or any other witnesses called by the City or the licensee, which are relevant to the violations alleged in the complaint. The local licensing authority shall conduct the hearing in conformity with quasi-judicial proceedings and shall permit the relevant testimony of witnesses, cross-examination and presentation of relevant documents and other evidence. The hearing shall be recorded. Any person requesting a transcript of such record shall pay the reasonable cost of preparing the record. Subpoenas may be issued in accordance with the provisions of Section 6-507 of this Article.

Section 61. Section 6-532, subsection (a) of the Black Hawk Municipal Code is amended to read as follows:

(a) The City Council, acting in its capacity as the local licensing authority, shall be authorized to: certify and decertify promotional associations; designate the location, size, security and hours of operation of common consumption areas; and allow attachment of licensed premises to common consumption areas consistent with this Article and the provisions included herein.

Section 62. The definition of *Local licensing authority* in Section 6-533 of the Black Hawk Municipal Code is amended to read as follows:

Local licensing authority means, for the purposes of this Article, the City Council.

Section 63. Section 6-534 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-534. Creation of Entertainment District.

In order to exercise the City's local option to allow common consumption areas in the City and to effectuate the purposes and intent of Section 12-47-301(11), C.R.S., there is hereby established and designated the Entertainment District, whose boundaries include all land, inclusive of rights-of-way, located on and adjacent to Main Street and Miners' Mesa Drive, as more particularly described in Exhibit A to the ordinance codified herein. Properties may be included or excluded from the Entertainment District by resolution of the City Council. By establishing the Entertainment District, the City authorizes the licensing of designated common consumption areas in which alcohol beverages may be sold and consumed subject to the requirements of this Article, this Code and the Colorado Liquor Code.

Section 64. Section 6-535, subsection (a)(9) of the Black Hawk Municipal Code is amended to read as follows:

- (9) An application fee pursuant to a separate resolution setting the City of Black Hawk Fee Schedule.

Section 65. Section 6-537, subsection (a)(4) of the Black Hawk Municipal Code is amended to read as follows:

- (4) An application fee pursuant to a separate resolution setting the City of Black Hawk Fee Schedule.

Section 66. Section 6-540 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 6-540. Fees.

Application fees shall be set pursuant to a separate resolution of the City Council.

Section 67. Safety Clause. The Board of Aldermen hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Aldermen further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 68. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a

court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 69. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 11th day of March, 2015.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance Amending Chapters 4 and 6 of the Black Hawk Municipal Code

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Council Bill 6, An Ordinance Amending Chapters 4 and 6 of the Black Hawk Municipal Code

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

City staff has reviewed Chapters 4 and 6 of the Black Hawk Municipal Code and recommends adoption of the amendments noted in the ordinance.

AGENDA DATE: March 11, 2015

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: Yes No

STAFF PERSON RESPONSIBLE: Melissa Greiner, City Clerk

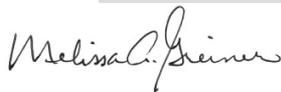
DOCUMENTS ATTACHED: N/A

RECORD: Yes No

CITY ATTORNEY REVIEW: Yes N/A

SUBMITTED BY:

REVIEWED BY:



Melissa Greiner, City Clerk

Jack D. Lewis, City Manager

COUNCIL BILL 7

ORDINANCE 2015-7

**AN ORDINANCE STATING THE
INTENT OF THE CITY OF
BLACK HAWK TO ACQUIRE
CERTAIN PROPERTY FOR
MUNICIPAL PARKING AND
RECREATIONAL PURPOSES
WITHIN THE MEANING OF
C.R.S. § 38-6-101 AND C.R.S. §
31-25-201**

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

COUNCIL BILL NUMBER: 7

ORDINANCE NUMBER: 2015-7

TITLE: AN ORDINANCE STATING THE INTENT OF THE CITY OF BLACK HAWK TO ACQUIRE CERTAIN PROPERTY FOR MUNICIPAL PARKING AND RECREATIONAL PURPOSES WITHIN THE MEANING OF C.R.S. § 38-6-101 AND C.R.S. § 31-25-201

WHEREAS, the City of Black Hawk, Colorado possesses the power of eminent domain pursuant to the provisions of Article XX, § 1 of the Colorado Constitution, and Article 8, Section 4 of the City of Black Hawk Home Rule Charter, C.R.S. § 38-1-101, *et seq.*, C.R.S. § 38-6-101, *et seq.*, and C.R.S. § 31-25-201; and

WHEREAS, the City of Black Hawk wishes to acquire the property more particularly described as

“The Cyclops Lode Mining Claim, U.S. Mineral Survey No. 787, as described in U.S. Patent recorded June 9, 1884, in Book 93, Page 201, County of Gilpin, State of Colorado” (the “Subject Property”),

said property to be acquired for municipal parking and recreational purposes within the meaning of Article XX, § 1 of the Colorado Constitution, Article 8, Section 4 of the City of Black Hawk Home Rule Charter, C.R.S. § 38-6-101, and C.R.S. § 31-25-201.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. Notice is hereby given that the City of Black Hawk, Colorado, intends to acquire the Subject Property.

Section 2. The acquisition of the Subject Property serves the public purpose of both providing municipal parking facilities and providing a public recreational purpose, and is necessary and essential to the City's ability to provide parking and recreational facilities for the City within the meaning of C.R.S. § 38-6-101 and C.R.S. § 31-25-201. Said purposes are specifically authorized as set forth above and pursuant to Article XX, § 1 of the Colorado Constitution, and Article 8, Section 4 of the City of Black Hawk Home Rule Charter.

Section 3. The City further finds and determines as follows:

- A. The City of Black Hawk finds that consistent with its home rule eminent domain authority, that the purpose of providing municipal parking facilities and the recreational purpose for which the Subject Property is sought constitutes a valid public purpose within the meaning of Article XX, § 1 of the Colorado Constitution, C.R.S. § 38-6-101, and C.R.S. § 31-25-201; and
- B. That it is necessary and essential that the City acquire the Subject Property for the public purposes set forth herein.

Section 4. The staff of the City is directed to comply with all requirements of applicable law in the conduct of the within authorized eminent domain action.

Section 5. In the prosecution of the within authorized eminent domain action, the City shall retain all rights and powers lawfully delegated to it by the Colorado Constitution, the City of Black Hawk Home Rule Charter, and C.R.S. § 38-1-101, et seq.

Section 6. Safety Clause. The Board of Aldermen hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Aldermen further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 7. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 8. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 11th day of March, 2015.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk



**CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION**

SUBJECT: Request for approval of CB7, an Ordinance stating the intent of the City of Black Hawk to acquire the Cyclops Lode Mining Claim.

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Council Bill 7, An Ordinance Stating the intent of the City of Black Hawk to Acquire Certain Property for Municipal Parking and Recreational Purposes within the Meaning of C.R.S. 38-6-101 and C.R.S. 31-25-201.”

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The City has proposed a trailhead and parking lot for the Maryland Mountain open space area at the Hidden Treasure site along Hwy 119 near mm8. The Cyclops Lode Mining Claim lies within the area identified for the parking area and trailhead. This ordinance will allow the City to acquire this vacant parcel through eminent domain if necessary.

FUNDING SOURCE: N/A

WORKSHOP DATE: March 11, 2015

ORIGINATED BY: Tom Isbester

STAFF PERSON RESPONSIBLE: Tom Isbester

PROJECT COMPLETION DATE: N/A

DOCUMENTS ATTACHED: CB7

CITY ATTORNEY REVIEW: Yes No

SUBMITTED BY:

Thomas Isbester, Public Works Director

REVIEWED BY:

Jack D. Lewis, City Manager

RESOLUTION 19-2015
A RESOLUTION
APPROVING THE CITY'S
PROFESSIONAL SERVICE
AGREEMENTS FOR 2015

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

Resolution No. 19-2015

TITLE: A RESOLUTION APPROVING THE CITY’S PROFESSIONAL SERVICE AGREEMENTS FOR 2015

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The City Council hereby approves the Professional Services Agreements with the entities and for the services set forth below (the “Agreements”), and authorizes the Mayor to sign the Agreements on behalf of the City.

<u>Entity</u>	<u>Service</u>
Atkinson-Noland & Associates, Inc.	Historic Rock Wall Investigation
Anthony & Associates, Inc.	Historic Wood/Window Investigation
Baseline Engineering Corporation	Land Use - Planning/Development Review
Colorado Code Consulting LLC	Building - Plan Review/Inspection Services
Colorado Code Consulting LLC	Conveyance (Elevators/Escalators) - Plan Review/Inspection Services
Deon Wolfenbarger	Historic Preservation
NV5, Inc.	Owners Representative
The Appraisal Company	Real Estate Appraisal Services
Weecycle Environmental Consulting, Inc.	Environmental

RESOLVED AND PASSED this 11th day of March, 2015.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk

CITY OF BLACK HAWK

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of annual professional service agreements for Community Planning and Development.

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen: **MOTION TO APPROVE** Resolution 19-2015, a resolution approving the annual professional service agreements used by Community Planning and Development.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

City staff utilizes professional services to supplement City staff time, complement City staff expertise, provide an independent perspective, ensure credibility and serve as a technical advisor to the Community Planning and Development Administrator. These are budgeted items and completed on a time and materials basis. Staff recommends utilizing the following consultants:

203-0000-5025800	Atkinson-Noland & Associates, Inc.	Historic Rock Wall Investigation
203-0000-5025800	Anthony & Associates, Inc.	Historic Wood/Window Investigation
010-1901-4193319	Baseline Engineering Corporation	Land Use - Planning, Development Review
010-1901-4193319	Colorado Code Consulting LLC	Building - Plan Review & Inspection Services
010-1901-4193319	Colorado Code Consulting LLC	Conveyance (Elevators/Escalators) Plan Review & Inspection Services
203-0000-5025800	Deon Wolfenbarger	Historic Preservation
203-0000-5025800	NV5, Inc.	Owners Representative
203-0000-5025800	The Appraisal Company	Real Estate Appraisal Services
203-0000-5025800	Weecycle Environmental Consulting	Environmental

AGENDA DATE: March 11, 2015

WORKSHOP DATE: March 11, 2015

FUNDING SOURCE: See above

DEPARTMENT DIRECTOR APPROVAL: Yes No

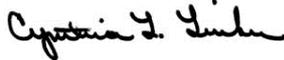
STAFF PERSON RESPONSIBLE: Cynthia L. Linker

DOCUMENTS ATTACHED: N/A

RECORD: Yes No

CITY ATTORNEY REVIEW: Yes N/A

SUBMITTED BY:

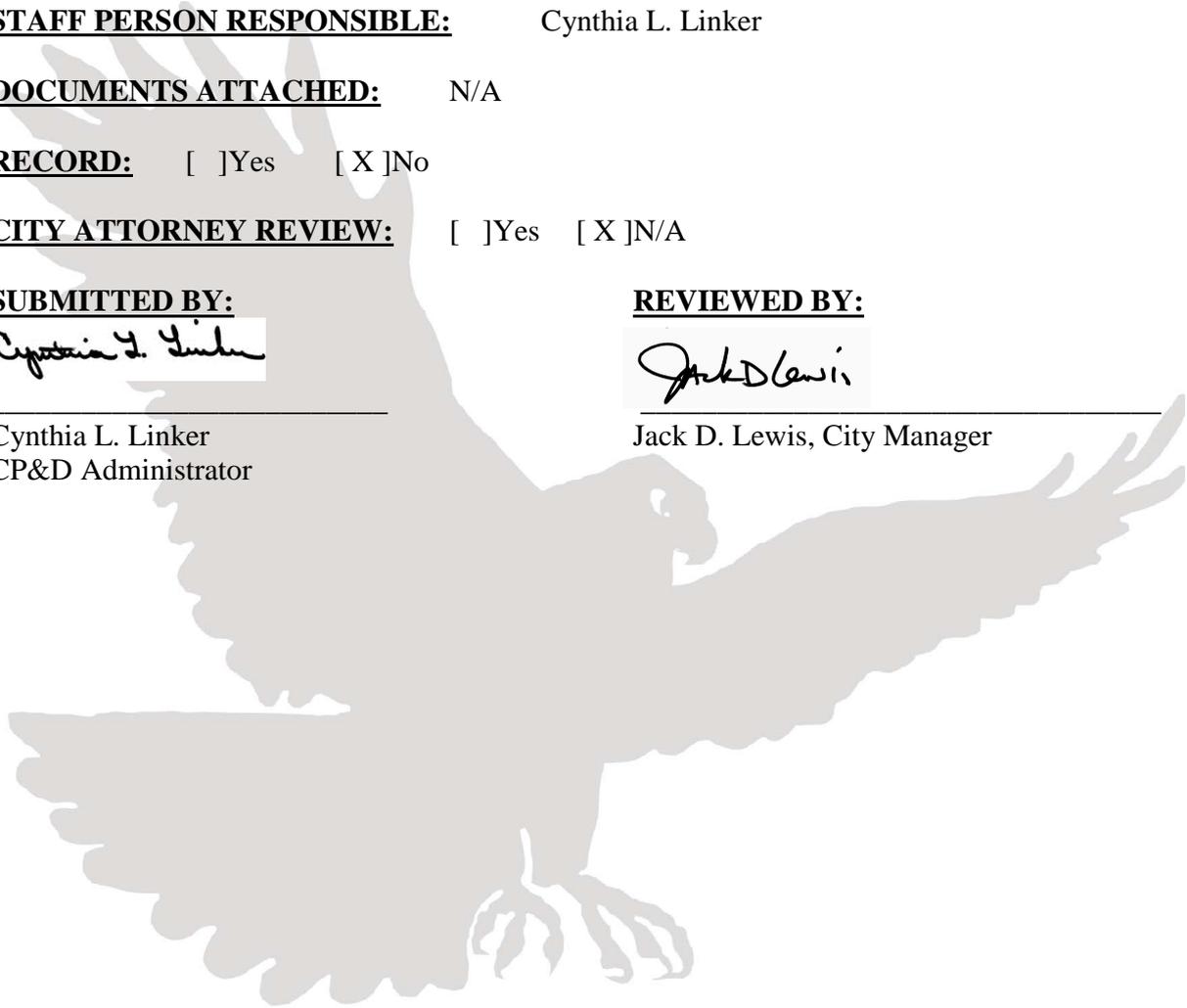


Cynthia L. Linker
CP&D Administrator

REVIEWED BY:



Jack D. Lewis, City Manager



RESOLUTION 20-2015
A RESOLUTION
ADOPTING THE 2015 CITY
OF BLACK HAWK FEE
SCHEDULE

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

Resolution No. 20-2015

TITLE: A RESOLUTION ADOPTING THE 2015 CITY OF BLACK HAWK FEE SCHEDULE

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The 2015 City of Black Hawk Fee Schedule, attached hereto as **Exhibit 1**, is hereby adopted.

RESOLVED AND PASSED this 11th day of March, 2015.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: 2015 City of Black Hawk Fee Schedule

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Resolution 20-2015, A Resolution Adopting the 2015 City of Black Hawk Fee Schedule

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

City staff has reviewed fees listed in the current Black Hawk Municipal Code and recommends updating and consolidating all fees on to a "Fee Schedule" which will be reviewed and approved each year in the annual budget cycle. The Municipal Code will be updated to reference the Fee Schedule where all fees are currently listed upon approval.

AGENDA DATE: March 11, 2015

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: Yes No

STAFF PERSON RESPONSIBLE: Melissa Greiner, City Clerk

DOCUMENTS ATTACHED: Draft 2015 Fee Schedule

RECORD: Yes No

CITY ATTORNEY REVIEW: Yes N/A

SUBMITTED BY:

REVIEWED BY:



Melissa Greiner, City Clerk

Jack D. Lewis, City Manager

2015 MASTER LIST OF FEES, TAXES, AND MISC. CHARGES

1/29/15

Business License and Related Fees

Business License	\$5 -\$50.00
Sales Tax License	\$2.50
Mobile Auto Repair Permit and Annual Renewal	\$25.00
Street Vendor Conditional Use Permit	\$100.00 for 6 months for each vehicle used
Shuttle Owner/Operator Registration and Annual Renewal	\$100.00
Solicitation Permit	\$0.00
Occupational Tax default to/or one of the below:	\$50.00
Vending Machines	\$10.00 per machine
Amusement Machines	\$30.00 per machine
Delivery Vehicles located outside of the City (retail to residential)	\$15.00
Solicitors	
per quarter	\$5.00
per calendar year	\$15.00
Junk/Used Parts Dealer	\$150.00
Vehicle Sales	\$200.00
Auctioneers	\$75.00
Mobile Home Parks	\$53.00
Camp grounds	\$3.00
Commercial Rental Units	\$35.00
Home Occupation	\$15.00
Motion Picture Theater	\$1,500.00
Drive in Theater	\$2,000.00
Massage Parlors	\$5,000.00
Billiard Room and Pool Hall	
one table	\$35.00
each additional table	\$14.00
Mining Operations	\$250.00
Asphalt or Concrete Production	\$250.00
Storage Facilities	\$30.00
each residential unit	\$10.00
each storage unit up to seventy five (75) units	\$1.00
each parking space up to seventy five (75) spaces	\$1.00
Restaurants	
seating capacity of one (1) to ten (10)	\$75.00
seating capacity of eleven (11) to twenty-five (25)	\$90.00
seating capacity of twenty-six (26) to fifty (50)	\$150.00
seating capacity of fifty-one (51) to one hundred (100)	\$225.00
seating capacity of more than one hundred (100)	\$300.00
drive-in service	\$200.00
Parking Lots	
one (1) to ten (10) vehicles	\$20.00
eleven (11) to twenty-five (25) vehicles	\$40.00

twenty-six (26) to forty (40) vehicles	\$60.00
forty-one (41) to sixty (60) vehicles	\$75.00
sixty-one (61) to ninety (90) vehicles	\$90.00
over ninety (90) vehicles	\$115.00
— Dog Kennels	\$300.00
— New or Rebuilt Parts Dealer	\$35.00
Race Track	\$450.00
Golf Course	\$25.00
— Funeral Homes and crematoriums	\$10.00
— Medical Office and Clinic	\$150.00
— Hospital	
— one (1) to twenty five (25) beds	\$150.00
— twenty six (26) to fifty (50) beds	\$300.00
— fifty one (51) to one hundred (100) beds	\$450.00
— one hundred (100) to two hundred fifty (250) beds	\$600.00
— more than two hundred fifty (250) beds	\$750.00
Country Clubs	\$25.00
Kennels, Groomers , Pet Shops and Veterinary Clinic	\$90.00
Banks	\$100.00
Barbershops, Spas and Beauty Salons	\$65.00
Dry Cleaning	\$90.00
Travel Agency	\$100.00
— Child Care	
— less than three (3) children	exempt
— three (3) to eight (8) children	\$15.00
— nine (9) to twenty five (25) children	\$25.00
— more than twenty five (25) children	\$50.00
— first owner, partner or manager	\$35.00
— each additional owner or employee	\$2.00

Escort Services License and Related Fees

Business License	\$5 \$50
Sales Tax License	\$2.50
Occupational Tax	\$50.00
Application Fee	\$300.00
Application Investigation Fee (Police Department)	\$250.00
Renewal Fee	\$200.00

Gaming License and Related Fees

Business License	\$5 \$50
Sales Tax License	\$2.50
Occupational Tax Gaming Devices	\$945.00 per device or table
Transportation Device Fee	\$77.00 per device/per year
Ambulance Fee	\$2.50 per device/per month

Liquor License and Related Fees

Business License	\$5 \$50
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Sales Tax License	\$2.50
Occupational Tax	\$50.00
Class A 1 Operators (Hotel or Restaurant beer/wine/spirits)	\$500.00 per year
Class A 2 Operators (Hotel or Restaurant beer/wine)	\$400.00 per year
Class A 3 Operators (Tavern or Gaming)	\$700.00 per year
Class B Operators (Stores off premise)	\$350.00 per year
Class C Operators (non-profit)	\$100.00 per year
Class D Operators (3.2% off premise)	\$350.00 per year
Class E Operators (3.2% on premise)	\$1,000.00 per year
Class F Operators (Park Permit)	\$25.00 per day
Application Fee - new license	\$500 \$1,000.00
Retail Liquor Store	\$250 \$22.50
Liquor-licensed Drugstore	\$250 \$22.50
Beer and Wine	\$400.25 \$48.75
Beer and Wine for a Resort	\$375 \$75.00
Hotel and Restaurant	\$1075 \$75.00
Tavern	\$575 \$75.00
Optional Premises	\$575 \$75.00
Club	\$350 \$41.25
Retail Gaming Tavern	\$1275 \$75.00
Brew Pub	\$825 \$75.00
Arts	\$350 \$41.25
Racetrack	\$575 \$75.00
Bed & Breakfast	\$75 \$25.00
3.2 Beer	\$25 \$3.75
3.2 Beer Renewal fee	\$25.00
Annual Renewal Application Fee	\$100.00
Late Renewal	\$500.00
Special Event Liquor Permit	\$100.00
Renewal of license (except 3.2 Beer)	\$50.00
Fingerprint Analysis and Background Check	\$100.00 each analysis
Change in Business Interest Corp/LLC Change (per person)	\$500 \$100.00
Temporary Permit (same time as Transfer of Ownership)	\$0.00
Temporary Permit (if not as same time as Transfer of Ownership)	\$100.00
Change in Corporate Officers or Directors	\$100.00
Change of Location	\$750.00

Lodging License and Related Fees

Business License	\$5 \$50
Sales Tax License	\$2.50
Occupational Tax	
one (1) to twenty-five (25) rooms	\$30.00
twenty-six (26) to fifty (50) rooms	\$55.00
fifty-one (51) to one hundred (100) rooms	\$75.00
over one hundred (100) rooms	\$110.00
Lodging License	\$100.00
Lodging Tax	2% of lodging price

Marijuana License and Related Fees

Business License	\$5 \$50
Sales Tax License	\$2.50
Occupational Tax	\$50.00
Medical Marijuana - REPEAL	
Application Fee	\$2,500.00
License Fee	\$1,500.00
Change in Business Interest	\$500.00
Change in Corporate Officers or Directors	\$100.00
Renewal Fee	\$1,500.00
late renewal	\$500.00
Retail Marijuana Store License	
Operating Fee	\$2,500.00
Renewal Fee	\$1,500.00
late renewal	\$500.00
Transaction Fee	\$2.00
Change in Corporate Officers, Directors, or manager	\$100.00
Fingerprint Analysis and Background Check	\$100.00 each analysis
Marijuana Sales Tax	5%

Pawnbrokers Business License and Related Fees

Business License	\$5 \$50
Sales Tax License	\$2.50
Occupational Tax	\$5,000.00
Application Fee	\$2,200.00
Renewal Fee	\$5.00
Investigation and Processing Fee	\$200.00

Sexually Oriented Business License and Related Fees

Business License	\$5 \$50
Sales Tax License	\$2.50
Occupational Tax for Adult Book Store	\$5,000.00
Application Fee	\$750.00
Renewal Fee	\$1,000.00
Transfer of Ownership	\$200.00
Manager's License	\$250.00

Special Event Fees

First day	\$50.00
Each additional day	\$30.00
Bicycle Event Permit	\$100.00

Franchise Fees

Cable Television Franchise Fee	
New Application	per contract
Transfer	per contract

Gas and Electric Franchise Transfer	3% of all received revenues per contract
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Building Fees

Building Permit Fees Based on Total Valuation

\$1.00 to \$500	\$23.50
\$501 to \$2,000	\$23.50 for 1st \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$69.25 for the 1st \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$391.25 for the 1st \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the 1st \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$993.75 for the 1st \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$3,233.75 for the 1st \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$1,000,001 and up	\$5,608.75 for the 1st \$1,000,000 plus \$3.15 for each additional \$1,000, or fraction thereof
Building Plan Review	65% of the Building Permit fee calculated above
Building Plan Review - after the 1st review	\$100.00 hour

Conveyance Permit Fees (elevators, escalators, lifts, etc.)

Consultant Fee + 15% City Administration Fee

Electric Permit Fees Based on Project Valuation for Commercial and Residential Alterations or Additions

\$0.00 to \$2,000	\$115.00
\$2,001 or more	\$115 plus \$11.50 per \$1,000, or portion thereof of valuation
Electrical Plan Review	65% of the Electrical Permit fee calculated above
Electrical Plan Review - after the 1st review	\$100.00 hour

Electric Permit Fees Based on Building Area for New Residential Buildings

not more than 1,000 sq. ft.	\$115.00
over 1,000 sq. ft. and not more than 1,500 sq. ft.	\$172.50
over 1,500 sq. ft. and not more than 2,000 sq. ft.	\$230.00
over 2,000 sq. ft.	\$230 plus \$11.50 per 100 sq. ft. or fraction thereof in excess of 2,000 sq. ft.
Electrical Plan Review	65% of the Electrical Permit fee calculated above
Electrical Plan Review - after the 1st review	\$100.00 hour

MISC. Building/Zoning/Electrical Permit Fees and Taxes

Re-inspection Fee (Building/Electrical)	\$100.00 each + 15% City Administration Fee
Additional Inspection Services/Consulting Building/Electrical	\$100.00 hourly + 15% City Administration Fee
Commercial Improvement Tax	\$0.30 by # of square feet of floor space/per year
Contractor Registration	\$0.00
Excavation Permit (commercial and residential alteration or addition)	\$7.00 per cubic yard
Right-of-Way Use Permit	\$25 \$30.00
Street Cut Permit	\$300 for 1 to 100sf and \$2/sf for any additional
Historic Landmarking	Consultant Fee + 15% City Administration Fee
Development in Flood Hazard Permit	Consultant Fee + 15% City Administration Fee
Special Investigation Fee	see code
Public Hearing Notice Publication Fee	Actual Cost + 15% City Administration Fee
Fire and Police Protection Fee at time of Building Permit	
Multifamily Residential	\$70.00 per occupant/multiply fee x peak period occupant load as per IBC
Commercial	\$14.00 per occupant/multiply fee x peak period occupant load as per IBC
Industrial	\$70.00 per occupant/multiply fee x peak period occupant load as per IBC
Change of Use	Consultant Fee + 15% City Administration Fee

Redevelopment
Industrial
Off-site commercial parking space fee (Parking Impact Fee)

Consultant Fee + 15% City Administration Fee
Consultant Fee + 15% City Administration Fee
\$2,000.00 per space

Utilities**Water Tap Fees**

Single-Family (\$15,000/sq.in.)

.75" tap size	
meter fee	\$600.00
tap fee	\$6,627.00
1" tap size	
meter fee	\$1,300.00
tap fee	\$11,781.00
1.5" tap size	
meter fee	\$2,100.00
tap fee	\$26,507.00
2" tap size	
meter fee	\$2,600.00
tap fee	\$47,124.00

Multi-Family (\$30,000/sq.in.)

.75" tap size	
meter fee	\$600.00
tap fee	\$13,254.00
1" tap size	
meter fee	\$1,300.00
tap fee	\$23,562.00
1.5" tap size	
meter fee	\$2,100.00
tap fee	\$53,014.00
2" tap size	
meter fee	\$2,600.00
tap fee	\$94,248.00
3" tap size	
meter fee	\$3,800.00
tap fee	\$212,057.00

Nonresidential (\$30,000/sq.in.)

.75" tap size	
meter fee	\$600.00
tap fee	\$13,254.00
1" tap size	
meter fee	\$1,300.00
tap fee	\$23,562.00
1.5" tap size	
meter fee	\$2,100.00
tap fee	\$53,014.00
2" tap size	
meter fee	\$2,600.00

tap fee	\$94,248.00
3" tap size	
meter fee	\$3,800.00
tap fee	\$212,057.00
4" tap size	
meter fee	\$4,800.00
tap fee	\$376,990.00
6" tap size	
meter fee	\$7,200.00
tap fee	\$848,230.00
8" tap size	
meter fee	\$12,800.00
tap fee	\$1,507,963.00
10" tap size	
meter fee	at cost each occurrence
tap fee	\$2,356,192.00 each occurrence
Notice of disconnection due to delinquency or failure to maintain	\$60.00
Reconnection charge due to delinquency or failure to maintain	\$2500 \$500
Disconnection/shut off for convenience (>7 days)	\$200.00
Reconnection charge for convenience (>7 days)	\$500.00
Water Rates Bulk Construction Water	\$16 \$20.00 per 1000 gallons
Commercial Fire Flow Testing	
Permit (>48 hours in advance of test)	\$150.00
Penalty for failure to acquire permit	\$5,000.00

Land Use Fees

Amendment to Zoning District Rezoning of land application	Consultant Fee + 15% City Administration Fee
CMRS Facility Application	Consultant Fee + 15% City Administration Fee
Conditional Use Permit	Consultant Fee + 15% City Administration Fee
License Agreement	Consultant Fee + 15% City Administration Fee
Planned Unit Development	Consultant Fee + 15% City Administration Fee
Restaurant Grills and Air Quality Compliance	Consultant Fee + 15% City Administration Fee
Sign Permits Sign Plan Application and Sign Permits	Consultant Fee + 15% City Administration Fee
Site Development Plan	Consultant Fee + 15% City Administration Fee
Special Review Use	Consultant Fee + 15% City Administration Fee
Subdivisions	
Preliminary Subdivision Processing Fee	Consultant Fee + 15% City Administration Fee
Final Subdivision Development Fee	Consultant Fee + 15% City Administration Fee
Minor Subdivision	Consultant Fee + 15% City Administration Fee
Site Development Commercial Plat	Consultant Fee + 15% City Administration Fee
Street Plan and Easement Vacation	Consultant Fee + 15% City Administration Fee
Recording Fee	Actual Cost

Temporary Use or Temporary Structure Permits	100 + Security Deposit
Variance	Consultant Fee + 15% City Administration Fee
Water System Development Fees	
Nonresidential, in Gaming District	\$16.00 per square foot
Hotel	\$900.00 per room
Nonresidential, outside of Gaming District	\$8.00 per square foot

False Alarm Fees

Service Fee 6th-10th occurrence	\$50.00
Service Fee over 10th occurrence	\$100.00

Police Department Fees

Sex Offender Registration	\$100.00 initial registration
Renewal	\$50.00
Fingerprints (Residents Only)	\$20.00
Portable Breath Test (PBT)	\$20.00
VIN Checks (Residents Only)	\$0.00
Copies onto CDs	\$25.00

Fire Department Fees

Commercial Business and multi-Residential Plan Reviews	
Consultant Inspection Services and Plan Review	Consultant Fee + 15% City Administration Fee
Blasting and Storage of Explosives Permit	\$100.00

MISC. Fees and Taxes

Code Books	online
Dog License	
Annual License Fee	\$3.00 for males and spayed females
Annual License Fee	\$5.00 unspayed females
Duplicate Tag	\$0.50
Licensing Background Check (Liquor and Marijuana)	\$100.00 each analysis
Newsrack Permit	\$0.00
Open Records Request Research Fee	\$30.00 after first hour/per hour
Copies made	\$0.25 page
Promotional Association Certification Application	\$100.00
Attachment of a Licensed Premise	\$100.00
Public Assembly Permit	\$100.00
Recreational Vehicle and Equipment Permit	\$0.00
Telecommunications Business & Occupational Tax	\$900.00 ≤900/per year
Sales Tax	5.5%
Use Tax	4%

*DRAFT 2/2/2015***2015 FEE SCHEDULE****Business License**

Business License	\$50.00
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Escort Services License

Application Fee	\$300.00
Application Investigation Fee (Police Department)	\$250.00
Renewal Fee	\$200.00

Gaming License

Transportation Device Fee	\$77.00 per device/per year
Ambulance Fee	\$2.50 per device/per month

Liquor License

Application Fee - new license	\$1,000.00
Retail Liquor Store	\$22.50
Liquor-licensed Drugstore	\$22.50
Beer and Wine	\$48.75
Beer and Wine for a Resort	\$75.00
Hotel and Restaurant	\$75.00
Tavern	\$75.00
Optional Premises	\$75.00
Club	\$41.25
Retail Gaming Tavern	\$75.00
Brew Pub	\$75.00
Arts	\$41.25
Racetrack	\$75.00
Bed & Breakfast	\$25.00
3.2 Beer	\$3.75
Annual Renewal Application Fee	\$100.00
Late Renewal	\$500.00
Special Event Liquor Permit	\$100.00
Fingerprint Analysis and Background Check	\$100.00 each analysis
Corp/LLC Change (per person)	\$100.00
Temporary Permit (same time as Transfer of Ownership)	\$0.00
Temporary Permit (if not as same time as Transfer of Ownership)	\$100.00
Change of Location	\$750.00

2015 FEE SCHEDULE

Lodging License

Lodging License	\$100.00
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Retail Marijuana License

Operating Fee	\$2,500.00
Renewal Fee	\$1,500.00
late renewal	\$500.00
Transaction Fee	\$2.00
Change in Corporate Officers, Directors, or Manager	\$100.00
Fingerprint Analysis and Background Check	\$100.00 each analysis

Pawnbrokers Business License

Application Fee	\$2,200.00
Renewal Fee	\$5.00
Investigation and Processing Fee	\$200.00

Sexually Oriented Business License

Application Fee	\$750.00
Renewal Fee	\$1,000.00
Transfer of Ownership	\$200.00
Manager's License	\$250.00

Misc. Business Licenses/Permits

Mobile Auto Repair Permit and Annual Renewal	\$25.00
Street Vendor Conditional Use Permit	\$100.00 for 6 months for each vehicle used
Shuttle Owner/Operator Registration and Annual Renewal	\$100.00
Solicitation Permit	\$0.00

Special Event Fees

First day	\$50.00
Each additional day	\$30.00
Bicycle Event Permit	\$100.00

2015 FEE SCHEDULE

Franchise Fees

Cable Television Franchise Fee		
New Application		per contract
Transfer		per contract
Gas and Electric Franchise		
		3% of all received revenues
Transfer		per contract

Building Fees

Building Permit Fees Based on Total Valuation

\$1.00 to \$500	\$23.50
\$501 to \$2,000	\$23.50 for 1st \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$69.25 for the 1st \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$391.25 for the 1st \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the 1st \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$993.75 for the 1st \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$3,233.75 for the 1st \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$1,000,001 and up	\$5,608.75 for the 1st \$1,000,000 plus \$3.15 for each additional \$1,000, or fraction thereof
Building Plan Review	\$0.65 of the Building Permit fee calculated above
Building Plan Review - after the 1st review	\$100.00 per hour

Conveyance Permit Fees (elevators, escalators, lifts, etc.)

Consultant Fee + 15% City Administration Fee

Electric Permit Fees Based on Project Valuation for Commercial and Residential Alterations or Additions

\$0.00 to \$2,000	\$115.00
\$2,001 or more	\$115.00 plus \$11.50 per \$1,000, or portion thereof of valuation
Electrical Plan Review	\$0.65 of the Electrical Permit fee calculated above
Electrical Plan Review - after the 1st review	\$100.00 hour

Electric Permit Fees Based on Building Area for New Residential Buildings

not more than 1,000 sq. ft.	\$115.00
over 1,000 sq. ft. and not more than 1,500 sq. ft.	\$172.50
over 1,500 sq. ft. and not more than 2,000 sq. ft.	\$230.00
over 2,000 sq. ft.	\$230.00 plus \$11.50 per 100 sq. ft. or fraction thereof in excess of 2,000 sq. ft.
Electrical Plan Review	\$0.65 of the Electrical Permit fee calculated above
Electrical Plan Review - after the 1st review	\$100.00 hour

2015 FEE SCHEDULE

MISC. Building/Zoning/Electrical Permit Fees and Taxes

Re-inspection Fee (Building/Electrical)	\$100.00 each + 15% City Administration Fee
Additional Inspection Services/Consulting Building/Electrical	\$100.00 hourly + 15% City Administration Fee
Contractor Registration	\$0.00
Excavation Permit (commercial and residential alteration or addition)	\$7.00 per cubic yard
Right-of-Way Use Permit	\$30.00
Street Cut Permit	\$300.00 for 1 to 100sf and \$2/sf for any additional
Historic Landmarking	Consultant Fee + 15% City Administration Fee
Development in Flood Hazard Permit	Consultant Fee + 15% City Administration Fee
Special Investigation Fee	see code
Public Hearing Notice Publication Fee	Actual Cost + 15% City Administration Fee
Fire and Police Protection Fee at time of Building Permit	
Multifamily Residential	\$70.00 per occupant/multiply fee x peak period occupant load as per IBC
Commercial	\$14.00 per occupant/multiply fee x peak period occupant load as per IBC
Industrial	\$70.00 per occupant/multiply fee x peak period occupant load as per IBC
Change of Use	Consultant Fee + 15% City Administration Fee
Redevelopment	Consultant Fee + 15% City Administration Fee
Industrial	Consultant Fee + 15% City Administration Fee
Off-site commercial parking space fee (Parking Impact Fee)	\$2,000.00 per space

Utilities

Disconnect/Reconnect Fees	
Notice of disconnection due to delinquency or failure to maintain	\$60.00
Reconnection charge due to delinquency or failure to maintain	\$500.00
Disconnection/shut off for convenience (>7 days)	\$200.00
Reconnection charge for convenience (>7 days)	\$500.00
Commercial Fire Flow Testing	
Permit (>48 hours in advance of test)	\$150.00
Penalty for failure to acquire permit	\$5,000.00

2015 FEE SCHEDULE

Land Use Fees

Rezoning of land application	Consultant Fee + 15% City Administration Fee
CMRS Facility Application	Consultant Fee + 15% City Administration Fee
Conditional Use Permit	Consultant Fee + 15% City Administration Fee
License Agreement	Consultant Fee + 15% City Administration Fee
Planned Unit Development	Consultant Fee + 15% City Administration Fee
Restaurant Grills and Air Quality Compliance	Consultant Fee + 15% City Administration Fee
Sign Plan Application and Sign Permits	Consultant Fee + 15% City Administration Fee
Site Development Plan	Consultant Fee + 15% City Administration Fee
Special Review Use	Consultant Fee + 15% City Administration Fee
Subdivisions	
Preliminary Subdivision Processing Fee	Consultant Fee + 15% City Administration Fee
Final Subdivision Development Fee	Consultant Fee + 15% City Administration Fee
Minor Subdivision	Consultant Fee + 15% City Administration Fee
Site Development Commercial Plat	Consultant Fee + 15% City Administration Fee
Street Plan and Easement Vacation	Consultant Fee + 15% City Administration Fee
Recording Fee	Actual Cost
Temporary Use or Temporary Structure Permits	100 + Security Deposit
Variance	Consultant Fee + 15% City Administration Fee
Water System Development Fees	
Nonresidential, in Gaming District	\$16.00 per square foot
Hotel	\$900.00 per room
Nonresidential, outside of Gaming District	\$8.00 per square foot

False Alarm Fees

Service Fee 6th-10th occurrence	\$50.00
Service Fee over 10th occurrence	\$100.00

Police Department Fees

Sex Offender Registration	\$100.00 initial registration
Renewal	\$50.00
Fingerprints (Residents Only)	\$20.00
Portable Breath Test (PBT)	\$20.00
VIN Checks (Residents Only)	\$0.00
Copies onto CDs	\$25.00

2015 FEE SCHEDULE

Fire Department Fees

Commercial Business and multi-Residential Plan Reviews

 Consultant Inspection Services and Plan Review

 Consultant Fee + 15% City Administration Fee

Blasting and Storage of Explosives Permit

\$100.00

MISC. Fees

Code Books

online

Newsrack Permit

\$0.00

Open Records Request Research Fee

\$30.00 after first hour/per hour

 Copies made

\$0.25 page

Promotional Association Certification Application

\$100.00

 Attachment of a Licensed Premise

\$100.00

Public Assembly Permit

\$100.00

Recreational Vehicle and Equipment Permit

\$0.00

RESOLUTION 21-2015
A RESOLUTION
APPROVING THE
FIREWORKS
PRODUCTION CONTRACT
BETWEEN THE CITY OF
BLACK HAWK AND
WESTERN ENTERPRISES,
INC.

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 21-2015

TITLE: A RESOLUTION APPROVING THE FIREWORKS PRODUCTION CONTRACT BETWEEN THE CITY OF BLACK HAWK AND WESTERN ENTERPRISES, INC.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The Board of Aldermen hereby approves the Fireworks Production Contract between the City and Western Enterprises, Inc., and authorizes the Mayor to execute the same on behalf of the City.

RESOLVED AND PASSED this 11th day of March, 2015.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Fireworks Production Contract between the City of Black Hawk and Western Enterprises, Inc.

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Resolution 21-2015, A Resolution Approving the Fireworks Production Contract between the City of Black Hawk and Western Enterprises, Inc.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Boom Town Fireworks Production Contract

AGENDA DATE: March 11, 2015

WORKSHOP DATE: Budget Study Session November 5, 2014

FUNDING SOURCE: 010-1101-4115828

DEPARTMENT DIRECTOR APPROVAL: Yes No

STAFF PERSON RESPONSIBLE: Melissa Greiner, City Clerk

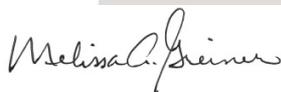
DOCUMENTS ATTACHED: Western Enterprises, Inc. Fireworks Production Contract

RECORD: Yes No

CITY ATTORNEY REVIEW: Yes N/A

SUBMITTED BY:

REVIEWED BY:



Melissa Greiner, City Clerk

Jack D. Lewis, City Manager

FIREWORKS PRODUCTION CONTRACT

1. This Contract is entered into this 11th day of March, 2015, by and between **WESTERN ENTERPRISES, INC.**, designated herein as the "**SELLER**", and **CITY OF BLACK HAWK**, designated herein as the "**PURCHASER**" for a fireworks production to be held on **JULY 4, 2015**.

2. **SELLER** will secure, prepare and deliver said fireworks as outlined, or will make necessary substitutions of equal or greater value. **SELLER** will include the services of a Pyrotechnic Operator to take charge of, set up and fire the display, along with such help as he deems necessary to perform the fireworks display safely, and in accordance with such Federal, State or Local laws that might be applicable.

3. **SELLER** agrees that the Operator and Assistant(s) are to check the display area after the presentation of the fireworks display for any "duds" or other material that might not have ignited. Any such material, found by any person other than the Operator, shall be turned to the Operator for safe handling or proper disposal of said material.

4. **PURCHASER** will furnish the secured minimum safety distances established by the **SELLER** after an on-site inspection of the proposed firing location. **PURCHASER** will provide adequate police protection and/or other adequate security to maintain these distances. **PURCHASER** also agrees to have a fire truck available on location during the display.

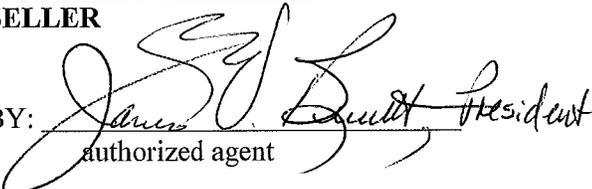
5. A Certificate of Insurance covering the fireworks display will be provided by the **SELLER** upon signing of the contract, for coverage in the amount of **FIVE MILLION DOLLARS (\$5,000,000.00)** broad form, bodily injury and property damage liability, Statutory Workers Compensation Coverage, Comprehensive Automobile Liability in the amount of **FIVE MILLION DOLLARS (\$5,000,000.00)** Combined Single Limit. **PURCHASER** agrees to provide a complete list of all additional insureds to be named on the certificate.

6. It is agreed and understood that the **PURCHASER** will pay to the **SELLER** the sum of **EIGHTY-FIVE THOUSAND DOLLARS & NO/100 (\$85,000.00)** to be paid within fifteen (15) days after the date of the display. **HOWEVER**, if payment is made in full by March 17, 2015, a five percent (5%) discount will apply. That discount can either be deducted from the total contract price, or the **PURCHASER** may elect to receive that amount of extra pyrotechnic product in lieu of the discount. Unpaid accounts are subject to one percent (1%) interest charge per month after fifteen days.

7. In the event of inclement weather or other adverse conditions, so as to cause postponement of the display it is agreed and understood that **PURCHASER** will notify **SELLER** regarding the postponement date, normally the following night, or at some future date within the calendar year. If the **PURCHASER** will not re-schedule the display within the calendar year, or completely cancels the display, the **PURCHASER** agrees to pay to the **SELLER** Thirty percent (30%) of the cost of the display (**\$25,500.00**). If the prepayment option has been exercised, **SELLER** will refund to **PURCHASER** the total amount paid, less the 30% mentioned above.

8. Witness whereof, we have caused our signatures to be affixed to this Document, on this 11th day of March, 2015.

WESTERN ENTERPRISES, INC.
SELLER

BY:  James S. Dault
authorized agent

CITY OF BLACK HAWK
PURCHASER

BY: _____
authorized agent

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/06/2015

PRODUCER
Pinnacol Assurance
7501 E Lowry Blvd
Denver, CO 80230-7006

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC#

INSURED
Western Enterprises Inc
4983 Kit Carson DR
Broomfield, CO 80023

INSURER A: **Pinnacol Assurance**

41190

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE(MM/DD/YYYY)	POLICY EXPIRATION DATE(MM/DD/YYYY)	LIMITS
		GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIERS PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC				EACH OCCURRENCE DAMAGE TO RENTED PREMISES MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea Accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN EA ACC AUTO ONLY: AGG
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				EACH OCCURRENCE AGGREGATE
A		WORKERS COMPENSATION AND EMPLOYER'S LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, please describe under SPECIAL PROVISIONS below	2218422	02/01/2015	02/01/2016	<input checked="" type="checkbox"/> WC STATU- <input type="checkbox"/> OTHER TORY LIMITS E.L EACH ACCIDENT \$500,000 E.L DISEASE - EA EMPLOYEE \$500,000 E.L DISEASE - POLICY LIMIT \$500,000
		OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

CERTIFICATE HOLDER

1594437
City of Black Hawk
PO BOX 68
Black Hawk, CO 80422

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO NOTIFY 0 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO NOTIFY SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Amanda Lindsey
Underwriter

ACORD CORPORATION 1988

CERTIFICATE HOLDER COPY

City of Black Hawk
PO BOX 68
Black Hawk, CO 80422

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

RESOLUTION 22-2015
A RESOLUTION
APPROVING AND
ADOPTING THE
GUIDELINES FOR THE
CITY OF BLACK HAWK
SCHOLARSHIP PROGRAM

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

Resolution No. 22-2015

**TITLE: A RESOLUTION APPROVING AND ADOPTING THE GUIDELINES
FOR THE CITY OF BLACK HAWK SCHOLARSHIP PROGRAM**

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE
CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The Board of Aldermen hereby approves and adopts the guidelines for the
City of Black Hawk Scholarship Program, attached hereto and incorporated herein by this
reference.

RESOLVED AND PASSED this 11th day of March, 2015.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: City of Black Hawk Scholarship Program

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Resolution 22-2015, A Resolution Approving and Adopting the City of Black Hawk Scholarship Program

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Approval and adoption of the City of Black Hawk Scholarship Program

AGENDA DATE: March 11, 2015

WORKSHOP DATE: N/A

FUNDING SOURCE: 010-1101-4115830

DEPARTMENT DIRECTOR APPROVAL: Yes No

STAFF PERSON RESPONSIBLE: Melissa Greiner, City Clerk

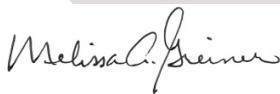
DOCUMENTS ATTACHED: City of Black Hawk Scholarship Program

RECORD: Yes No

CITY ATTORNEY REVIEW: Yes N/A

SUBMITTED BY:

REVIEWED BY:



Melissa Greiner, City Clerk

Jack D. Lewis, City Manager



City of Black Hawk Scholarship Program

City of Black Hawk Scholarship Program Goals:

- To promote a healthy Gilpin County RE-1 school district.
- To award scholarships to students receiving their high school diploma from the Gilpin County RE-1 School District so that they may continue higher education.

City of Black Hawk Scholarship Program Guidelines:

1. Any student receiving their high school diploma from the Gilpin County RE-1 School District may apply for the City of Black Hawk Scholarship Program.
2. Students must apply for the City of Black Hawk Scholarship Program during their senior year of high school.
3. **Application for the City of Black Hawk Scholarship Program** must be received in the Black Hawk City Clerk's office by **March 15th** of applicant's graduating year. Failure to provide completed application by the deadline shall result in denial of request.
4. Scholarship may be used at institutions of higher education, occupational schools, and trade schools. Graduate level studies are admissible.
5. Scholarships are awarded one (1) installment per semester for a total of eight (8) \$750 awards within a six (6) year span from high school graduating year.
6. Once approved, the scholarship recipient must submit a **Scholarship Program Request** form for each semester, which shall include the following:
 - a. Recipient must include upcoming semester's class schedule for enrollment verification. Recipient must be enrolled full-time in the program of study.
 - b. Recipient must provide verification of GPA for previous semester in the form of a certified transcript or similar. Initial stipend of scholarship award does not require GPA verification. Recipient must maintain at least a 2.0 GPA to continue to receive scholarship funds.
7. Scholarship will be paid directly to the institution where the recipient is attending.
8. Scholarship awards are subject to appropriation of funds.
9. Scholarship forms can be found on the City's website at www.cityofblackhawk.org.
10. Questions shall be directed to CityClerk@cityofblackhawk.org or 303-582-2212.