

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB33

ORDINANCE NUMBER: 2021-33

**TITLE: AN ORDINANCE AMENDING SECTIONS 6-13 AND 6-14 OF THE BLACK
HAWK MUNICIPAL CODE RELATING TO BUSINESS LICENSING**

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

Section 1. Section 6-13 of the Black Hawk Municipal Code is hereby amended 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 2. Section 6-14 of the Black Hawk Municipal Code is hereby amended 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~~ **Section 6-13** 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 3. **Safety Clause.** The City Council 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 City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. 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 5. 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 13th day of October, 2021.


David D. Spellman Mayor

ATTEST:


Melissa A. Greiner, CMC, City Clerk

