

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2025

COUNCIL BILL NO. CB25-1003
COMMITTEE OF REFERENCE:
4 Business, Arts, Workforce, Climate & Aviation Services

5
6 A BILL
7

8 **For an ordinance amending the Revised Municipal Code to reflect the Charter**
9 **amendment changing the name of the Department of Excise and Licenses to the**
10 **Department of Licensing and Consumer Protection.**
11

12 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

13 **Section 1.** That chapter 2, article XIII, of the Code shall be amended by deleting the language
14 stricken and adding the language underlined, to read as follows:

15 **Sec. 2-301. - Definitions.**

16 (2) *Covered official* means members of the city council, and their appointed advisory staff
17 members; the mayor, and his or her appointed advisory staff members; the auditor, the clerk and
18 recorder; members of the water board; the manager of transportation and infrastructure; the manager
19 of parks and recreation; the manager of finance; the manager of safety; the ~~director of excise and~~
20 ~~licenses~~ manager of licensing and consumer protection; the manager of general services; the manager
21 of human services; the manager of aviation; the manager of public health and environment; the
22 manager of community planning and development; the city attorney; the chief of police; and the fire
23 chief.

24 **Section 2.** That chapter 5, article III, of the Code shall be amended by deleting the language
25 stricken and adding the language underlined, to read as follows:

26 **Sec. 5-31. - Required.**

27 It shall be unlawful for any person to establish, maintain or operate any aviation field, flying field
28 or airport of any nature whatsoever (hereinafter in this article referred to by the single term "aviation
29 field") or any heliport, except as provided in and authorized by this article and without first having
30 obtained a license to do so from the ~~director of excise and licenses~~ manager of licensing and
31 consumer protection.
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33 **Sec. 5-34. - Approval or disapproval of manager of aviation.**

34 The ~~director of excise and licenses~~ manager of licensing and consumer protection shall forward

every license application submitted pursuant to this article to the manager of aviation, who shall investigate the premises and surroundings and determine whether or not such proposed aviation field or heliport will jeopardize the public welfare and safety because of its location, arrangement or proposed method of operation. The manager of aviation shall return to the ~~director of excise and licenses~~manager of licensing and consumer protection the application with an endorsement of approval, or with an endorsement recommending disapproval, in which latter case there shall accompany the recommendation a written explanation of reasons therefor.

Sec. 5-35. - Issuance.

If the ~~director of excise and licenses~~manager of licensing and consumer protection shall determine after investigation that the requirements of chapter 32 have been met, and that the financial responsibility, experience, character and general fitness of the applicant, or the members thereof if the applicant be a firm, or of the officers and directors thereof if the applicant be a corporation, are such as to command the confidence of the public and to warrant belief that the aviation field or heliport will be operated safely and efficiently, the manager shall thereon issue and deliver to the applicant a license to operate an aviation field or heliport at the premises specified in the application.

Section 3. That chapter 6 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 6-1. - Defined terms.

~~(4) — Director means the director of the Denver Department of Excise and Licenses.~~

~~(54)~~ Liquor license means a license issued pursuant to the Colorado Liquor Code for the sale of fermented malt beverages or malt, vinous, or spirituous liquors.

~~(5)~~ Manager means the manager of licensing and consumer protection.

Sec. 6-2. - Consumption of alcohol beverages—Approval required.

(a)(2) Within an alcohol consumption area approved by the ~~director~~manager and operating in compliance with this article I, the Colorado Liquor Code, and any other applicable laws, rules, and regulations.

(b) If the ~~director~~manager approves the alcohol consumption area, the ~~director~~manager shall issue an order approving an alcohol consumption area. The order shall contain the following information, at minimum:

(4) Any other conditions, requirements, or other information required by the ~~director~~manager.

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Sec. 6-3. - Application.

An application for an alcohol consumption area shall be made on forms provided by the ~~director~~manager and shall include, in addition to any information required by chapter 32 of this Code, all supplemental materials required by this article and any rules adopted pursuant thereto. The ~~director~~manager may, at the ~~director~~manager's discretion, require additional documentation associated with the application, as may be necessary, to enforce the requirements of the Colorado Liquor Code and this article I. An application for an alcohol consumption area shall include the following minimum requirements:

Sec. 6-4. - Causes for denial.

(1) The information and evidence available to and considered by the ~~director~~manager fails to reasonably establish that the proposed procedures for security and admission control will prevent the consumption of alcohol beverages by underage persons in the alcohol consumption area;

Sec. 6-5. - Disciplinary actions.

(b) Procedures for investigation of violations, and for suspension, revocation, or other sanctions as a result of any such violation, shall be as provided in chapter 32 of the Code and any rules and regulations promulgated by the ~~director~~manager.

Sec. 6-6. - Unlawful acts.

(f) It shall be unlawful for any person to violate any rule or regulation adopted by the ~~director~~manager pursuant to section 6-5.

Sec. 6-7. - Rules and regulations.

The ~~director~~manager may make such reasonable rules and regulations as may be necessary for the purpose of administering and enforcing the provisions of this article I and any other laws relating to and affecting the approval of alcohol consumption areas within the national western center, including, but not limited to, the area(s) in which alcohol consumption is permitted, additional requirements to control the security, requirements for vendors, and deadlines to submit applications.

Sec. 6-11. - Definitions.

(2) *Attach* means the connection, as authorized by the ~~director~~manager, of any of the liquor

1 licensed premises identified in C.R.S. 44-3-301(11)(c)(II), as amended, to an adjoining common
2 consumption area to provide alcohol beverages for consumption within the common consumption
3 area.

4 ~~(6) — Director shall mean the director of the Denver Department of Excise and Licenses.~~

5 (76) *Eligible neighborhood organization* means any of the following organizations that
6 includes within its boundaries all or a portion of the property where a common consumption area is
7 proposed to be located and is a registered neighborhood organization as defined in the Denver
8 Revised Municipal Code that has been in existence for more than two (2) years or any other type of
9 association of residents and owners of real property designated by the ~~director~~manager as an eligible
10 neighborhood organization.

11 (87) *Entertainment district* shall have the same meaning as in C.R.S. § 44-3-103(15).

12 (98) *Evidence of community support* means any of the following forms of documentation;
13 provided, however, that such documentation is authorized by an officer, ~~director~~manager, or agent of
14 one (1) or more eligible neighborhood organizations:

- 15 a. A letter of community support or non-opposition;
- 16 b. A document indicating community support or non-opposition;
- 17 c. A good neighbor agreement; or
- 18 d. Any other evidence of community support deemed sufficient by the ~~director~~manager.

19 ~~(109)~~ *Licensee* means a certified promotional association that has been issued a common
20 consumption area license under the terms of this article.

21 ~~(1110)~~ *Liquor license* means a license issued pursuant to the Colorado Liquor Code for the sale
22 of fermented malt beverages or malt, vinous, or spirituous liquors.

23 (11) Manager means the manager of licensing and consumer protection.

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25 **Sec. 6-12. - License and certification required.**

26 (b) The ~~director~~manager may place conditions on a license to ensure that the premises will
27 be operated lawfully, incorporate the specific and enforceable provisions of a good neighbor
28 agreement, or add any operational requirements and/or restrictions included in any evidence of
29 community support submitted with the application.

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31 **Sec. 6-13. - Application.**

32 Any application for the certification of a promotional association shall be accompanied by an
33 application for the issuance of a common consumption area license. Such applications shall be made
34 to the ~~director~~manager upon forms provided by the ~~director~~manager and shall include, in addition to

any information required by chapter 32 of this Code, all supplemental materials required by this article and any rules adopted pursuant thereto. Such applications shall also contain the following information necessary for the establishment of an entertainment district by city council. The ~~director~~manager may, at the ~~director~~manager's discretion, require additional documentation associated with the application, as may be necessary, to enforce the requirements of the Colorado Liquor Code and this article II.

(a) *Certified promotional association.* An application for promotional association certification shall include the following:

(6) Any other such information and documents as may reasonably be required by the ~~director~~manager.

(b) *Common consumption area license.* An application for a common consumption area license shall include the following:

(4) Proof of liability insurance carried by the promotional association within the liability coverage limits set by the ~~director~~manager;

Sec. 6-14. - Notice and public hearing.

(a) *Public notice; posting and publication.*

(1) Upon receipt of an application for certification of a promotional association and issuance of a common consumption area license, the ~~director~~manager shall schedule a public hearing upon the application not less than sixty (60) days from the date of the application and shall...

(2) Notice shall conform to the requirements of C.R.S. § 44-3-311, as amended, and any other requirements set forth by the ~~director~~manager.

(b) *Conduct of public hearings.*

(2) The ~~director~~manager shall designate the neighborhood being affected by such application. The designation of the geographical extent and boundaries of such neighborhood shall be within the sole discretion of the ~~director~~manager.

(c) *Results of investigation; decision of ~~director~~manager.*

(1) Not less than five (5) days prior to the date of hearing, the ~~director~~manager shall make known the ~~director~~manager's findings based on the ~~director~~manager's initial investigation of the application documents in writing to the applicant and other interested parties. The failure of the ~~director~~manager to make these findings known five (5) days prior to the date of the public hearing shall not preclude the ~~director~~manager from later determining that the application should be approved or denied.

(2) Before certifying a promotional association and issuing a common consumption area

1 license, the ~~director~~manager shall consider the reasonable requirements of the neighborhood, the
2 desires of the adult inhabitants as evidenced by petitions, remonstrances, or otherwise, and all other
3 reasonable restrictions that are or may be placed upon the neighborhood by the local licensing
4 authority.

5 (3) Before entering any decision approving or denying the application, the ~~director~~manager
6 shall consider, except where this article specifically provides otherwise, the facts and evidence
7 adduced as a result of its investigation and the public hearing required by this section, and any other
8 pertinent matters affecting the qualifications of the applicant for issuance of a common consumption
9 area license and certification of a promotional association including this article and chapter 32 of this
10 Code, or any rules and regulations adopted pursuant thereto.

11 (4) Unless additional time is necessary to fully investigate an application, any decision of the
12 ~~director~~manager approving or denying an application shall be in writing stating the reasons therefor,
13 within thirty (30) days after the date of the public hearing, and a copy of such decision shall be sent by
14 certified mail to the applicant at the address shown in the application and to the state licensing
15 authority. The failure of the ~~director~~manager to issue a final decision within thirty (30) days after the
16 date of the public hearing shall not preclude the ~~director~~manager from later determining that the
17 application should be approved or denied.

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19 **Sec. 6-15. - Transfer of ownership; promotional association structure change.**

20 (a) In general. Applications to change the composition of the board of ~~director~~managers of a
21 certified promotional association shall be made upon forms provided by the ~~director~~manager. The
22 ~~director~~manager may refuse to authorize a change in the certified promotional association
23 membership for any of the reasons for which the ~~director~~manager would refuse to certify a new
24 promotional association.

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26 **Sec. 6-16. - Changing, altering, or modifying of common consumption area or entertainment**
27 **district.**

28 (a) After the issuance of a common consumption area license, a licensee shall make no
29 physical change, alteration, or modification to the common consumption area which materially or
30 substantially alters the boundaries or the usage of the common consumption area from the plans and
31 specifications submitted at the time of the original license application without a new application
32 pursuant to section 6-13 and approval of the ~~director~~manager.

33 (b) If, after reviewing the application for a modification of the common consumption area,
34 the ~~director~~manager finds that the proposed change materially or substantially alters the boundaries or

usage licensed premises the ~~director~~manager shall conduct a public hearing in accordance with the requirements of section 6-14 and shall issue written findings for the new application.

Sec. 6-17. - Term of licenses; renewals.

(a) Any certification or license issued pursuant to this article shall be valid for a period of one (1) year from the date of issuance, or for such shorter or non-consecutive times as approved by the ~~director~~manager. A common consumption area license issued for a period of less than one (1) year shall not be issued to a certified promotional association for more than a total of fifteen (15) days in one (1) calendar year.

(c) Upon receipt of an application for renewal of a common consumption area license, the ~~director~~manager may conduct a renewal hearing if there is reasonable cause to believe that:

(e) Except where the ~~director~~manager has received a complete renewal application along with the requisite fees, it shall be unlawful for any certified promotional association to operate a common consumption area after the expiration date recorded upon the face of the common consumption area license.

Sec. 6-18. - Causes for denial.

(3) The information and evidence available to and considered by the ~~director~~manager fails to reasonably establish that the proposed procedures for security and admission control will prevent the consumption of alcohol beverages by underage persons;

Sec. 6-20. - Unlawful acts.

(a) It shall be unlawful for any person to violate any rule or regulation adopted by the ~~director~~manager pursuant to section 6-21.

(c) It shall be unlawful for any promotional association to change or modify the common consumption area premises or usage without approval from the ~~director~~manager.

(d) It shall be unlawful for any licensed liquor establishment to allow its patrons to consume alcohol beverages in a common consumption area without authorization from the ~~director~~manager to attach to the common consumption area.

Sec. 6-21. - Rules and regulations.

(a) The ~~director~~manager may make such reasonable rules and regulations as may be necessary for the purpose of administering and enforcing the provisions of this article and any other ordinances or laws relating to and affecting the licensing and operation of common consumption

1 areas.

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3 **Sec. 6-23. - Sunset; report to city council.**

4 (b) The ~~director~~manager shall report in writing to city council by April 15 of each year,
5 beginning in 2021, on the operation of the entertainment district and common consumption area
6 licensing program.

7

8 **Sec. 6-31. – Definitions.**

9 ~~(3) — Director shall mean the director of excise and licenses.~~

10 (43) *Entertainment* shall mean and include the following terms:

11 a. *Adult entertainment* shall mean amusement or entertainment which features or includes
12 specified anatomical areas or specified sexual activities, as defined in the zoning code of the
13 city, sections 59-2(132) and 59-2(133) of this Code.

14 b. *Live entertainment* shall mean and include all shows, live music, games of sport and
15 performances of any kind but shall not include adult entertainment.

16 c. *Patron dancing* shall mean dancing by patrons or guests of an establishment or
17 business.

18 d. *Recorded entertainment* shall mean recorded music or recorded vocal entertainment or
19 both, but shall not include adult entertainment.

20 ~~(54)~~ *Licensee* shall mean a person licensed under this article.

21 (5) *Manager* means the manager of licensing and consumer protection.

22

23 **Sec. 6-32. - Classes of cabarets.**

24 Classes of cabarets and permissible activities at establishments within each class shall be as follows:

25 (1) *Standard cabaret.* A cabaret in which only live entertainment is provided. No patron
26 dancing shall be permitted. No person under twenty-one (21) years of age shall be employed or
27 permitted to participate as an entertainer in a standard cabaret without the written consent of a parent
28 or guardian or the written approval of the ~~director~~manager.

29 (2) *Dance cabaret.* A cabaret in which either live entertainment or recorded entertainment or
30 both is provided and in which patron dancing is permitted. No entertainer shall dance with any patron
31 or guest. No person under twenty-one (21) years of age shall be employed or permitted to participate
32 as an entertainer in a dance cabaret without the written consent of a parent or guardian or the written
33 approval of the ~~director~~manager.

1 (3) *Special dance cabaret.* A cabaret in which either live entertainment or recorded
2 entertainment or both is provided and in which patron dancing is permitted, which entertainment is
3 confined to the interior of the building which constitutes or is located upon the licensed premises, as
4 defined in the Colorado Liquor Code. Unamplified live entertainment or recorded entertainment which
5 is of no greater volume than recorded background music provided in the interior of the building,
6 measured at the speaker, may be provided, and patron dancing may be permitted, on the premises
7 beyond the interior of the building, but no live entertainment shall be provided beyond the interior after
8 8:00 p.m.

9 No entertainer shall dance with any patron or guest. No person under twenty-one (21) years of age
10 shall be employed or permitted to participate as an entertainer in a special dance cabaret without the
11 written consent of a parent or guardian or the written approval of the ~~director~~manager.

12 (5) *Acoustic cabaret.* A cabaret in which only unamplified live entertainment is provided. No
13 patron dancing shall be permitted. No person under twenty-one (21) years of age shall be employed or
14 permitted to participate as an entertainer in an acoustic cabaret without the written consent of a parent
15 or guardian or the written approval of the ~~director~~manager.

16 (6) *Events center cabaret.* A multipurpose cabaret with a seating capacity of at least two
17 thousand (2,000) in which either live entertainment or recorded entertainment or both is provided and
18 in which patron dancing is permitted. No entertainer shall dance with any patron or guest. No person
19 under eighteen (18) years of age shall be employed or permitted to participate as an entertainer in an
20 events center cabaret without the written consent of a parent or guardian or the written approval of the
21 ~~director~~manager.

22 23 **Sec. 6-38. - Records to be kept.**

24 All licensees shall keep an accurate set of books showing the income and expenditures of or for
25 such cabarets and for such entertainment activities engaged in, operated, conducted, carried on or
26 maintained on the licensed premises; and such books shall be open to inspection by the
27 ~~director~~manager or any police officer of the city at all reasonable hours.

28 29 **Sec. 6-40. - Interference with officers.**

30 No licensee or other person shall by force or threat of force, including any letter, telephone or
31 other communication threatening such force, endeavor to intimidate, obstruct or impede the
32 ~~director~~manager or any inspectors or employees.

33 34 **Sec. 6-41. - Rules and regulations.**

1 The ~~director~~manager may make such reasonable rules and regulations as may be necessary
2 for the purpose of administering and enforcing the provisions of this article and any other ordinances
3 or laws relating to and affecting the licensing and operation of cabarets as described herein. It shall be
4 unlawful for any person to violate a rule or regulation adopted by the board or the manager pursuant to
5 this section.

6
7 **Sec. 6-51. - Required.**

8 (a)(5) In a facility with a seating capacity of at least twelve thousand (12,000) designed and
9 used primarily for professional sporting events. This exclusion shall apply only to the portion of the
10 facility representing the licensed premises as approved by the ~~director~~manager ~~of excise and licenses,~~
11 as the term licensed premises is defined by the Colorado Liquor Code.

12 (e) For any liquor licensed establishment providing entertainment to be exempt from the
13 requirement for a cabaret license, pursuant to subparagraphs (a)(1) through (5) above, the operator
14 must file, with the ~~director~~manager, a written general description of how their employees and/or agents
15 will prevent underage patrons from purchasing, possessing, consuming, or removing from the liquor
16 licensed premise, any alcohol beverage originating from the premise. The written general description
17 must be reviewed and approved by the ~~director~~manager, consistent with applications for underage
18 patron licenses, pursuant to section 6-70(a)(3).

19
20 **Sec. 6-52. - Application.**

21 (a) Application for a cabaret license shall be made to the ~~director~~manager upon forms to be
22 provided by the ~~director~~manager for that purpose, which forms shall contain the following information:

23 (5) Floor space and seating capacity of the establishment for which application is being
24 made; the ~~director~~manager may also require plans and specifications of the premises, as well as
25 detailed sketches of the premises;

26 (9) Such other information or evidence as reasonably may be required to establish to the
27 satisfaction of the ~~director~~manager that the character and reputation of the applicant and applicant's
28 manager are such as to warrant the confidence of the ~~director~~manager that the establishment or
29 business will be lawfully operated, and that the health or welfare or morals of the neighborhood will not
30 be adversely affected should the license issue;

31 (10) Such other information and documents as may be reasonably required by the
32 ~~director~~manager, including fingerprinting.

33 (b) The applicant shall provide to the ~~director~~manager a department of zoning administration
34 application for use permit, with the approval of the zoning administration shown thereon for the use of

1 the building for the entertainment proposed to be offered or provided.

2 (c) Any change of ownership shall require a new application and license, with payment of
3 fees therefor, and approval of the ~~director~~manager. However, when a license has been issued to a
4 husband and wife, registered domestic partners, or to limited partners, ...

5
6 **Sec. 6-53. - Notice; posting; hearing.**

7 (a) Upon receipt of an application for a new cabaret license, the ~~director~~manager shall
8 schedule a public hearing upon the application not less than forty (40) days from the date of receipt of
9 the application; and it shall be the duty of the ~~director~~manager to designate the neighborhood being
10 affected by such application. The designation of the geographical extent and boundaries of such
11 neighborhood shall be within the sole discretion of the ~~director~~manager.

12 (b) The ~~director~~manager shall require public notice to be given of the application for a new
13 license, by the posting of a notice of the public hearing, for a period of not less than thirty (30)
14 consecutive days, in advance of the public hearing, in a conspicuous place on the premises whereon
15 the cabaret is proposed to be operated, legible from the public street or public way (other than an
16 alley) nearest to such premises. This public notice shall state the class of license applied for, the name
17 and address of the applicant, the designated neighborhood, the type of entertainment for which
18 application is being made or considered and the time and place of the public hearing on the
19 application; provided that such posted notice of the public hearing shall be displayed on a sign or
20 signs, in number, size and location as prescribed by the ~~director~~manager.

21 (c) At the time and place specified in the notice, or at such other time to which the hearing
22 may be continued by the ~~director~~manager, the ~~director~~manager or any hearing officer shall receive
23 petitions and hear such information and evidence as may be offered by the applicant and residents of
24 the designated neighborhood (which term shall include residents of the neighborhood and all owners
25 or managers of businesses located in the designated neighborhood), concerning the desires ...

26 (d) The approval or denial of any application for a new license shall rest within the sound
27 discretion of the ~~director~~manager after evidence has been presented during such public hearing. In
28 making the decision, the ~~director~~manager shall consider all of the items shown above in subsection
29 (c).

30 (e) In addition to the restriction on applications for new licenses provided in chapter 32 of
31 this Code, no application shall be received or acted upon for either a new license or for changing or
32 modifying a presently licensed premises if, within two (2) years next preceding the date the application
33 is tendered to the department of ~~excise and licenses~~, the ~~director~~manager denied an application for
34 any class of cabaret at either:

(f) A hearing upon application for renewal or change of ownership of the licensed premises may be scheduled at the discretion of the ~~director~~manager, either upon the ~~director~~manager's own initiative or upon proper complaint to the ~~director~~manager, and the procedure and requirements in this event shall be the same as shown in this division for a new license application.

(g) In approving an application, the ~~director~~manager may impose a restriction on the license hours for presentation of entertainment which is more stringent than those permitted in section 6-33, if the information or evidence available to and considered by the ~~director~~manager reasonably establishes that such restriction is necessary to protect the health, welfare or morals of the designated neighborhood.

(h) In approving an events center cabaret application, the ~~director~~manager may impose restrictions on the license, including but not limited to requirements for security arrangements and admission controls and limitations on hours for presentation of entertainment, if the information or evidence available to and considered by the ~~director~~manager reasonably establishes that such restrictions are necessary to prevent underage patrons from purchasing, possessing, consuming, or removing alcohol beverages from the liquor licensed premises.

Sec. 6-55. - Causes for denial.

(a) No cabaret license shall be issued when:

(3) The information or evidence available to and considered by the ~~director~~manager reasonably established: that the character or reputation of the applicant or manager of the establishment or business or the past record of operation of the establishment or business for which application is made is such so as not to warrant the confidence of the ~~director~~manager that the establishment or business will be lawfully operated; or that the health or welfare

(7) The information or evidence available to and considered by the ~~director~~manager fails reasonably to establish that proposed procedures for security, admission and crowd control will prevent the sale, of alcohol beverages to underage patrons.

(b) In making a determination as to moral character, or when considering the conviction of a crime, the ~~director~~manager shall be governed by the provisions of C.R.S. section 24-5-101, as amended, pertaining to the effect of criminal convictions on employment rights.

Sec. 6-56. - Inspection of premises prerequisite to issuance.

(a) Before issuing any license for which application has been made, the ~~director~~manager or one (1) of the ~~director~~manager's inspectors shall visit and inspect the premises where the applicant proposes to operate, or where a licensee is operating.

(b) Every cabaret licensee and any manager, agent or employee shall permit inspection of the premises at all reasonable times by either any police officer or fireman of the city, or any representative of the ~~director~~manager, and such officers or representatives shall have the authority to enter the premises at all reasonable times with or without a search warrant.

Sec. 6-59. - Change of trade name.

No licensee shall change the name or trade name of the licensed premises without first obtaining permission of the ~~director~~manager.

Sec. 6-60. - Expansion, enlargement or modification of licensed premises.

(a) No licensed premises shall be expanded, enlarged or modified without the written approval of the ~~director~~manager. Forms for this purpose will be furnished upon request by the department of ~~excise and licenses~~.

(b) The ~~director~~manager shall require a new and approved department of zoning use permit, and may also require plans, specifications and detailed sketches for the entire premises which licensee proposes to expand, enlarge or modify. If, after reviewing the application, plans and specifications and sketches, the ~~director~~manager finds that the proposed change materially or substantially alters the licensed premises or the usage of the licensed premises, the ~~director~~manager shall require public posting and public hearing, with the procedure, requirements and costs to be the same as shown hereinabove for a new license application in this division.

Sec. 6-61. - Revocation or suspension; notice of hearing.

(a) In addition to the grounds shown in chapter 32 of this Code for revocation or suspension of a license, the ~~director~~manager may revoke or suspend a cabaret license if he finds that:

(1) The nature of the licensed premises or of the business conducted therein encourages a disturbance of the peace; or

(2) The conduct of persons in or about the licensed premises is such as to annoy or disturb the peace of the residents in the vicinity, or of the passersby on any public sidewalk, street, highway or any other public right-of-way.

(b) Every licensee whose license has been suspended by the ~~director~~manager shall post two (2) notices in conspicuous places, one (1) on the exterior and one (1) on the interior of the premises, for the duration of the suspension. The notices shall be two (2) feet in length and fourteen (14) inches in width, and shall be in the following form:

NOTICE OF SUSPENSION

1 THE CABARET LICENSE ISSUED
2 For These Premises Has Been
3 Suspended by Order of the
4 ~~DIRECTOR OF EXCISE~~
5 ~~AND LICENSES~~
6 MANAGER OF LICENSING
7 AND CONSUMER PROTECTION
8 OF THE CITY AND
9 COUNTY OF DENVER
10 For Violation of the
11 REVISED MUNICIPAL CODE
12 OF THE CITY AND
13 COUNTY OF DENVER.
14

15 **Sec. 6-62. - Hearing officer.**

16 Any hearing officer appointed by the ~~director~~manager shall be authorized to conduct any
17 hearing held pursuant to this division, and shall file with the ~~director~~manager any recommended
18 findings, conclusions and decisions pursuant to section A9.10-1 of the Charter of the city.
19

20 **Sec. 6-63. - Written decisions.**

21 Any decision of the ~~director~~manager regarding the approval, denial, suspension or revocation of
22 a license shall be in writing, stating the reasons therefor; and a copy of such decision shall be mailed
23 by regular mail to the applicant's or licensee's last-known address.
24

25 **Sec. 6-64. - Special events cabaret permit.**

26 (a) The ~~director~~manager is authorized to issue a special events cabaret permit to any
27 person or organization licensed to sell or allow consumption of alcoholic beverages for the purpose of
28 allowing entertainment, other than adult entertainment, for any event held on a limited or one-time
29 basis.

30 (b) Application for a special events cabaret permit shall be made to the ~~director~~manager not
31 less than four (4) days prior to the date of the event, upon forms to be provided by the
32 ~~director~~manager for that purpose, which forms shall require information in accordance with the
33 provisions of section 6-52(a) of this article III.

34 (d) The ~~director~~manager shall investigate each special events cabaret permit application

and either approve or deny such application in accordance with the provisions of section 6-55 of this article, excluding section 6-55(a)(6), within four (4) days of the filing of the completed application and appropriate permit fee. Prior approval of the public health and environment, transportation and infrastructure and fire departments of the city shall not be required for the issuance of a special events cabaret permit; however, it shall be unlawful for any permit holder to allow any violation of the health, fire or building codes of the city on the premises.

Sec. 6-70. - Application.

(a) *Requirements.* Application for an underage patrons license may be made by any standard cabaret, dance cabaret, special dance cabaret, acoustic cabaret, or events center cabaret licensee, or any applicant for a standard cabaret, dance cabaret, special dance cabaret, acoustic cabaret, or events center cabaret license, by submitting an application on forms provided by the ~~director~~manager, paying the application and annual license fees, and establishing that the applicant has:

(1) A record of management of a liquor licensed premises in compliance with the Colorado Liquor Code and/or the Denver Cabaret Code, or sufficient education, training, and/or experience in the liquor service industry, so as to establish competence, to the satisfaction of the ~~director~~manager, in managing a liquor licensed premises in compliance with the Colorado Liquor Code and chapter 6 of this Code; and

(c) *Required evidence of competence.* Any applicant who does not meet the requirements of subsection (b) above must be individually reviewed by the ~~director~~manager, for purposes of determining their qualifications under subsection (a)(1) above, and must submit the following additional information to the ~~director~~manager with their application:

(d) *Split-premises operations.* For purposes of subsection (c) above, the following factors shall be considered:

(2) In order to assure the protection of the health, safety, and welfare of the public, all applicants submitting a detailed written operations plan for temporary split-premises, planning for changeable configurations of assembly areas through the use of temporary barriers, will be required to have their detailed written operations plan and each proposed configuration of assembly areas individually reviewed and approved by the ~~director~~manager, the building inspection division of the Denver community planning and development agency, and the Denver fire department.

Sec. 6-71. - Notification, preliminary review and hearings.

(b) The ~~director~~manager shall make a preliminary review determination and may either

1 approve the application, deny the application, or schedule an evidentiary hearing upon the
2 ~~director~~manager's own initiative. The ~~director~~manager shall furnish the applicant a copy of the order of
3 denial and the reasons supporting the denial in the event that the application is denied.

4 (c) Only an applicant whose application has been denied without a prior evidentiary hearing
5 shall be entitled to a hearing on the ~~director~~manager's preliminary order of denial, where the applicant
6 files a written request with the ~~director~~manager within twenty (20) days of the issuance of the denial
7 order.
8

9 **Sec. 6-72. - Causes for denial.**

10 (a) The ~~director~~manager may deny an application for an underage cabaret license, where
11 the applicant fails to prove by a preponderance of the evidence, their competence or capacity to
12 prevent patrons under twenty-one (21) years of age from purchasing, possessing, consuming, or
13 removing from the licensed premises, any alcohol beverage originating from the licensed premises.
14 The ~~director~~manager shall consider, among other things, the following factors:
15

16 **Sec. 6-73. - Suspension or revocation.**

17 In addition to any other penalties prescribed by the Revised Municipal Code, the
18 ~~director~~manager may, on his or her own motion or on complaint, and after investigation and a show-
19 cause hearing at which the licensee shall be afforded an opportunity to be heard, suspend or revoke
20 any underage patrons license previously issued under this division. The length of any period of
21 suspension or revocation shall be determined by the ~~director~~manager in his or her discretion, based
22 upon the nature and circumstances of the offense, the licensee's record, whether the violation
23 presents a threat to public health, safety or welfare, the duration of the violation, and any other
24 mitigating or aggravating circumstances present. In addition to the reasons cited in chapter 32 of this
25 Code, the ~~director~~manager may take such disciplinary action for any of the following conditions:

26 (4) The licensee fails to comply with their detailed written operational plans as filed and
27 approved by the ~~director~~manager, including, but not limited to, strict compliance with the authorized
28 occupancy loads and pre-approved configuration of assembly areas, or pre-approved alternative
29 configurations, as authorized and approved by the building inspection division of the Denver
30 community planning and development agency and the Denver fire department, and/or fails to have the
31 occupancy load capacity conspicuously posted in each room.
32

33 **Sec. 6-74. - Changes in ownership.**

34 Any change of ownership shall require a new application and license, with payment of fees

therefor, and approval of the ~~director~~manager. However, when a license has been issued to a husband and wife, registered domestic partners, or to limited partners, the death of a spouse, registered domestic partner, or limited partner shall not...

Sec. 6-76. - Reports to city council.

The ~~director~~manager of ~~excise and licenses~~ shall report in writing to the council by April 15, 2003 on the operation of the underage patrons license program for cabarets for the period from January 1, 2002 to March 31, 2003. Thereafter, the ~~director~~manager shall report in writing to the council by April 15 of each year on the operation of the underage patrons license program during the prior calendar year. The report shall include information on violations that were found by the ~~director~~manager to have occurred and the actions the agency took to address them.

Sec. 6-91. - Definitions.

(3) ~~Director~~Manager shall mean the ~~director of excise and licenses~~manager of licensing and consumer protection.

Sec. 6-93. - Application.

(a) Application for an optional premises license shall be made to the ~~director~~manager by an applicant for a hotel and restaurant license or a hotel and restaurant licensee, upon forms to be furnished by the ~~director~~manager for that purpose, which forms shall contain the following information in addition to information required by the state licensing authority and by chapter 32 of this Code:

(2) Such other information as reasonably may be required to satisfy the ~~director~~manager that control of the optional premises will be ensured, and that the health or welfare or morals of the neighborhood will not be adversely affected should the license issue.

(b) If the applicant does not own the optional premises, he shall submit to the ~~director~~manager a written statement by the owner of the premises approving the application.

(c) The applicant shall provide to the ~~director~~manager evidence that the state licensing authority has approved the locations proposed to be optional premises, as required by the Colorado Liquor Code.

Sec. 6-94. - Notification of alcoholic beverage service.

No alcoholic beverages shall be served on a licensed optional premises without the licensee having provided written notice to the ~~director~~manager and the state licensing authority no less than forty-eight (48) hours or more than one hundred eighty (180) days prior to such service of alcoholic beverages. Such notice shall contain the specific days and hours on which the optional premises is to

1 be used.

2

3 **Sec. 6-96. - Authorization.**

4 The ~~director~~manager is authorized, upon petition, to impose a fine in lieu of suspending for
5 fourteen (14) days or less a license for the sale of alcoholic beverages issued by the ~~director~~manager
6 pursuant to the Colorado Liquor Code. The procedures and standards for imposing a fine in lieu of
7 suspension shall be governed by the Colorado Liquor Code.

8

9 **Sec. 6-97. - Authorization.**

10 The ~~director~~manager is authorized to issue permits for alcohol beverage tastings, as defined by the
11 Colorado Liquor Code, to a retail liquor store licensee or liquor-licensed drugstore licensee subject to
12 the provisions of the Colorado Liquor Code.

13

14 **Sec. 6-99. - Application.**

15 (a) Application for a tastings permit shall be made to the ~~director~~manager by a retail liquor
16 store or liquor-licensed drugstore licensee upon forms provided by the ~~director~~manager. Applications
17 shall require the following information in addition to information required by the state licensing authority
18 and by chapter 32 of this Code:

19 (2) Such other information as reasonably may be required to satisfy the ~~director~~manager
20 that tastings will be conducted without violations of the Colorado Liquor Code and without creating a
21 public safety risk to the neighborhood.

22 (b) An application to conduct a tasting or tastings must be submitted to the ~~director~~manager
23 no later than fourteen (14) days prior to the date of the first tasting included in the permit.

24 (c) Any additions or changes to a schedule submitted with an application must be submitted
25 in writing to the ~~director~~manager no later than fourteen (14) days prior to the date(s) to be added or
26 changed.

27 (d) No application for a tasting permit shall be approved by the ~~director~~manager if the
28 licensee has had his license suspended or revoked, or had any suspension held in abeyance or
29 stayed by payment of a fine, during one (1) year immediately preceding the date of the application.

30 (e) Any of the disciplinary actions detailed in paragraph (d) of this section shall result in the
31 cancellation of any scheduled tasting dates pending the ~~director~~manager's approval of a new
32 application.

33

34 **Sec. 6-201. - Local licensing authority.**

The ~~director~~manager is hereby designated as the local licensing authority for purposes of administering the Colorado Marijuana Code and this article V. The ~~director~~manager shall have the power to determine the qualifications of applicants, set conditions for licensure, and determine whether marijuana licenses should be issued, denied, renewed, suspended, fined, or revoked, pursuant to the procedures and standards set forth in this article V and chapter 32 of this Code.

Sec. 6-204. - Defined terms.

(10) *Department* means the ~~Denver Department of Excise and Licenses~~department of licensing and consumer protection.

~~(11) *Director* means the director of the Denver Department of Excise and Licenses.~~

~~(12)~~(11) *Licensee* or *permittee* means any person holding a valid medical or retail marijuana business license or permit issued by the department.

~~(13)~~(12) *Location* means a structure(s) or building(s) identified by a distinct street address assigned by the city in accordance with article IV of [chapter 49](#) of this Code. To the extent the structure(s) or building(s) consists of separately described "units," "suites," "rooms," "buildings," or other similar subdivisions, the structure(s) or building(s) shall nevertheless be counted as one (1) location.

(13) *Manager* means the manager of licensing and consumer protection.

Sec. 6-205. - License or permit required; classes of licenses or permits authorized.

(b) Classes of licenses or permits authorized. For the purpose of regulating the cultivation, manufacture, research and development, testing, transportation, storage, sale or distribution, offering for sale, delivery, and consumption of regulated marijuana, the ~~director~~manager may issue a local license or permit of any of the following classes, subject to the provisions and restrictions provided in this article V and the Colorado Marijuana Code:

Sec. 6-206. - City-wide moratorium on certain medical marijuana business licenses; licenses reserved for social equity applications—Sunset.

(a)(1) The ~~director~~manager shall not accept any application for a new medical marijuana store.

(2) The ~~director~~manager shall not accept any application for a new medical marijuana cultivation facility.

(b) Licenses to be reserved for social equity applicants—Exceptions; sunset. The ~~director~~manager may only accept applications for new medical marijuana products manufacturer,

1 medical marijuana transporter, and retail marijuana business licenses from social equity applicants
2 except that the ~~director~~manager may accept applications for new retail or medical marijuana business
3 licenses from any applicant in the following instances:

4 (c) *Report to city council.* The ~~director~~manager shall report in writing to city council by July 1,
5 2026 regarding the exclusive issuance of certain licenses to social equity applicants.

6 7 **Sec. 6-207. - Application requirements.**

8 All applications for local licensing shall be made in the manner provided by the
9 ~~director~~manager. In addition to information required by chapter 32 of this Code, the applications shall
10 contain the following information:

11 (1) A social impact plan containing the information required by the ~~director~~manager, as well
12 as the following:

13 (3) Any supplemental materials the ~~director~~manager deems necessary to implement or
14 enforce this article V and the Colorado Marijuana Code.

15 16 **Sec. 6-208. - Provisions applicable to all licenses.**

17 (a) *Inspections and permits.* The ~~director~~manager shall not issue a local license or approve
18 any material and substantial modification of a licensed premises until the applicant has completed all
19 required inspections and received all necessary permits, including, but not limited to, right-of-way
20 permits, zoning permits, and fire and building permits.

21 (b) *Corresponding state license.* The ~~director~~manager shall not issue a local license unless
22 the applicant produces a valid corresponding license issued by the state licensing authority under the
23 Colorado Marijuana Code, including an accelerator business license of the same type.

24 (e) *Background checks.* Prior to the issuance of any local license, the ~~director~~manager may
25 make a finding and determination as to the applicant's compliance with C.R.S. § 44-10-307, as
26 amended. In so doing, the ~~director~~manager may incorporate any findings previously made by the state
27 licensing authority and consider whether convictions, including marijuana convictions, pose a threat to
28 the regulation or control of marijuana. The ~~director~~manager shall not be required to perform a criminal
29 background check if the state licensing authority has already performed a criminal background check
30 on the applicant.

31 32 **Sec. 6-209. - Marijuana store licenses.**

33 (b) *Proximity restrictions.* No medical or retail marijuana store license shall be issued if the
34 proposed location is within one thousand (1,000) feet of one (1) or more of the following locations:

(3) Any other medical or retail marijuana store licensed pursuant to this article V, with the distance computed by direct measurement in a straight line from the nearest external portion of the building in which one (1) store is located to the nearest external portion of the building in which the other store is proposed to be located. In the event that the department receives two (2) or more applications for a medical or retail marijuana store with proposed locations within one thousand (1,000) feet of each other, the ~~director~~manager shall act upon only the first complete application received and shall not issue a license to subsequent applications proposing to be located within one thousand (1,000) feet, except as set forth in subsection (6).

(5) Any location where, within the two (2) years preceding the date of the application, the ~~director~~manager denied an application for a medical or retail marijuana store license because the reasonable requirements of the neighborhood and the desires of the adult inhabitants were satisfied by the existing outlets or the adult inhabitants did not otherwise need or desire an additional medical or retail marijuana store license.

(c) *Location restrictions.* No medical or retail marijuana store shall be issued at the following locations:

(3) Within any location where, within the one (1) year preceding the date of the application, the ~~director~~manager scheduled a public hearing for an application for a medical or retail marijuana store license and the application was subsequently withdrawn prior to final action by the ~~director~~manager on the application.

(d) *Public hearing.* A public hearing shall be required prior to the issuance of a medical or retail marijuana store license. All such public hearings shall be subject to the following provisions:

(1) Upon receipt of an application for a medical or retail marijuana store license, the ~~director~~manager shall schedule a public hearing no less than thirty (30) days after the date the application is received by the department. The applicant shall have the burden of proving by a preponderance of the evidence its qualifications for the license.

(3) No less than ten (10) days prior to the public hearing, the ~~director~~manager shall designate the neighborhood being affected by such application. The designation of the geographical extent and boundaries of such neighborhood shall be determined according to department policy.

(4) No less than five (5) days prior to the date of hearing, the ~~director~~manager shall make known the ~~director~~manager's findings based on the ~~director~~manager's initial investigation of the application documents in writing to the applicant and other interested parties. The failure of the ~~director~~manager to make these findings known five (5) days prior to the date of the public hearing shall not preclude the ~~director~~manager from later determining that the application should be approved or denied.

(6) Before entering any decision approving or denying the application, the ~~director~~manager may consider the facts and evidence adduced as a result of their investigation and the public hearing required by this section and any other pertinent matters affecting the qualifications of the applicant, including:

(7) Unless additional time is necessary to fully investigate an application, any decision of the ~~director~~manager approving or denying an application shall be in writing stating the reasons therefor, within thirty (30) days after the date of the public hearing, and a copy of such decision shall be sent by certified mail to the applicant at the address shown in the application. The failure of the ~~director~~manager to issue a final decision within thirty (30) days after the date of the public hearing shall not preclude the ~~director~~manager from later determining that the application should be approved or denied.

Sec. 6-210. - Marijuana delivery permits.

(d) *Report to City Council.* The ~~director~~manager shall report in writing to city council by July 1, 2023 regarding the operation of the delivery program.

Sec. 6-211. - Marijuana cultivation facility licenses.

(c) *Location restrictions.* No medical or retail marijuana cultivation facility license shall be issued at the following locations:

(1) Within any zone district where, at the time of application, plant husbandry is not a permitted primary use under the Denver Zoning Code or former [chapter 59](#). This paragraph (1) shall not apply to an application proposing to locate a medical or retail marijuana cultivation facility in a zone district where plant husbandry is not a permitted primary use but is already occurring as a compliant or nonconforming use under the Denver Zoning Code or former [chapter 59](#), if and only if the applicant meets the following requirements:

c. The applicant can produce documentary or other empirical evidence to the satisfaction of the ~~director~~manager that the cultivation of medical marijuana commenced on the zone lot prior to January 1, 2011.

Sec. 6-214. - Marijuana transporter licenses.

(b) *Location restriction.* No medical or retail marijuana transporter license that maintains a licensed premises within the city shall be issued to an applicant proposing to locate a licensed premises within any zone district where, at the time of application, "terminal, freight, air courier services" is not permitted by the Denver Zoning Code or former chapter 59. The ~~director~~manager may

1 issue a medical or retail marijuana transporter license to an applicant that does not maintain a
2 licensed premises within the city for the sole purpose of conducting deliveries of regulated marijuana
3 within the city.
4

5 **Sec. 6-217. - Marijuana hospitality business licenses.**

6 (d) *Proximity restrictions.* No marijuana hospitality business license shall be issued if the
7 proposed location is within one thousand (1,000) feet of one (1) of more of the following locations:

8 (3) Any other marijuana hospitality business licensed pursuant to this article V, with the
9 distance computed by direct measurement in a straight line from the nearest external portion of the
10 building within which one (1) marijuana hospitality business is located to the nearest external portion of
11 the building in which the other marijuana hospitality business is proposed to be located. In the event
12 that the department receives two (2) or more applications for a marijuana hospitality business with
13 proposed locations within one thousand (1,000) feet of each other, the ~~director~~manager shall act upon
14 only the first complete application received and shall not issue a license to all subsequent applications.

15 (f) *Public hearing—required.* A public hearing in compliance with section 6-209 shall be
16 required prior to the issuance of a marijuana hospitality business license at a fixed location, but shall
17 not be required for an application proposing to operate a marijuana hospitality business solely on a
18 mobile premises. The requirements for public notice, posting, publication, conduct, results of
19 investigation, and decision of the ~~director~~manager shall be the same as those for medical and retail
20 marijuana stores.
21

22 **Sec. 6-218. - Retail marijuana hospitality and sales business licenses.**

23 (b) *Proximity restrictions.* No retail marijuana hospitality and sales business license shall be
24 issued if the proposed location is within one thousand (1,000) feet of one (1) of more of the following
25 locations:

26 (3) Any other retail marijuana hospitality and sales business licensed pursuant to this article
27 V, with the distance computed by direct measurement in a straight line from the nearest external
28 portion of the building within which one (1) retail marijuana hospitality and sales business is located to
29 the nearest external portion of the building in which the other retail marijuana hospitality and sales
30 business is proposed to be located. In the event that the department receives two (2) or more
31 applications for a retail marijuana hospitality and sales business with proposed locations within one
32 thousand (1,000) feet of each other, the ~~director~~manager shall act upon only the first complete
33 application received and shall not issue a license to all subsequent applications.

34 (d) *Public hearing—Required.* A public hearing in compliance with section 6-209 shall be

required prior to the issuance of a retail marijuana hospitality and sales business license. The requirements for public notice, posting, publication, conduct, results of investigation, and decision of the ~~director~~manager shall be the same as those for medical and retail marijuana stores.

Sec. 6-219. - Transfers of ownership.

(a) *In general.* All medical marijuana or retail marijuana businesses shall be transferable from one (1) person to another upon approval by the ~~director~~manager. In addition to the requirements of this section 6-219, transfers of marijuana transporter licenses shall be subject to limitations set by state law. The ~~director~~manager shall not accept an application to transfer ownership of a marijuana off-premises storage facility permit or marijuana delivery permit associated with a marijuana business license unless the applicant has applied to transfer ownership of the associated marijuana business license.

(b) *Licenses held by social equity applicants—transferable.* Prior to July 1, 2027, any license held by a social equity applicant(s) shall be transferable either to other social equity applicants or non-social equity applicants so long as fifty-one (51) percent or more of the license is held by one (1) or more social equity applicants. After July 1, 2027, licenses held by a social equity applicant(s) shall be transferable either to other social equity applicants or non-social equity applicants upon approval by the ~~director~~manager. The provisions of this subsection (b) are in addition to those in subsection (a).

(d) *Application requirements.* All applications to transfer ownership of a local medical or retail marijuana business license shall be made in the manner provided by the ~~director~~manager. In addition to information required by chapter 32 of this Code, the application shall contain any supplemental materials the ~~director~~manager deems necessary to implement or enforce this article V and the Colorado Marijuana Code.

(e) *Corresponding state license.* The ~~director~~manager shall not approve an application to transfer ownership of a local medical or retail license unless the applicant produces written documentation from the state licensing authority approving the same transfer of ownership of the corresponding state license recorded upon the face of the local license.

Sec. 6-220. - Changes of location.

(a) *In general.* A licensee shall not change location of its license without prior approval from the ~~director~~manager. In addition to the requirements in this section, a change of location application for a medical or retail marijuana business shall comply with the same requirements for new marijuana business licenses, including by way of example: public hearing requirements, proximity restrictions, and location restrictions.

1 (b) *Application requirements.* All applications to change location of a medical or retail
2 marijuana business license shall be made in the manner provided by the ~~director~~manager. In addition
3 to information required by chapter 32 of this Code, the application shall contain any supplemental
4 materials the ~~director~~manager deems necessary to implement or enforce this article V and the
5 Colorado Marijuana Code.

6 (c) *Corresponding state license.* The ~~director~~manager shall not approve an application to
7 change the location of a local medical or retail marijuana license unless the applicant produces written
8 documentation from the state licensing authority approving the same change of location of the
9 corresponding state license recorded upon the face of the local license, or a transition permit for the
10 same.

11 (d) *Transition permits.* Once a change of location application has been approved by the
12 ~~director~~manager, a licensee may not begin operating at the new location until operations have ceased
13 at the former location. However, a licensee may temporarily operate at both the new location and
14 former location if the licensee holds a valid transition permit from the state licensing authority, and in
15 compliance with all state and local requirements.

16
17 **Sec. 6-221. - Modification of premises.**

18 (a) *In general.* A licensee shall not make any physical change, alteration, or modification of
19 the licensed premises that materially or substantially alters the licensed premises or the usage of the
20 licensed premises from the plans originally approved by the department without approval from the
21 ~~director~~manager. Any change or modification to the licensed premises that does not require an
22 application must be disclosed to the department in a manner provided by the ~~director~~manager.

23 (b) *Application requirements.* All applications to modify the licensed premises of a retail or
24 medical marijuana business shall be made in the manner provided by the ~~director~~manager. In addition
25 to information required by chapter 32 of this Code, the application shall contain any supplemental
26 materials the ~~director~~manager deems necessary to implement or enforce this article V and the
27 Colorado Marijuana Code.

28 (c) *Effect of modifications on proximity and location restrictions.* Approved modifications to
29 the licensed premises of a medical or retail marijuana business license shall not affect any exemption
30 that the licensed premises may enjoy from proximity or location restrictions set forth in this article V.
31 The ~~director~~manager shall deny any application in which the modification of a medical or retail
32 marijuana business would decrease the distance between the nearest external portion of the building
33 in which the medical or retail marijuana business is located and a site or area protected by proximity or
34 location restrictions in this article V.

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Sec. 6-222. - Term of licenses; renewals.

(b) *Cease operations—required.* Except where the ~~director~~manager has received a complete renewal application along with the requisite fees, it shall be unlawful for any person to manufacture, test, consume, receive orders for, sell, distribute, transfer, transport, or otherwise remove cannabis from the licensed premises of a medical or retail marijuana business, or to allow any other person to perform these acts, after the expiration date on the face of any local license issued pursuant to this article V for that location.

(c) *Application materials and deadlines.* Any renewal of a medical or retail marijuana business license or permit shall be governed by the standards and procedures set forth in chapter 32 of this Code. Applications to renew a medical or retail marijuana business shall be made in the manner provided by the ~~director~~manager. In addition to the information required by chapter 32 of this Code, applications shall contain the following information:

(2) A social impact plan containing the information required by the ~~director~~manager. The social impact plan submitted at renewal shall also identify outcomes resulting from the social impact plan in place during the previous licensing year using the specific metrics identified in the social impact plan for measuring the success of its programs; and

(3) Any supplemental materials the ~~director~~manager deems necessary to implement or enforce this article V and the Colorado Marijuana Code.

(e) *Renewal hearing.* The ~~director~~manager may set a hearing on the renewal of a medical or retail marijuana business application in accordance with the requirements of the Colorado Marijuana Code and chapter 32 of this Code if:

Sec. 6-223. - Causes for denial.

(a) In addition to the grounds set forth in the Colorado Marijuana Code and chapter 32 of this Code, any application submitted pursuant to this article V shall be denied if:

(2) The ~~director~~manager determines after review of the entire record, that the applicant or licensee has failed to prove by a preponderance of the evidence that the reasonable requirements of the neighborhood and the desires of the adult inhabitants therein support the issuance of a medical or retail marijuana store license, marijuana hospitality business license, or retail marijuana hospitality and sales business license;

(6) The applicant or licensee has failed to comply with any terms or conditions that were placed on its license or permit pursuant to an order of the ~~director~~manager or state licensing authority;

(11) The applicant or licensee's criminal character or criminal record poses a threat to the

1 regulation or control of marijuana, subject to the provisions of C.R.S. § 44-10-307, as amended. In
2 doing so, the ~~director~~manager may incorporate any findings as to residency, moral character, and
3 criminal character or history, including marijuana convictions, previously made by the state licensing
4 authority.

5
6 **Sec. 6-225. - Disciplinary actions; sanctions; penalties.**

7 (a) *In general.* Procedures for investigation of license violations and for suspension,
8 revocation or other licensing sanctions as a result of any such violation shall be as provided in chapter
9 32 of this Code and any rules and regulations promulgated by the ~~director~~manager.

10 (c) *Civil penalties in lieu of fine.* In lieu of the maximum fine for license violations set forth in
11 chapter 32, the ~~director~~manager is hereby authorized to impose civil penalties for license violations in
12 the same amount as the Colorado Marijuana Enforcement Division in imposing fines for state license
13 violations under the Colorado Marijuana Code.

14 (d) *State license.* The ~~director~~manager may suspend or revoke any license if the
15 corresponding state license for the subject location is expired, surrendered, suspended, or revoked.

16
17 **Sec. 6-226. - Rules and regulations.**

18 (a) The ~~director~~manager may adopt such reasonable rules and regulations as may be
19 necessary for the administration and enforcement of the provisions of this article and any other
20 ordinances or laws relating to and affecting the licensing and operation of medical and retail marijuana
21 businesses.

22 (d) It shall be unlawful for any person to violate a rule or regulation adopted by the board or
23 the ~~director~~manager pursuant to this section.

24
25 **Sec. 6-300. - Local licensing authority.**

26 The ~~director~~manager is hereby designated as the local licensing authority for purposes of
27 administering the Colorado Natural Medicine Code, the Natural Medicine Health Act of 2022 and this
28 article VI. The ~~director~~manager shall have the power to determine the qualifications of applicants, set
29 conditions for licensure, and determine whether natural medicine licenses should be issued, denied,
30 renewed, suspended, fined, or revoked, pursuant to the procedures and standards set forth in this
31 article VI and chapter 32 of this Code

32
33 **Sec. 6-303. - Defined terms.**

(6) *Department* means the ~~Denver Department of Excise and Licenses~~department of licensing and consumer protection.

~~(7) *Director* means the director of the Denver Department of Excise and Licenses.~~

(87) *Licensee* or *permittee* means any person holding a valid medical or retail marijuana business license or permit issued by the department.

(98) *Location* means a structure(s) or building(s) identified by a distinct street address assigned by the city in accordance with article IV of chapter 49 of this Code. To the extent the structure(s) or building(s) consists of separately described "units," "suites," "rooms," "buildings," or other similar subdivisions, the structure(s) or building(s) shall nevertheless be counted as one (1) location.

(9) *Manager* means the manager of licensing and consumer protection.

Sec. 6-305. - Application requirements.

(a) *Application requirement—Generally.* All applications for local licensing shall be made on forms provided by the ~~director~~manager and shall include, in addition to any information required by chapter 32 of this Code, all supplemental materials required by this article and any rules adopted pursuant thereto.

(b) *Application requirement—Documentation.* The ~~director~~manager may, at the ~~director~~manager's discretion, require additional documentation associated with the application, as may be necessary, to enforce the requirements of this article VI, the Colorado Natural Medicine Code, the Natural Medicine Health Act of 2022, and any rules adopted pursuant thereto.

(c) *Background check.* The ~~director~~manager may require a national criminal history records check conducted by the federal bureau of investigation upon submission of fingerprint records and all required documents. When required, the background check must be completed no more than sixty (60) days before the application

Sec. 6-306. - Provisions applicable to all licenses.

(a) *Inspections and permits.* The ~~director~~manager shall not issue a local license until the applicant has completed all required inspections and received all necessary permits, including, but not limited to, right-of-way permits, zoning permits, and fire and building permits.

(d) *Background checks.* Prior to the issuance of any local license, the ~~director~~manager may make a finding and determination as to the applicant's fitness for issuance of a license. In doing so, the ~~director~~manager may incorporate any findings previously made by the state licensing authority and consider whether convictions pose a threat to the regulation or control of natural medicine.

1 (f) *License conditions.* In approving a healing center application, the ~~director~~manager may
2 conduct an investigation and impose reasonable restrictions on the license. The ~~director~~manager shall
3 issue a written report enumerating the conditions that make such restrictions necessary. All such
4 restrictions shall be in writing, attached to the license; and continue to apply to renewed or transferred
5 licenses, unless canceled by the ~~director~~manager.

6
7 **Sec. 6-307. - Transfers of ownership.**

8 (a) *In general.* All local natural medicine healing center licenses shall be transferable from
9 one (1) person to another upon approval by the ~~director~~manager and subject to limitations set by this
10 Code and state law.

11 (b) *Application requirements.* All applications to transfer ownership of a local natural
12 medicine healing center license shall be made in the manner provided by the ~~director~~manager. In
13 addition to the information required by chapter 32 of this Code, the application shall contain any
14 supplemental materials the ~~director~~manager deems necessary to implement or enforce this article VI
15 and the Colorado Natural Medicine Code.

16
17 **Sec. 6-309. - Term of licenses; renewals.**

18 (b) *Cease operations—required.* Except where the ~~director~~manager has received a
19 complete renewal application along with the requisite fees, it shall be unlawful for any person to
20 provide or offer natural medicine services, or to allow any other person to perform natural medicine
21 services, after the expiration date on the face of any local license issued pursuant to this article VI for
22 that location.

23 (c) *Application materials and deadlines.* Any renewal of a natural medicine healing center
24 license shall be governed by the standards and procedures set forth in chapter 32 of this Code.
25 Applications to renew a natural medicine healing center license shall be made in the manner provided
26 by the ~~director~~manager. In addition to the information required by chapter 32 of this Code, applications
27 shall contain the following information:

28 (2) Any supplemental materials the ~~director~~manager deems necessary to implement or
29 enforce this article VI and the Colorado Natural Medicine Code.

30 (e) *Renewal hearing.* The ~~director~~manager may set a hearing on the renewal of a natural
31 medicine healing center application in accordance with the requirements of the Colorado Natural
32 Medicine Code and chapter 32 of this Code if there are causes for denial, suspension, revocation,
33 nonrenewal, or other licensing sanctions as provided in chapter 32 of this Code, this article VI, or rules
34 and regulations promulgated thereto.

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Sec. 6-310. - Causes for denial.

- (a) In addition to the grounds set forth in the Colorado Natural Medicine Code and chapter 32 of this Code, any application submitted pursuant to this article VI shall be denied if:
- (3) The applicant or licensee has failed to comply with any terms, conditions, or restrictions that were placed on its license pursuant to an order of the ~~director~~manager or state licensing authority;
- (6) The applicant or licensee has a license history that does not warrant the confidence of the ~~director~~manager that the applicant or licensee will operate lawfully based on prior violations or failures to comply with any applicable regulatory or administrative provisions of state or local laws or rules and regulations adopted pursuant thereto; or
- (7) The applicant or licensee's character or criminal record poses a threat to the regulation or control of natural medicine. In doing so, the ~~director~~manager may incorporate any findings as to moral character, and criminal character or history, including natural medicine violations, previously made by the state licensing authority.

Sec. 6-312. - Disciplinary actions; sanctions; penalties.

- (a) *In general.* Procedures for investigation of license violations and for suspension, revocation or other licensing sanctions as a result of any such violation shall be as provided in chapter 32 of this Code and any rules and regulations promulgated by the ~~director~~manager.
- (c) *Civil penalties in lieu of fine.* In lieu of the maximum fine for license violations set forth in chapter 32, the ~~director~~manager is hereby authorized to impose civil penalties for license violations in the amounts set forth under the Colorado Natural Medicine Code.
- (d) *State license.* The ~~director~~manager may suspend or revoke any license if the corresponding state license for the subject location is expired, surrendered, suspended, or revoked.

Sec. 6-313. - Rules and regulations.

- (a) The ~~director~~manager may adopt such reasonable rules and regulations as may be necessary for the administration and enforcement of the provisions of this article and any other ordinances or laws relating to and affecting the licensing and operation of natural medicine healing center businesses.
- (d) It shall be unlawful for any person to violate a rule or regulation adopted by the board or the ~~director~~manager pursuant to this section.

Section 4. That chapter 7 of the Code shall be amended by deleting the language stricken and

1 adding the language underlined, to read as follows:

2 **Sec. 7-1 Definitions.**

3 (b) ~~Director shall mean the director of the department of excise and licenses for the City and~~
4 ~~County of Denver or the director's authorized representative~~Department shall mean the department of
5 licensing and consumer protection.

6 (c) *Employee* shall mean any employee, worker, entertainer, agent, contractor, licensee, or
7 other individual hired, retained, contracted, or allowed to provide goods, services, or other assistance
8 in the operation of the establishment or business.

9 (d) ~~Excise and licenses shall mean the department of excise and licenses for the City and~~
10 ~~County of Denver~~Manager shall mean the manager of licensing and consumer protection.

11

12 **Sec. 7-2. - Powers of ~~director of excise and licenses~~the manager.**

13 (a) The ~~director~~manager may make and adopt such reasonable rules and regulations as
14 may be necessary for the purposes of administering and enforcing the provisions of this chapter and
15 any other ordinances or laws relating to and affecting the regulation, licensing, and operation of the
16 amusements described in this chapter. It shall be unlawful for any person to violate a rule or regulation
17 adopted by the ~~director~~manager pursuant to this section.

18 (b) The powers of the ~~director~~manager, as herein set forth, shall be in addition to those
19 powers set forth in chapter 32 and other portions of the Revised Municipal Code and the Charter of
20 the city.

21 (c) The ~~director~~manager shall have the right to require the inspection, as provided in chapter
22 32, of premises at which any of the amusements subject to this chapter are conducted.

23

24 **Sec. 7-3. - General provisions.**

25 (b) Every license granted under the provisions of this chapter shall be subject to any
26 applicable rules and regulations adopted by the ~~director~~manager.

27

28 **Sec. 7-16. - Registration of resident managers for amusement facilities.**

29 (a) It shall be unlawful for any licensee under this article to operate an amusement facility unless the
30 current name(s), address(es), and telephone number(s) of the resident manager(s) of the amusement
31 facility have been registered in writing with the ~~director of excise and licenses~~manager, together with
32 any other information reasonably required by the ~~director~~manager.

33

1 **Sec. 7-26. - Required.**

2 (a) It shall be unlawful for any person to operate any amusement facility or conduct any
3 temporary amusement without first having obtained a license from the ~~director of excise and~~
4 ~~licenses~~manager as provided in this division; provided, however, that no license shall be required
5 when a person is exempt from the licensing requirements as an amusement facility or a temporary
6 amusement under section 7-10. Exemption from the licensing requirements of this article shall not
7 constitute an exemption from the health, safety and welfare requirements otherwise prescribed by this
8 Code or an exemption from liquor licensing requirements prescribed by state or local law.

9
10 **Sec. 7-27. - Application.**

11 (a) Application for a license under this article shall be made to the ~~director~~manager upon
12 forms to be provided by ~~excise and licenses~~the department for that purpose.

13 (b) An application for an amusement facility shall contain the following information:

14 (12) Such other information and documents as may be reasonably required by the
15 ~~director~~manager.

16 (c) An application for a temporary amusement shall contain the following information:

17 (5) Floor space and/or seating capacity of the premises, along with any plan or sketch of the
18 premises that the ~~director~~manager may require.

19 (11) Such other information and documents as may be reasonably required by the
20 ~~director~~manager.

21 (d) An application must be signed by an individual(s) named in paragraphs (b)(1) or (c)(1) of
22 this section, as applicable, who will be the principal contact and responsible party with respect to the
23 management and operation of the facility or activity being licensed. Following issuance of the license,
24 this individual(s) shall not be changed without prior written notification to the ~~director~~manager.

25
26 **Sec. 7-28. - Additional licensing requirements for amusement facilities.**

27 (b) No license for an amusement facility shall be transferable except as provided herein. Any
28 change of ownership of a licensed amusement facility shall require a new application and license, with
29 payment of fees therefor, and approval of the ~~director~~manager, all in accordance with the provisions of
30 this division; provided, however, when a license has been issued to a husband and wife, or to general
31 or limited partners, the death of a spouse or partner shall not require the surviving spouse or partner(s)
32 to obtain a new license, and all rights and obligations established under the original license shall
33 continue in full force and effect as to such survivors until the expiration date specified on the license.
34 The transfer, sale or assignment of fifty (50) percent or more of the corporate stock or fifty (50) percent

1 or more of the interest in a partnership or sole proprietorship shall be conclusively presumed to be a
2 change of ownership.

3 (c) The license shall contain any terms or restrictions imposed by the ~~director~~manager,
4 based on the circumstances of the proposed activity, which are reasonably necessary to ensure that
5 any impacts upon nearby residents and properties are properly mitigated or eliminated in order to
6 preserve the peace and order of the community and that the amusement facility is properly operated
7 within the requirements of this article and other applicable law.

8 (d) For any amusement center, billiard parlor or pool hall, the license shall specify the
9 number of amusement devices to be permitted at the amusement center and/or the square footage of
10 area for playing at billiard or pool tables. These numbers shall not be changed without the written
11 approval of the ~~director~~manager.

12
13 **Sec. 7-29. - Additional licensing requirements for temporary amusements.**

14 (b) The license shall be effective only for those dates and hours of operation specified in the
15 license. The license dates may be modified only upon the approval of the ~~director~~manager, but may
16 not be extended beyond those number of days allowed under this article for the specific type of
17 temporary amusement.

18 (c) The license shall contain any terms or restrictions imposed by the ~~director~~manager,
19 based on the circumstances of the proposed activity, which are reasonably necessary to ensure that
20 any impacts upon nearby residents and properties are properly mitigated or eliminated in order to
21 preserve the peace and order of the community and that the temporary amusement is properly
22 operated within the requirements of this article and other applicable law.

23 (d) The ~~director~~manager may prescribe by rules and regulations an expedited licensing
24 process for temporary amusements consistent with the requirements of this article.

25
26 **Sec. 7-32. - License issuance; grounds for denial.**

27 (a) Unless a shorter period is prescribed by duly adopted rule or regulation, the
28 ~~director~~manager shall complete his or her review and make a determination in accordance with this
29 section within forty-five (45) days following the date a complete application and full payment of all
30 required fees are received by the ~~director~~manager. A time extension of up to an additional thirty (30)
31 days may be granted by the ~~director~~manager upon the applicant's written request and a showing of
32 good cause.

33 (b) The ~~director~~manager shall issue a license for an amusement facility or a temporary
34 amusement, as applicable, unless the ~~director~~manager finds one (1) of the following:

(1) The applicant fails to provide the ~~director~~manager within thirty (30) days of submitting a complete application, or within any time extension granted in accordance with subsection (a) of this section, the written approvals for the application (and for the purposes shown on the application) by the following, as applicable: 1) the fire department; 2) department of transportation and infrastructure (including building inspection division); and 3) department of public health and environment.

(9) Any individual applicant has been convicted or released from confinement following conviction within the preceding five (5) years, anywhere in the United States, for one (1) or more of the following:

(A) Sexually-related crimes: prostitution, pandering, procuring, and pimping; sexual assault; incest; indecent exposure or public indecency; stalking; harassment; obscenity or the promotion, sale, distribution, or possession of obscene materials; any of the foregoing related to a child or children, including trafficking in child pornography, sexual exploitation of a child, or providing sexually explicit material to a child; and any criminal attempts, solicitations, or conspiracies, including racketeering, involving any of the foregoing; or

(B) Drug-related crimes: the unlawful manufacture, transportation, promotion, distribution, dispensing, sale or possession with intent to distribute narcotics, stimulants, depressants, or other controlled substances; the unlawful manufacture, transportation, promotion, distribution, dispensing, or sale of alcohol beverages, including the dispensing or sale to a person under twenty-one (21) years of age or a visibly intoxicated person; and any criminal attempts, solicitations, or conspiracies, including racketeering, involving any of the foregoing; or

(C) Any criminal act or violation of local government ordinance or regulation, which criminal act or violation was punished, following conviction, by incarceration and was directly related to the operation, or committed upon the premises, of any establishment or business licensed under this chapter or any similar establishment or business operated elsewhere in the United States; or

(D) Any criminal act or violation of local government ordinance or regulation, which resulted in a conviction or judicial determination directly ordering or causing the permanent closure or forfeiture of any establishment or business owned or managed by the applicant and licensed under this chapter or any similar establishment or business owned or managed by the applicant elsewhere in the United States.

When considering a criminal or ordinance violation conviction or judgment, the ~~director~~manager shall be governed by the provisions of C.R.S. Section 24-5-101, as amended, pertaining to the effect of criminal convictions on employment rights. The ~~director~~manager may also consider criminal convictions for lesser crimes that are sexually related or drug-related but are not listed in this paragraph (b)(9) under either of the following circumstances: There have been multiple convictions

(three (3) or more) within the past five-year period or the conviction for a lesser crime appears, from uncontradicted evidence, to have resulted from a plea bargain and that the original charge or indictment was for a criminal act listed in this paragraph (b)(9).

Sec. 7-33. - Term; renewal.

(c) At least ten (10) days prior to the expiration of an amusement facility license issued under this division, a licensee seeking renewal of the license shall submit a complete renewal application, upon forms provided by ~~excise and licenses~~the department, and make payment of the appropriate license fee as prescribed in section 32-48.5. Upon determining that the licensee has satisfied the requirements set forth in this article and that the license is not under suspension or revocation under section 7-34, the ~~director~~manager shall issue a renewal license. If there are current violations or failures to comply as specified in subsection 7-34(a), the ~~director~~manager shall set the matter for hearing as provided in section 7-34. A determination of revocation shall result in the denial of the renewal application, while a determination of suspension will result in a new review and decision by the ~~director~~manager under this section prior to the end of the suspension period.

Sec. 7-34. - Suspension or revocation; notice; hearing.

(a) Upon consideration of the relevant facts and circumstances and subject to the requirements set forth in this section, the ~~director~~manager may suspend or revoke a license issued under this division if the ~~director~~manager determines that a licensee has violated or the licensee's amusement facility or temporary amusement has been operated in violation of:

(b) In determining whether to impose a suspension or revocation, the ~~director~~manager shall consider all pertinent aggravating and mitigating factors and make appropriate findings in support of his or her decision based on these factors and any other relevant facts or circumstances. The term of any suspension shall be for a period not to exceed six (6) months in duration, and a revocation shall specify a period no shorter than six (6) months from the date of revocation nor longer than two (2) years from the date of revocation during which the licensee shall be barred from making any new application under this chapter.

(c) Except as provided in subsection (d) of this section, a licensee shall be entitled to a hearing before the ~~director~~manager or a hearing officer designated by the ~~director~~manager prior to any action being taken to suspend or revoke the license. The procedures are as follows:

(1) Upon receipt of information and documentation sufficient to satisfy the ~~director~~manager that suspension or revocation of a license may be warranted under this section, the ~~director~~manager shall notify the licensee by certified mail, return receipt requested, of the alleged violations and shall

1 direct the licensee to appear before the ~~director~~manager or designated hearing officer on a specified
2 hearing date, which shall be no sooner than ten (10) days and no later than thirty (30) days after the
3 date of the notification. Failure to appear at the scheduled hearing or to arrange with the
4 ~~director~~manager for a rescheduling of the hearing for a date within thirty (30) days of the original date
5 shall constitute a waiver of the right to hearing.

6 (3) Within fifteen (15) days following the hearing, any designated hearing officer shall
7 forward to the ~~director~~manager a recommended decision regarding the alleged violations and
8 recommended penalties for any violations proved. Copies of said recommended decision shall be sent
9 by United States mail to the licensee, who must submit any comments or additional information to the
10 ~~director~~manager within ten (10) days of the date the recommended decision was mailed. The
11 ~~director~~manager shall prepare a final decision, along with a set of written findings and conclusions in
12 support of the ~~director~~manager's decision, and deposit the same in the United States mail to the
13 licensee within fifteen (15) days from receipt of the recommended decision. If no hearing officer is
14 involved, the ~~director~~manager shall prepare and mail the decision, along with the findings and
15 conclusions, within fifteen (15) days of the date of the hearing. All mailings will be sent to the licensee
16 at the licensee's last known address and will be sent to any other parties requesting such notification.

17 (4) Any suspension or revocation shall be effective upon the date specified in the final
18 decision. A suspension or revocation may only be lifted by entry, and receipt by the ~~director~~manager,
19 of a stay or restraining order issued by a court of competent jurisdiction and will remain lifted only so
20 long as the stay or restraining order is in effect.

21 (d) If the ~~director~~manager shall determine that an imminent and substantial peril to the
22 public health or safety exists due to any violation, the ~~director~~manager may order that the license be
23 summarily suspended and direct that a hearing be held within five (5) working days of the date and
24 time the order is posted on the front door of the subject establishment or business. Said hearing date,
25 time, and place shall be contained in the posted order. The licensee shall suspend all amusement
26 operations and related activities authorized by the license upon posting of the order. If at the hearing
27 the ~~director~~manager finds that no such peril exists, the emergency closure shall be lifted and the
28 procedures of subsection (c) of this section shall apply.

29 (e) During the duration of any license suspension, two (2) or more notices shall be posted in
30 conspicuous places, including the front door, on any establishment or business for which the license
31 has been suspended. These notices shall be prepared by the licensee and shall be of such size and
32 contain such information as specified by ~~excise and licenses~~ the department in order to provide
33 adequate public notice of the license suspension.

34 **Sec. 7-35. - Right of appeal.**

1 (a) Any final decision of the ~~director of excise and licenses~~manager may be appealed by
2 bringing an appropriate action, including a C.R.C.P. Rule 106(a)(4) appeal, in the state district court for
3 the City and County of Denver. "Final decisions" are those determinations made by the
4 ~~director~~manager as provided in sections 7-32, 7-33, and 7-34. Any appeal shall be filed with the
5 district court clerk within thirty (30) days following the date the decision was deposited in the United
6 States mail addressed to the applicant.

7 (b) No objection will be made to the acceleration of any C.R.C.P. Rule 106(a)(4) appeal if
8 such an appeal is timely filed and the complaint and summons, along with a court order to certify the
9 entire record of decision, is served upon the ~~director~~manager within three (3) days following filing the
10 same with the district court clerk.

11
12 **Sec. 7-53. - Hours of closing.**

13 (b) If any hotel where fifty (50) or more rooms are kept for rent and where a bona fide
14 restaurant is operated in connection therewith, or a bona fide restaurant with a seating capacity of one
15 hundred (100) guests or more, makes proof of such fact to the ~~director of excise and licenses~~manager
16 by affidavit together with the signed written consent of eighty (80) percent of the owners of property, or
17 the authorized agents thereof, within a distance of four hundred (400) feet from such hotel or
18 restaurant, the ~~director~~manager may permit the public dances conducted therein to continue until the
19 hour of 3:00 a.m.

20
21 **Sec. 7-55. - Registered manager—Present during public dance.**

22 (a) The licensee shall file with the ~~director~~manager a written designation of a person over
23 the age of twenty-one (21) who shall serve as the licensee's registered manager.

24
25 **Sec. 7-57. - Rules and regulations.**

26 The ~~director~~manager may make and promulgate rules and regulations for the administration of
27 this article and further regulating the conduct of public dance halls and public dances consistent with
28 the provisions of this article. It shall be unlawful for any person to violate a rule or regulation adopted
29 by the ~~director~~manager pursuant to this section.

30
31 **Sec. 7-58. - Conditions on license.**

32 The ~~director~~manager may impose reasonable terms, requirements, conditions, or limitations on
33 any license or permit issued under this article necessary to protect public health, safety or welfare.

1 **Sec. 7-71. - Required.**

2 (b) It shall be unlawful for any person or persons acting as a group or unit to hold or conduct
3 a public dance or ball without first obtaining a permit therefor from the ~~director of excise and~~
4 ~~licenses~~manager as hereinafter provided, where such public dance or ball is being held on premises
5 not licensed as a public dance hall.

6
7 **Sec. 7-72. - Application.**

8 Applications for public dance hall licenses and permits to hold or conduct a public dance or ball shall
9 be made to the ~~director of excise and licenses~~manager upon forms to be provided.

10
11 **Sec. 7-72.5. - Notice; posting; hearing.**

12 (a) Upon receipt of an application for a new license under this article, the ~~director~~manager
13 shall schedule a public hearing upon the application not less than forty (40) days from the date of
14 receipt of the application; and it shall be the duty of the ~~director~~manager to designate the
15 neighborhood being affected by such application. The designation of the geographical extent and
16 boundaries of such neighborhood shall be within the sole discretion of the ~~director~~manager. This
17 section shall apply only to applications for new licenses and shall not apply to applications for a permit
18 to conduct a single public dance or public ball.

19 (b) The ~~director~~manager shall require public notice to be given of the application for a new
20 license, by the posting of a notice of the public hearing, for a period of not less than ten (10)
21 consecutive days, with the first posting to be not less than thirty (30) days in advance of the public
22 hearing, in a conspicuous place on the premises whereon the establishment is proposed to be
23 operated, legible from the public street or public way (other than an alley) nearest to such premises.
24 This public notice shall state the type and class of license applied for, the name and address of the
25 applicant, the designated neighborhood, a brief description of the type of activities for which
26 application is being made or considered and the time when and place where a public hearing will be
27 held on the application; provided that, such posted notice of the public hearing shall be displayed on a
28 sign or signs, in number, size and location as prescribed by the ~~director~~manager.

29 (c) At the time and place specified in the notice, or at such other time to which the hearing
30 may be continued, the ~~director~~manager or any hearing officer shall receive petitions and hear such
31 information and evidence as may be offered by the applicant and residents of the designated
32 neighborhood (which term shall include residents of the neighborhood and all owners or managers of
33 trading or commercial businesses located in the designated neighborhood, and the commander of the
34 police district in which the designated neighborhood is located, or his or her representative)

concerning the desires of the residents of the designated neighborhood, the reasonable requirements of the designated neighborhood (including, but not limited to, the cabaret license already granted for establishments within the designated neighborhood), and the effect the issuance of the license would have on either the health or welfare or morals of the designated neighborhood. Admissibility of evidence, exhibits and petitions shall conform with the general rules of evidence.

(d) The approval or denial of any application for a new license shall rest within the sound discretion of the ~~director~~manager after evidence has been presented during such public hearing. In making the decision, the ~~director~~manager shall consider all of the items shown above in subsection (c) as well as all other requirements of this article.

(e) No application shall be received or acted upon for either a new license or for changing or modifying a presently licensed premises if, within two (2) years next preceding the date the application is tendered to the department of ~~excise and licenses~~, the ~~director~~manager denied an application (including an application for renewal) for any class of cabaret license or any class of license issued under this article at either;

(1) The location or premises for which application is being made; or

(2) Any location or premises which is part of, or contained in, the location or premises for which application is being made; or

(f) A hearing upon application for renewal or change of ownership of the licensed premises may be scheduled at the discretion of the ~~director~~manager, either upon the ~~director~~manager's own initiative or upon proper complaint to the ~~director~~manager, and the procedure, costs and requirements in this event shall be the same as shown in this division for a new license application.

Sec. 7-74. - Issuance.

After finding that the applicant meets the requirements set forth in section 7-73 and that the premises are a safe and proper place for the intended purpose, the ~~director of excise and licenses~~manager shall issue the dance hall license or permit to conduct a public dance or ball.

Sec. 7-76. - Suspension or revocation of public dance hall license or public dance permit.

(a) After notice and an administrative hearing at which the city submits proof by a preponderance of the evidence, or upon stipulation of the parties, or upon failure of the licensee to appear at such a hearing after notice has been given, the ~~director~~manager may suspend or revoke the dance hall license or public dance permit of any person or entity who:

(5) Violates any rule or regulation promulgated by the ~~director~~manager under this article;

1 **Sec. 7-91. - Definitions.**

2 As used in this article, the following words and phrases shall have the following meanings, unless
3 otherwise clearly indicated by the context:

4 (1) Adult entertainment shall mean amusement or entertainment which features or includes
5 specified anatomical areas or specified sexual activities, as defined in the zoning code of the
6 city, sections 59-2(132) and 59-2(133) of this code.

7 ~~Director shall mean the director of excise and licenses.~~

8 (2) Entertainment shall mean live or recorded music or live or recorded vocal entertainment
9 or any of these, but shall not include adult entertainment.

10 (3) Licensee shall mean a person licensed under this article.

11 (4) Manager shall mean the manager of licensing and consumer protection.

12 (5) Patron dancing shall mean dancing by patrons or guests of an establishment, business
13 or social room.

14 (6) Restaurant shall mean a food service establishment licensed under the provisions of
15 article III of chapter 23 of this Code.

16 (7) Social room shall mean any establishment, facility or room which offers or provides
17 amusement, entertainment or recreational or social activities of any kind for remuneration, whether
18 through fees, ticket sales, cover charges, memberships, dues, portion of funds generated or in any
19 other manner.

20

21 **Sec. 7-92. - Classes of licenses.**

22 (2) *After hours social room.* A social room which operates between the hours of 8:00 a.m.
23 and 5:00 a.m. Patron dancing may be permitted, but no entertainer shall dance with any patron or
24 guest. No person under twenty-one (21) years of age shall be employed or permitted to participate as
25 an entertainer in an after hours social room without the written consent of a parent or guardian or the
26 written approval of the ~~director~~manager.

27 (3) *After hours restaurant.* A restaurant in which entertainment is provided and in which
28 patron dancing is permitted but is incidental to the primary business. No entertainer shall dance with
29 any patron or guest. Entertainment and patron dancing shall not be provided between the hours of
30 5:00 a.m. and 12:00 noon. No person under eighteen (18) years of age shall be employed or
31 permitted to participate as an entertainer in an after hours restaurant without the written consent of a
32 parent or guardian or the written approval of the ~~director~~manager. An after hours restaurant licensee
33 shall not permit anyone under twenty-one (21) years of age to patronize or gain entry into the after
34 hours restaurant between the hours of 2:00 a.m. and 5:00 a.m., unless accompanied by a parent or

1 legal guardian.

2 An after hours restaurant may not be located on the same premises with any establishment
3 licensed under the Colorado Liquor Code or the Colorado Beer Code, provided, however, that an after
4 hours restaurant may share such facilities that are unrelated to the provision of entertainment as the
5 ~~director~~manager may by rule determine.

6
7 **Sec. 7-93. - Records to be kept.**

8 All licensees shall keep an accurate set of books showing the income and expenditures of or for
9 such social rooms and after hour restaurants and for such entertainment activities engaged in,
10 operated, conducted, carried on or maintained on the licensed premises; and such books shall be
11 open to inspection by the ~~director~~manager or any police officer of the city at all reasonable hours. If a
12 licensee sells or issues memberships, a list of the names and addresses of all such members shall be
13 kept current and shall be subject to inspection in the same manner as the books of such licensees.

14
15 **Sec. 7-95. - Rules and regulations.**

16 The ~~director~~manager may make such reasonable rules and regulations as may be necessary
17 for the purpose of administering and enforcing the provisions of this article and any other ordinances
18 or laws relating to and affecting the licensing and operation of social rooms or after hours restaurants
19 as described herein. It shall be unlawful for any person to violate a rule or regulation adopted by the
20 ~~director~~manager pursuant to this section.

21
22 **Sec. 7-102. - Application.**

23 (a) Application for a license under this article shall be made to the ~~director~~manager on forms
24 to be provided by the ~~director~~manager for that purpose, which forms shall contain the following
25 information:

26 (5) Building plan of the premises for which application is being made with all the points of
27 ingress and egress clearly marked thereon. The ~~director~~manager may also require detailed sketches
28 of the premises;

29 (6) Such other information or evidence as reasonably may be required to establish to the
30 satisfaction of the ~~director~~manager that the character and reputation of the applicant are such as to
31 warrant the confidence of the ~~director~~manager that the establishment will be lawfully operated, and
32 that the health or welfare or morals of the neighborhood will not be adversely affected by the license
33 issue.

34 (b) Any change of ownership shall require a new application and license, with payment of

1 fees therefor, and approval of the ~~director~~manager. However, when a license has been issued to a
2 husband and wife, or to general or limited partners, the death of a spouse or partner shall not require
3 the surviving spouse or partner to obtain a new license. For the purposes of this division, the transfer,
4 sale or assignment of more than fifty (50) percent of the corporate stock of a corporate license shall be
5 conclusively presumed to be a change of ownership.

6
7 **Sec. 7-103. - Notice; posting; hearing.**

8 (a) Upon receipt of an application for a license under this article, the ~~director~~manager shall
9 schedule a public hearing upon the application not less than forty (40) days from the date of receipt of
10 the application; and it shall be the duty of the ~~director~~manager, in the ~~director~~manager's discretion, to
11 designate the neighborhood to be affected by such application.

12 (b) The ~~director~~manager shall require public notice to be given of the application for such
13 license by the posting of a notice of the public hearing no less than thirty (30) consecutive days in
14 advance of the public hearing in a conspicuous place on the premises whereon the social room or
15 after hours restaurant is proposed to be operated or maintained, legible from the public street or public
16 way (other than an alley) nearest to such premises. This public notice shall state the type of license
17 applied for, the name and address of the applicant, the type of entertainment to be offered, and the
18 time and place of the public hearing on the application; provided that such posted notice of the public
19 hearing shall be displayed on a sign or signs, in number, size and location as prescribed by the
20 ~~director~~manager.

21 (c) At the time and place specified in the notice, or at such other time to which the hearing
22 may be continued by the ~~director~~manager, the ~~director~~manager or any hearing officer shall receive
23 petitions and hear such information and evidence as may be offered by the applicant and residents of
24 the designated neighborhood (which term shall include residents of the neighborhood and all owners
25 or managers of business located in the designated neighborhood) concerning the desires of the
26 residents of the designated neighborhood and the effect the issuance of the license would have on the
27 health or welfare or morals of the designated neighborhood. Admissibility of evidence, exhibits and
28 petitions shall conform with the general rules of evidence.

29 (d) The approval or denial of the application shall rest within the sound discretion of the
30 ~~director~~manager after evidence has been presented during such public hearing.

31 (e) A hearing upon application for renewal of an existing license may be scheduled at the
32 discretion of the ~~director~~manager, either upon the ~~director~~manager's own initiative or upon proper
33 complaint to the ~~director~~manager, and the procedures and requirements in this event shall be the
34 same as shown in this division for a new license application.

(f) The ~~director~~manager shall not consider an application for a license at a particular premises if a license under this article has been applied for but not issued for the same premises within one (1) year prior to the date of making such application.

Sec. 7-105. - Causes for denial.

(a) No license under this article shall be issued when:(1)The information or evidence available to and considered by the ~~director~~manager reasonably establishes: that the character or reputation of the applicant or the past record of operation of the establishment or business for which application is made is such so as not to warrant the confidence of the ~~director~~manager that the establishment or business will be lawfully operated; or that the health or welfare or morals of the neighborhood would be adversely affected thereby;

Sec. 7-106. - Inspection of premises.

Before issuing any license under this article, the ~~director~~manager or one (1) of the inspectors shall visit and inspect the premises where the applicant proposes to operate.

Sec. 7-107. - Registered manager—Present when open to public.

(a) The licensee shall file with the ~~director~~manager a written designation of a person over the age of twenty-one (21) who shall serve as the licensee's registered manager.

Sec. 7-108. - Conditions on license.

The ~~director~~manager may impose reasonable terms, requirements, conditions, or limitations on any license issued under this article necessary to protect public health, safety or welfare.

Sec. 7-109. - Suspension or revocation of license.

(a) After notice and an administrative hearing at which the city submits proof by a preponderance of the evidence, or upon stipulation of the parties, or upon failure of the licensee to appear at such a hearing after notice has been given, the ~~director~~manager may suspend or revoke any license issued under this article who:

(4) Violates any rule or regulation promulgated by the ~~director~~manager under this article;

Sec. 7-160. - Required.

It shall be unlawful for any person to work as or be employed as a for-hire stripper or exotic dancer

without first having obtained a license from the ~~director of excise and licenses~~manager as provided in this division.

Sec. 7-161. - Application.

(a) Application for a license under this article shall be made to the ~~director~~manager upon forms to be provided by ~~excise and licenses~~the department for that purpose.

(b) An application for a license for a for-hire stripper or exotic dancer shall contain the following information:

(6) Such other information and documents as may be reasonably required by the ~~director~~manager.

(c) Upon submission of a completed application and payment of all applicable fees, ~~excise and licenses~~the department shall immediately issue a temporary license good for sixty (60) days, unless extended for good cause by the ~~director~~manager or until rescinded by order of the ~~director~~manager. No such temporary license shall be issued if a for-hire stripper or exotic dancer license held by the applicant has been revoked by ~~excise and licenses~~the department during the past six (6) months.

Sec. 7-163. - License issuance; grounds for denial.

(a) Within forty (40) days following the date a complete application and full payment of all required fees are received, the ~~director~~manager shall complete his or her review and make a determination in accordance with this section.

(b) The ~~director~~manager shall issue a license for a for-hire stripper or exotic dancer unless the ~~director~~manager finds one (1) of the following:

(4) The applicant has been convicted or released from confinement following conviction during the preceding five (5) years, anywhere in the United States, for acts of prostitution, public indecency, or substantially similar crimes. When considering such a criminal conviction, the ~~director~~manager shall be governed by the provisions of C.R.S. § 25-5-101, as amended, pertaining to the effect of criminal convictions on employment rights.

(c) The license shall be issued or, if the application is denied, a written notification of this determination and the reasons therefor shall be provided or mailed to the applicant within five (5) calendar days of making the determination. If the application is denied and the applicant is holding a temporary license, the applicant may request, in writing, a thirty-day extension of the temporary license upon the applicant stating an intention to appeal the ~~director~~manager's decision as provided in section 7-166. Upon receipt of this request, the ~~director~~manager shall extend the temporary license for

thirty (30) days from the date the temporary license is due to expire.

Sec. 7-164. - Term; renewal.

(b) At least ten (10) days prior to expiration of a for-hire stripper or exotic dancer license issued under this division, a licensee seeking renewal of the license shall submit a complete renewal application, upon forms provided by ~~excise and licenses~~the department, and make payment of the appropriate license fee as prescribed in section 32-75.5. A new license shall be issued unless the ~~director~~manager determines that the license may be subject to suspension or revocation under section 7-165 below, in which case a temporary license shall be issued until a final determination is made in accordance with section 7-165 below.

Sec. 7-165. - Suspension or revocation; notice; hearing.

(a) Upon consideration of the relevant facts and circumstances and subject to the requirements set forth in this section, the ~~director~~manager may suspend or revoke a license issued under this division if the ~~director~~manager determines that a licensee has violated:

(b) In determining whether to impose a suspension or revocation, the ~~director~~manager shall consider all pertinent aggravating and mitigating factors and make appropriate findings in support of his or her decision based on these factors and any other relevant facts or circumstances. The term of any suspension shall be for a period not to exceed six (6) months in duration, and a revocation shall specify a period of six (6) months from the date of revocation during which the licensee shall be barred from making any new application under this chapter.

(c) A licensee shall be entitled to a hearing before the ~~director~~manager or a hearing officer designated by the ~~director~~manager prior to any action being taken to suspend or revoke the license. The procedures are as follows:

(1) Upon receipt of information and documentation sufficient to satisfy the ~~director~~manager that suspension or revocation of a license may be warranted under this section, the ~~director~~manager shall notify the licensee by certified mail, return receipt requested, of the alleged violations and shall direct the licensee to appear before the ~~director~~manager or designated hearing officer on a specified hearing date, which shall be no sooner than ten (10) days and no later than thirty (30) days after the date of the notification. Failure to appear at the scheduled hearing or to arrange with the ~~director~~manager for a rescheduling of the hearing for a date within thirty (30) days of the original date shall constitute a waiver of the right to hearing.

(3) Within fifteen (15) days following the hearing, any designated hearing officer shall forward to the ~~director~~manager a recommended decision regarding the alleged violations and

recommended penalties for any violations proved. Copies of said recommended decision shall be sent by United States mail to the licensee, who must submit any comments or additional information to the ~~director~~manager within ten (10) days of the date the recommended decision was mailed. The ~~director~~manager shall prepare a final decision, along with a set of written findings and conclusions in support of the ~~director~~manager's decision, and deposit the same in the United States mail to the licensee within fifteen (15) days from receipt of the recommended decision. If no hearing officer is involved, the ~~director~~manager shall prepare and mail the decision, along with the findings and conclusions, within fifteen (15) days of the date of the hearing. All mailings will be sent to the licensee at the licensee's last known address and will be sent to any other parties requesting such notification.

(4) Any suspension or revocation shall be effective upon the date specified in the final decision. A suspension or revocation may only be lifted by entry, and receipt by the ~~director~~manager, of a stay or restraining order issued by a court of competent jurisdiction and will remain lifted only so long as the stay or restraining order is in effect.

Sec. 7-166. - Right of appeal.

Any final decision of the ~~director of excise and licenses~~manager may be appealed by bringing an appropriate action, including a C.R.C.P. Rule 106(a)(4) appeal, in the state district court for the City and County of Denver. "Final decisions" are those determinations made by the ~~director~~manager as provided in sections 7-163 and 7-165. Any appeal shall be filed with the district court clerk within thirty (30) days following the date the decision was deposited in the United States mail addressed to the applicant. No applicant shall be allowed to continue to perform as a for-hire stripper or exotic dancer upon expiration of any temporary license, or extension(s) thereof, issued under this division unless a stay or restraining order, as appropriate, is obtained from the court.

Sec. 7-318. - Local licensing authority.

The ~~director of excise and licenses~~manager is hereby designated as the local licensing authority, as defined in 1973 Colorado Revised Statutes 12-25.5-101 et seq., as amended, and as the same may be hereinafter amended, for the purpose of implementing and enforcing the provisions of such statute within the city.

Sec. 7-320. - Notice; posting; hearing.

In addition to the requirements contained in the Colorado "Escort Service Code," as amended or as the same may be hereinafter amended, all of the following provisions shall be complied with before any license for any escort bureau is issued or renewed:

(1) Upon receipt of an application for a new escort bureau license or an application for a renewal of an existing escort bureau license, the ~~director of excise and licenses~~manager shall schedule a public hearing upon the application not less than forty (40) days from the date of receipt of the application. It shall be the duty of the ~~director of excise and licenses~~manager to designate the neighborhood being affected by such application. The designation of the geographical extent and boundaries of such neighborhood shall be within the sole discretion of the ~~director of excise and licenses~~manager.

(2) The ~~director of excise and licenses~~manager shall require public notice to be given of all hearings by the posting of a notice of the public hearing, for a period of not less than ten (10) consecutive days, with the first posting to be not less than thirty (30) days in advance of the public hearing, in a conspicuous place on the premises from which the escort bureau is proposed to be operated, legible from the public street or public way (other than an alley) nearest to such premises. This public notice shall state the type of license applied for, the name and address of the applicant, and the time when and place where a public hearing will be held on the application; provided that such posted notice of the public hearing shall be displayed on a sign or signs, in number, size and location as prescribed by the ~~director of excise and licenses~~manager. In addition, the ~~director of excise and licenses~~manager require public notice to be given of all hearings by publication in a newspaper of general circulation in the county not less than ten (10) days prior to such hearing.

(3) At the public hearing specified in the notice (whether it concerns a new license or a renewal of an existing license), evidence may be offered by the applicant and residents of the designated neighborhood (which term shall include residents of the neighborhood and all owners or managers of trading or commercial businesses located in the designated neighborhood) concerning the desires of residents of the designated neighborhood and the reasonable requirements of the designated neighborhood. Before granting any license (whether a new license or a renewal of an existing license), the ~~director of excise and licenses~~manager shall also consider the effect the issuance of the license would have on either the health or welfare or morals of the designated neighborhood; and the character of the applicant and the applicant's directors, owners, officers, agents, servants and employees; and other pertinent matters affecting the qualifications of the applicant for the conduct of the business. Petitions may be offered at the public hearing concerning the desires of the residents of the designated neighborhood relating to the application in question.

(4) Notwithstanding any of the other provisions of this section, the ~~director of excise and licenses~~manager may grant the renewal for an existing license without a public hearing. Prior to granting the renewal of an existing license without a public hearing, the ~~director of excise and licenses~~manager shall consider the number of complaints, if any, received by the department of excise

1 ~~and licenses~~ concerning the licensee. The ~~director~~manager shall also consider all criminal and traffic
2 charges filed against the licensee or the licensee's directors, owners, officers, agents, servants and
3 employees; provided, however, that traffic charges shall only be considered if received in the course of
4 operating the business of the licensee.

5 (5) Before granting any license (whether a new license or a renewal of an existing licenses),
6 the ~~director of excise and licenses~~manager shall consider all of the matters provided for in this section
7 7-320, and all of the provisions of the Colorado "Escort Service Code." The ~~director of excise and~~
8 ~~licenses~~manager may refuse to grant any license for good cause, subject to judicial review. Except as
9 otherwise specified herein, the admissibility of evidence, exhibits and petitions shall conform to the
10 general rules of evidence. No application for the issuance of any such license shall be received or
11 acted upon by the ~~director of excise and licenses~~manager for any applicant if, within the two (2) years
12 next preceding the date of application, the ~~director of excise and licenses~~manager either denied an
13 application or revoked an escort bureau license for the same applicant.

14 (6) In investigating the character of the applicant and the applicant's directors, owners,
15 officers, agents, servants and employees, the ~~director of excise and licenses~~manager may have
16 access to criminal history record information furnished by criminal justice agencies. If this information
17 is taken into consideration by the ~~director of excise and licenses~~manager, the applicant can provide
18 evidence of mitigating factors, rehabilitation, character references, and other factors pertinent to the
19 consideration of ~~his~~their application.

20
21 **Section 5.** That chapter 8 of the Code shall be amended by deleting the language stricken and
22 adding the language underlined, to read as follows:

23 **Sec. 8-102. - Duties of the executive director of public health and environment.**

24 By means of inspections required under this division, the executive director shall determine
25 whether applicants for licenses or for renewal of licenses issued hereunder, and animal shelters,
26 kennels, pet grooming shops, pet hospitals and pet shops operated by licensees hereunder, meet all
27 conditions required by the provisions of this article, by standards, rules and regulations promulgated
28 pursuant thereto and by all state laws and city ordinances relating to health, safety and sanitation. The
29 executive director shall certify such qualifications of applicants and licensees hereunder, or shall
30 require such corrections as the executive director deems appropriate for the conduct of animal
31 shelters, kennels, pet grooming shops, pet hospitals and pet shops, and shall forward the results of
32 such inspections, and follow-up visits required to determine compliance, to the ~~director of excise and~~
33 ~~licenses~~manager of licensing and consumer protection. In addition, the executive director shall make
34 recommendations to the ~~director of excise and licenses~~manager of licensing and consumer protection

relating to compliance with or violation of standards, rules and regulations as provided herein. It shall also be the duty of the executive director to enforce all standards, rules and regulations promulgated pursuant hereto.

Sec. 8-111. - License required.

It is unlawful for any person or business entity to operate or engage in business as an animal shelter, kennel, pet grooming shop, pet hospital, or pet shop, as defined by this article, without first obtaining a license from the ~~director of excise and licenses~~manager of licensing and consumer protection as provided for in this article and chapter 32.

Sec. 8-112. - Application.

Every person desiring to obtain a license as provided in this division shall file a written application with the ~~director of excise and licenses~~manager of licensing and consumer protection, who shall grant the license where the applicant obtains the approval of the zoning administration and the department of public health and environment and pays all application and license fees.

Section 6. That chapter 9 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 9-11. - Conduct of sale.

(h) The owner and auctioneer shall permit any police officer or representative of the ~~director of excise and licenses~~manager of licensing and consumer protection, during regular business hours of the day, to examine any article held for sale by auction, offered for sale or sold unless such article has been delivered to a purchaser.

Sec. 9-13. - Application for auctioneer license.

(a) All applications for an auctioneer's license shall be made to the ~~director of excise and licenses~~manager of licensing and consumer protection and shall contain such information as may be required from time to time by the ~~director of excise and licenses~~manager of licensing and consumer protection touching upon the character and qualifications of the applicant. Each such application shall contain, among other things, the name and residence address of the applicant, the location and name of the auction house such applicant conducts or where the applicant may be employed; and a full record of the previous engagement or employment of the applicant in the business of conducting auction sales.

(b) Every application shall be supported by such evidence as the ~~director of excise and licenses~~manager of licensing and consumer protection shall require.

Sec. 9-14. - Causes for denial.

(a) In addition to the provisions of Article I of Chapter 32, the ~~director of excise and licenses~~manager of licensing and consumer protection may deny a license under this chapter to any of the following persons:

(3) Any person whose character and record are such as not to warrant the ~~director~~manager's confidence that the person seeking a license will conduct the business of auctioneering lawfully, honestly and fairly without resorting to fraud or other improper activity;

(5) Any person who has been denied a license under this chapter within the immediately past year, unless the applicant can and does show to the satisfaction of the ~~director of excise and licenses~~manager of licensing and consumer protection that the reasons for such earlier denial no longer exist.

(b) In making a determination as to character or record, or when considering a criminal or ordinance violation conviction or judgment, the ~~director of excise and licenses~~manager of licensing and consumer protection shall be governed by the provisions of C.R.S. Section 24-5-101, as amended, pertaining to the effect of criminal convictions on employment rights. The ~~director~~manager shall also give consideration to the following criteria:

(c) As part of the review, the ~~director of excise and licenses~~manager of licensing and consumer protection may require fingerprinting of the applicant and conduct a check of the applicant's background, including a review of the applicant's criminal history record within the five (5) years preceding the date of application.

Sec. 9-16. - Right of appeal.

Any applicant whose application for a license under this chapter is denied, revoked, suspended or nonrenewed shall be entitled to a hearing upon written request to the ~~director of excise and licenses~~manager of licensing and consumer protection, in accordance with Article I of Chapter 32.

Sec. 9-18. - Bond.

Every person licensed under this chapter as an auctioneer shall furnish and deliver to the ~~director of excise and licenses~~manager of licensing and consumer protection a bond as provided in chapter 32 in the penal sum of two thousand dollars (\$2,000.00) and further conditioned upon the payment of damages to any person injured by any violation of this chapter as amended or by any fraudulent or

negligent act on the part of such auctioneer, arising from any sale or offer to sell by auction, whether acting by virtue of a permit for the sale of jewelry by auction or otherwise. Such bond or undertaking shall also provide that the sureties may be sued directly either by the city or by any person injured as aforesaid without joining the auctioneer in such suit. Such bonds or undertakings shall be continuing and shall cover not only the original period of the auctioneer's license but also the period of any subsequent renewals of such license. A new bond or undertaking may be required in the case of death or insolvency of any surety thereon. Such undertaking or bond shall contain an endorsement requiring a fifteen-day written notice to the ~~director~~manager in the event of the cancellation thereof.

Sec. 9-19. - Renewal.

(a) All auctioneers' licenses may be renewed by application made therefor with the ~~director of excise and licenses~~manager of licensing and consumer protection prior to the expiration date of such license and upon the payment of the license fee and the furnishing of the bond or undertaking as hereinabove required.

Section 7. That chapter 11 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 11-4. - Issuance or denial of license.

The ~~director of excise and licenses~~manager of licensing and consumer protection shall submit all applications for licenses under this chapter to the manager who shall inspect the establishment of the applicant and determine the fitness of the applicant in accordance with this chapter and the rules and regulations promulgated hereunder. The manager shall return the application to the ~~director of excise and licenses~~manager of licensing and consumer protection with his or her endorsement of approval or disapproval and the ~~director of excise and licenses~~manager of licensing and consumer protection shall issue or deny the license in accordance with chapter 32.

Sec. 11-7. - Notification of ~~director of excise and licenses~~manager of licensing and consumer protection.

In the manner provided in chapter 32, the manager shall forthwith certify to the ~~director of excise and licenses~~manager of licensing and consumer protection all instances of violations of this article.

Section 8. That chapter 12 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

1 **Sec. 12-96. - Notification.**

2 (b) The following agencies of the city shall be responsible for the following notification:

3

Proposed Action	Responsible City Agency for Notification
Zoning Map Amendment	Zoning and Development Review Services
Residential Care Uses	Zoning and Development Review Services
Power, Gas and Similar Facilities	Zoning and Development Review Services
Home Occupations	Zoning and Development Review Services
Zoning Language Amendment	City Council
Hearings Before the Board of Adjustment—Zoning	Board of Adjustment— Zoning
Nursing Homes in Certain Residential Districts	Zoning and Development Review Services
Clinic or Office, Dental or Medical & Laboratory, Dental or Medical in a R-4 Zone District	Zoning and Development Review Services
Neighborhood Services Uses Over 5,000 square feet in R-4-X Zone	District Zoning and Development Review Services
R-X Zone District Plan	Zoning and Development Review Services

Proposed Action	Responsible City Agency for Notification
Comprehensive Sign Plan	Zoning and Development Review Services
Planned Building Group	Zoning and Development Review Services
Preliminary Subdivision Plat	Zoning and Development Review Services
Sale of city owned land	Asset Management
Street or Alley Vacation	Transportation and Infrastructure, Design Engineering
New Application, and/or Major Modification to Premises and/or Transfer of Malt, Vinous or Spirituous Liquor License	Excise and <u>Licenses Licensing and Consumer Protection</u>
New Application, and/or Major Modification to Premises and/or Transfer of a Cabaret License	Excise and <u>Licenses Licensing and Consumer Protection</u>
New Application of Underage Patrons License	Excise and <u>Licenses Licensing and Consumer Protection</u>
New Application or Changes in Applications for Tastings of Malt, Vinous or Spirituous Liquor	Excise and <u>Licenses Licensing and Consumer Protection</u>
Class 15 and 16 Amusement License Application	Excise and

Proposed Action	Responsible City Agency for Notification
	<u>Licenses</u> <u>Licensing</u> and <u>Consumer Protection</u>
New License Applications for Rooms for Recreation, Amusement or Social Activities	Excise and <u>Licenses</u> <u>Licensing</u> and <u>Consumer Protection</u>
Restrictions on New Lodging Licenses	Excise and <u>Licenses</u> <u>Licensing</u> and <u>Consumer Protection</u>
Landmark Designation Applications	Landmark Commission
Hearings before the Planning Board	Planning Board
Abatement of Unsafe Buildings, Structures or Utilities: "Repair or Wreck" Hearings	Board of Appeals-Building and Construction Services
Park Land Use: Proposals to Change/Amend	Parks and Recreation
Park Traffic Patterns: Proposals to Change/Amend	Parks and Recreation
Streets: Reconstruction/Widening/Change in Direction/Change to or from one-way to two-way	Transportation and Infrastructure, Traffic and Transportation Division/Design Engineering Services
Properties Identified and Being Processed through Nuisance Abatement Procedures	Nuisance Abatement Coordinator

Proposed Action	Responsible City Agency for Notification
Noise Variance Requests	Public Health and Environment
New application, and/or major modification to premises and/or transfer of retail marijuana store, retail marijuana cultivation facility, retail marijuana products manufacturer, or retail marijuana testing facility; or any action for which a public hearing is required by state or city retail marijuana licensing laws.	Excise and Licenses <u>Licensing</u> and <u>Consumer Protection</u>
Application for any type of new business license under the Denver Medical Marijuana Code of the Denver Retail Marijuana Code, in any location in an I-A or I-B industrial zone district as defined by the Denver Zoning Code, or any proposal to change the location of an existing marijuana business license to a new location in such zone districts.	Excise and Licenses <u>Licensing</u> and <u>Consumer Protection</u>
Letter of intent for a service plan or service plan amendment for a Metropolitan district formed pursuant to C.R.S. § 32-1-101 et seq.	Finance

In the event that the Code provisions corresponding to the notification requirements listed above should be amended so that the requirements are changed or eliminated or the responsible agency changed, the Code provisions shall supersede the requirements of this list.

Section 9. That chapter 17 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 17-11. - Definitions.

(7) ~~Director~~ means the director of the Denver Department of ~~Excise and Licenses~~[Reserved]

(15) *Medical vehicle permit* means the authorization issued by the ~~director of excise and licenses~~manager of licensing and consumer protection and approved by the manager of public health and environment with respect to a medical vehicle used or to be used to provide medical vehicle service in the city.

1 (16) *Medical vehicle validation sticker* means a sticker displayed on the left side of the
2 windshield of a medical vehicle unit that has been inspected and issued a permit to operate in the city.
3 The sticker shall indicate the year of validation and shall be provided by the ~~director of excise and~~
4 ~~licenses~~manager of licensing and consumer protection.

5 (17) *License* means the authorization issued by the ~~director~~manager of licensing and
6 consumer protection to operate a medical vehicle service or to provide secure transportation in the
7 city.

8 (30) *Vehicle permit validation sticker* means a sticker displayed on the left side of the
9 windshield of a secure transportation vehicle that has been inspected and issued a permit to operate
10 in the city. The sticker shall indicate the year of validation and shall be provided by the
11 ~~director~~manager of licensing and consumer protection to operate a secure transportation vehicle in the
12 city.

13
14 **Sec. 17-14. - Rates and hours schedule.**

15 A licensed medical vehicle service shall file with the ~~director of excise and licenses~~manager of
16 licensing and consumer protection a schedule of the current base rates and hours of availability of
17 such licensee and shall file any change in the schedule prior to putting such change into effect. Such
18 schedule shall be available for public inspection in the office of the ~~director~~manager of licensing and
19 consumer protection during working hours; and the board may promulgate regulations requiring such
20 licensees to distribute the schedule at such time and under such conditions as the board may deem
21 necessary.

22
23 **Sec. 17-29. - Required.**

24 (a) It shall be unlawful for any person to operate a medical vehicle service anywhere within
25 the city without first obtaining a license from the ~~director of excise and licenses~~manager of licensing
26 and consumer protection as provided in this division.

27 (b) It shall be unlawful for any person, other than an emergency medical technician, to
28 operate a surface emergency or nonemergency medical vehicle, or to act in the capacity of a
29 nonemergency medical vehicle operator, anywhere within the city without first obtaining the
30 appropriate license from the ~~director of excise and licenses~~manager of licensing and consumer
31 protection as provided in this division.

32
33 **Sec. 17-30. - Application.**

34 Applicants for licenses under this division shall file application with the ~~director of excise and~~

~~licenses~~manager of licensing and consumer protection on forms to be provided for that purpose which shall contain the following information pertaining to the various licenses hereunder respectively:

(b) For a nonemergency medical vehicle operator, the date of birth, age, height, weight, color of eyes and hair of the applicant; whether the applicant has previously been licensed as a driver for a nonemergency medical vehicle and if so, when, where and the nature of such license; whether any such license has or have ever been suspended or revoked and for what cause; and a photograph of the applicant, as required by the ~~director~~manager of licensing and consumer protection; and

(c) For any license applied for hereunder, such other information as the ~~director~~manager of licensing and consumer protection, together with the manager, shall find reasonably necessary to make a fair determination as to whether the applicant is in full compliance with the provisions of this article.

Sec. 17-31. - Standards for issuance.

(a) *Medical vehicle services.* The ~~director of excise and licenses~~manager of licensing and consumer protection shall issue a license under this division for a medical vehicle service when the ~~director~~manager of licensing and consumer protection finds that:

(b) *Businesses operating nonemergency medical vehicles.* The ~~director of excise and licenses~~manager of licensing and consumer protection shall issue a license under this division for operation of a business engaged in transporting sick and disabled persons in nonemergency medical vehicles when the ~~director~~manager of licensing and consumer protection finds that:

(c) *Nonemergency medical vehicle operators.* The ~~director of excise and licenses~~manager of licensing and consumer protection shall issue a license under this division for a nonemergency medical vehicle operator when the ~~director~~manager of licensing and consumer protection finds that:

(d) *Emergency medical vehicle permit.* An application for a vehicle permit shall be submitted in writing to the ~~director of excise and licenses~~manager of licensing and consumer protection and shall contain the following information and necessary supporting documents:

Sec. 17-33. - Insurance requirements.

No license for an emergency medical vehicle service shall be issued or remain in effect unless the licensee shall maintain in force, and on file with the ~~director of excise and licenses~~manager of licensing and consumer protection, sufficient evidence of a public liability and property damage insurance policy covering operation of the business, equipment and emergency medical vehicles of the licensee, for bodily injury, including death. Each emergency medical vehicle service shall maintain insurance coverage for each and every emergency medical vehicle owned, operated or leased by the

emergency medical vehicle service, providing coverage for injury to or death of persons in accidents resulting from any cause for which the owner of the vehicle would be liable on account of any liability imposed on him or her by law, regardless of whether the emergency medical vehicle was being driven by the owner, his or her agent or lessee, or any other person, and coverage as against damage to the property of another, including personal property, under like circumstances, in the following amounts:

- a. Statutory Worker's Compensation Insurance;
- b. Public Liability and Property Damage Bodily Injury
 - Each Person\$500,000.00
 - Each Accident\$500,000.00
 - Property Damage Each Accident\$500,000.00
- c. Professional Liability Coverage
 - Each Person\$500,000.00
 - Each Accident\$1,000,000.00

Every insurance policy required shall contain a provision for continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, that the liability of the insured shall not be affected by the insolvency or bankruptcy of the insured, and that until a policy is revoked, the insurance company will not be relieved from liability on account of nonpayment of premiums, failure to renew license at the end of the year, or any act or omission of the named insured. At any time said insurance is required to be renewed, proof of renewal shall be provided to the ~~director of excise and licenses~~manager of licensing and consumer protection. The motor vehicle insurance shall be a complying policy as defined in Section 10-4-703, C.R.S., as amended.

A certificate of insurance, with the city named on the certificate holder's copy, shall indicate the vehicles covered by the policy, type of insurance (vehicle and professional liability, etc.), policy number(s), policy effective date, policy expiration date, amount of coverage, and contain a provision that thirty (30) days prior written notice of any material change, cancellation, termination or revocation of said insurance policy shall be given to the city's ~~director of excise and licenses~~manager of licensing and consumer protection.

Any changes in the status of vehicles listed on the certificate of insurance during the licensing cycle shall be noted on a new certificate of insurance and forwarded to the ~~director of excise and licenses~~manager of licensing and consumer protection within thirty (30) days of the changes.

Notification of any changes in insurance shall be made in writing within thirty (30) days of such changes to the ~~director of excise and licenses~~manager of licensing and consumer protection by the

Licensee, to be followed with a certificate of insurance as outlined in previous paragraphs. The manager or ~~director of excise and licenses~~manager of licensing and consumer protection may require additional proof of insurance at any time as needed in order to promote health, safety, and welfare of residents of the city.

Sec. 17-34. - Vehicle sticker and identification.

(a) A medical vehicle service, or a business engaged in transporting sick and disabled persons in nonemergency medical vehicles, shall at all times prominently display on each emergency and nonemergency medical vehicle, in a place designated by the ~~director of excise and licenses~~manager of licensing and consumer protection, a nontransferable license sticker issued by the city.

Sec. 17-35. - Identification cards.

(a) The ~~director of excise and licenses~~manager of licensing and consumer protection shall attach a photograph of a licensed nonemergency medical vehicle operator to the identification card so that the same cannot be removed and another photograph substituted without probability of detection.

Sec. 17-36. - Inspection and certification of vehicles.

(b) Upon completion of the aforementioned requirements, the results of such inspections and certifications, together with recommendations by the manager, shall be forwarded to the ~~director of excise and licenses~~manager of licensing and consumer protection by the manager.

Sec. 17-37. - Duties of the manager of public health and environment.

By means of the tests and inspections required in this division, the manager shall determine whether applicants for licenses or for renewal of licenses issued hereunder, and emergency and nonemergency medical vehicles operated by licensees hereunder, meet all conditions required by the provisions of this article, by the standards, rules and regulations promulgated pursuant thereto and by all state laws and city ordinances relating to health, safety and sanitation; and shall certify such qualifications of applicants and licensees and such compliance of vehicles, and such information relating to licensees hereunder, or shall make such recommendations as the manager deems appropriate from the standpoint of health and sanitation for the conduct of a medical vehicle service or business engaged in transporting sick and disabled persons in nonemergency vehicles; and shall forward the results of such tests and inspections, such certifications, such recommendations and such information to the ~~director of excise and licenses~~manager of licensing and consumer protection. In addition, the manager shall make recommendations to the ~~director~~manager of licensing and consumer

protection relating to compliance with or violation of standards, rules and regulations as provided herein. It shall also be the duty of the manager to enforce all standards, rules and regulations promulgated pursuant hereto.

Sec. 17-38. - Revocation and suspension.

(a) In addition to the grounds set forth in article I of chapter 32, the ~~director of excise and licenses~~manager of licensing and consumer protection may suspend or revoke a license issued under this division, after notice and hearing, on any of the following grounds:

(1) That the licensee has violated a schedule of current base rates and hours filed with the ~~director~~manager of licensing and consumer protection or distributed by the licensee;

(b) Any person operating a medical vehicle service or any person engaged in the business of transporting sick and disabled persons in a nonemergency medical vehicle or vehicles shall be responsible for the acts of its employees who are certified as emergency medical technicians or licensed as nonemergency medical vehicle operators. Failure by such persons to make certain that such employees do not engage in the violations listed in subsection (a) of this section may be grounds for the suspension or revocation of such person's license, after notice and hearing, by the ~~director of excise and licenses~~manager of licensing and consumer protection.

(c) Upon revocation or suspension of said license, all vehicle permits issued to said medical vehicle service will be automatically revoked and the license and all permits must be returned to the ~~director of excise and licenses~~manager of licensing and consumer protection immediately.

Sec. 17-55. - Rules and regulations.

The ~~director of excise and licenses~~manager of licensing and consumer protection may adopt and enforce reasonable rules and regulations for operation of private emergency vehicles and for the use of identification cards, uniforms and equipment in connection with such operation, to carry out the purposes and provisions of this article.

Sec. 17-66. - Required.

It shall be unlawful for any person to operate a private emergency vehicle without first obtaining a license from the ~~director of excise and licenses~~manager of licensing and consumer protection as provided in this division.

Sec. 17-67. - Application.

Applicants for licenses under this division shall file an application with the ~~director of excise and~~

~~licenses~~manager of licensing and consumer protection, on forms to be provided by the
~~director~~manager of licensing and consumer protection for that purpose, which shall contain the
following:

(1) The name of the person by whom the applicant is to be employed; the address where
the applicant is to be employed; the nature of the services to be rendered; the purpose of the
employment; and other pertinent facts required by the ~~director~~manager of licensing and consumer
protection;

Sec. 17-70. - Identification cards.

In addition to the license, the ~~director of excise and licenses~~manager of licensing and consumer
protection shall issue to each licensee under this division an identification card approximately two and
one-half (2½) inches by four (4) inches in size which shall include the following:

(4) The signature of the licensee and that of the ~~director~~manager of licensing and consumer
protection;

(5) Such other information as the ~~director~~manager of licensing and consumer protection
may deem advisable.

Sec. 17-71. - Revocation and suspension.

The ~~director of excise and licenses~~manager of licensing and consumer protection may suspend
or revoke a license issued under this division after notice and hearing, on any of the following grounds:

(2) The licensee has violated any of the requirements of state law, any provision of this
article, or any of the rules and regulations adopted and promulgated by the ~~director~~manager of
licensing and consumer protection pursuant hereto;

Sec. 17-84. - Application requirements.

Application requirements. All private secure transportation business licenses, secure
transportation provider licenses, and vehicle permit applications shall be made on forms provided by
the ~~director~~manager of licensing and consumer protection and shall include, in addition to any
information required by chapter 32 of this Code, all supplemental materials required by this article and
any rules adopted pursuant thereto. The ~~director~~manager of licensing and consumer protection may,
at the ~~director~~manager of licensing and consumer protection's discretion, require additional
documentation associated with the application, as may be necessary, to enforce the requirements of
this article IV and the requirements established by the State Board of Health pursuant to C.R.S. § 25-
3.5-311.

(b) *Secure transportation vehicle permit.* Every application for a secure transportation vehicle permit shall contain the following:

(1) Verification of a successful vehicle inspection, in the form required by the manager, that the secure transportation vehicle to be used by the applicant complies with the provisions of article IV and the requirements established by the State Board of Health pursuant to C.R.S. § 25-3.5-311. The ~~director~~manager of licensing and consumer protection shall not accept verification of a successful inspection if the verification is completed more than ninety (90) days prior to the application date.

Sec. 17-85. - Licensing requirements.

(b) Such records shall be provided upon any request from any inspector of the city or the ~~director~~manager of licensing and consumer protection within three (3) business days following the request.

Sec. 17-86. - Inspections.

(b) The results of such inspections, together with recommendations by the manager, shall be forwarded to the ~~director~~manager of licensing and consumer protection by the manager.

Sec. 17-87. - Vehicle permit validation sticker and identification.

A secure transportation vehicle shall prominently display, in a place designated by the ~~director~~manager of licensing and consumer protection, a vehicle permit validation sticker issued by the city.

Sec. 17-91. - Unlawful acts.

(c) For any licensee to violate any rules, regulations, or standards promulgated by the board, ~~director~~manager of licensing and consumer protection, or manager;

(h) To refuse to provide additional documentation as requested by the ~~director~~manager of licensing and consumer protection pursuant to the requirements in this article IV;

(n) For any person to knowingly fail to comply with any order of the board, ~~director~~manager of licensing and consumer protection, or manager.

Sec. 17-92. - Term license, renewal.

(d) *Renewal application materials and deadlines.* Applications to renew a secure transportation business, secure transportation provider license, and vehicle permit shall be made in

the manner provided by the ~~director~~manager of licensing and consumer protection.

(1) Applications for renewal of secure transportation business license shall include:

(iii) Any additional information as required by the ~~director~~manager of licensing and consumer protection.

(2) Application for renewal of secure transportation provider license shall include:

(iv) Any additional information as required by the ~~director~~manager of licensing and consumer protection.

Sec. 17-93. - Investigation, suspension, revocation, and other sanctions.

In addition to the grounds provided in chapter 32 of this Code, for investigation, revocation, suspension, or other sanction of a license, the ~~director~~manager of licensing and consumer protection may suspend or revoke any license under this article if the ~~director~~manager of licensing and consumer protection finds that there are grounds for denial as set forth in this article IV.

Sec. 17-94. - Summary suspension.

Where the ~~director~~manager of licensing and consumer protection has objective and reasonable grounds to believe and finds, upon a reasonable ascertainment of the underlying facts, that the licensee has been guilty of deliberate and willful violation or that the public health, safety, or welfare imperatively requires emergency action and incorporates the findings in its order, the ~~director~~manager of licensing and consumer protection may summarily suspend the license and/or vehicle permit for no longer than thirty (30) days

Sec. 17-95. - Rules and regulations.

(c) The ~~director~~manager of licensing and consumer protection may adopt such rules and regulations as may be necessary for the purpose of administering and enforcing the provision of this article IV and any other ordinances or laws relating to and affecting the licensing and operation of secure transportation services.

Sec. 17-96. - Reporting requirements.

(a) When a secure transportation provider, manager, or administrator of a secure transportation business is convicted of any crime specified under the causes for denial in this article they shall notify the ~~director~~manager of licensing and consumer protection within seventy-two (72) hours of such conviction.

(b) When a secure transportation provider, manager, or administrator of a secure

1 transportation business uses force that results in bodily harm to another person, they shall
2 immediately contact the local police department where such force was used and shall notify the
3 ~~director~~manager of licensing and consumer protection within seventy-two (72) hours of such use of
4 force.

5 (c) When a secure transportation provider's employment is terminated, whether voluntary or
6 involuntary, both the provider and the secure transportation business shall report the departure to the
7 department within seventy-two (72) hours. The report shall be made in the manner determined by the
8 ~~director~~manager of licensing and consumer protection.

9

10 **Section 10.** That chapter 18 of the Code shall be amended by deleting the language stricken
11 and adding the language underlined, to read as follows:

12 **Sec. 18-91. - Salaries.**

Director of excise and license <u>Manager of licensing and consumer protection</u>	154,381
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13

14 **Sec. 18-122. - Definitions.**

15 (2) Appointed Charter officers; manager of ~~the department of~~ public health and environment,
16 manager of ~~the department of~~ transportation and infrastructure, city attorney, manager of ~~the~~
17 ~~department of~~ safety, manager of ~~the department of~~ finance, manager of ~~the department of~~ parks and
18 recreation, manager of ~~the department of~~ general services, manager of ~~the department of~~ human
19 services, manager of ~~the department of~~ aviation, manager of ~~the department of~~ community planning
20 and development, and ~~director of excise and licenses~~manager of licensing and consumer protection.

21

22 **Sec. 18-169. - Care hours program.**

23 (a) *Employees eligible to receive care hours.* All officers and employees, as defined in this
24 division, are eligible to receive care hours as provided for in this division.

25 (2) *Officer* means any of the following:

26 b. Appointed Charter officers; manager of ~~the department of~~ public health and
27 environment, manager of ~~the department of~~ transportation and infrastructure, city attorney, manager of
28 ~~the department of~~ safety, manager of ~~the department of~~ finance, manager of ~~the department of~~ parks
29 and recreation, manager of ~~the department of~~ general services, manager of ~~the department of~~ human
30 services, manager of ~~the department of~~ aviation, manager of ~~the department of~~ community planning
31 and development, and ~~director of excise and licenses~~manager of licensing and consumer protection..

32

Section 11. That chapter 19 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 19-16. - Safety Requirements and Methods.

Every person who owns, operates or maintains any clay, sand or gravel pit or hole, or other similar excavations, shall cause each such excavation to conform with the following basic requirements in respect to safety and method of excavation:

(2) No such excavation beyond twenty (20) feet of any street, alley or other public way or place shall be made at an angle greater than thirty (30) degrees from horizontal, provided that as to clay pits existing on July 28, 1950, the ~~director of excise and licenses~~manager of licensing and consumer protection may, at the request of the manager of transportation and infrastructure, waive the whole or part of the requirements of this section when in the ~~director~~manager of licensing and consumer protection's opinion such waiver will not result in hazard to health and safety.

Sec. 19-17. - Right of entry.

(a) For purposes of ascertaining violations of this article and for conducting routine inspection, the right of entry onto any premises where any clay, sand or gravel pit or hole, pits or holes, or other similar excavation exists during business hours and other times in which activity is in evidence is hereby granted to the manager of transportation and infrastructure, the ~~director of excise and licenses~~manager of licensing and consumer protection, and their authorized representatives and all law enforcement officers to conduct a reasonable inspection or investigation.

Sec. 19-26. - Required.

It shall be unlawful for any person to excavate or cause to be excavated below the natural or established grade of the nearest street, alley, river bank, or public way or place adjacent thereto, any clay, sand or gravel pit or hole, or other similar excavations, except as provided in and authorized by this article and without first having obtained a license from the ~~director of excise and licenses~~manager of licensing and consumer protection so to do. Every separate excavation covered by the terms of this article shall require a separate license, and such license shall not be transferable from one such excavation to another, and such license shall be required so long as the excavation remains.

Sec. 19-29. - Issuance or denial; approval of manager of transportation and infrastructure.

The ~~director of excise and licenses~~manager of licensing and consumer protection shall submit all applications for licenses under the terms of this division to the manager of transportation and

1 infrastructure who shall return the application to the ~~director of excise and licenses~~manager of
2 licensing and consumer protection with an endorsement of approval or disapproval, and the ~~director of~~
3 ~~excise and licenses~~manager of licensing and consumer protection shall issue or deny the license in
4 accordance with chapter 32.

5
6 **Section 12.** That chapter 22, Article III, Division 2 of the Code shall be amended by deleting the
7 language stricken and adding the language underlined, to read as follows:

8 **Sec. 22-63. - Application and granting of licenses.**

9 Applications for licenses under this division shall be made on a form provided by the ~~director of~~
10 ~~excise and licenses~~manager of licensing and consumer protection and shall contain the following
11 information in addition to the information required under chapter 32:

12
13 **Section 13.** That chapter 23 of the Code shall be amended by deleting the language stricken
14 and adding the language underlined, to read as follows:

15 **Sec. 23-2. - Definitions.**

16 (8) ~~Director shall mean the director of excise and licenses of the City and County of Denver~~
17 ~~and the director's authorized representative.~~[Reserved]

18
19 **Sec. 23-20. - Application.**

20 An application for a license required by this chapter shall contain such information as required
21 by the ~~director~~manager of licensing and consumer protection and the manager in respect to the
22 undertaking proposed to be conducted under the terms of the license applied for, and the equipment
23 of the establishment for which the license is sought.

24
25 **Sec. 23-30. - Required.**

26 It shall be unlawful for any person to conduct a food processing, wholesale, and warehouse
27 establishment except as provided in and authorized by this chapter, in accordance with applicable
28 rules and regulation promulgated under the authority of this chapter, and having been issued an
29 appropriate license by the ~~director of excise and licenses~~manager of consumer protection and
30 licensing. No license to operate a food processing, wholesale, and warehouse establishment shall be
31 issued without the manager's approval. All licenses shall be prominently displayed and visible at all
32 times.

1 **Sec. 23-50. - License required.**

2 Except as provided in section 23-56, it shall be unlawful for any person to operate a retail food
3 establishment, operate a mobile retail food establishment or pushcart, operate a temporary retail food
4 establishment, act as a food peddler, or act as an ice cream vendor except as provided in and
5 authorized by this article and without first having obtained a license from the ~~director~~manager of
6 licensing and consumer protection. No license to operate a retail food establishment, operate a mobile
7 retail food establishment or pushcart, operate a temporary retail food establishment, act as a food
8 peddler, or act as an ice cream vendor shall be issued without the manager's approval. All licenses
9 shall be prominently displayed and visible at all times.

10

11 **Sec. 23-51. - Mobile retail food establishments and pushcarts.**

12 (1) Menus listing all food and beverages to be sold by mobile retail food establishments and
13 pushcarts shall be submitted in writing to the manager for approval prior to certification of the license
14 to the ~~director~~manager of licensing and consumer protection. Changes in menus must be submitted in
15 writing to the manager for approval.

16

17 **Sec. 23-52. - Food peddlers.**

18 (1) Menus listing all food and beverages to be sold by food peddlers shall be submitted in
19 writing to the manager for approval prior to certification of the license to the ~~director~~manager of
20 licensing and consumer protection. Changes in menus must be submitted in writing to the manager for
21 approval.

22

23 **Sec. 23-53. - Temporary retail food establishments.**

24 (1) The ~~director~~manager of licensing and consumer protection is authorized to issue an
25 annual temporary retail food establishment license to any person approved by the manager.

26 (2) The ~~director~~manager of licensing and consumer protection is authorized to issue, without
27 payment of fee, an annual temporary retail food establishment charity license to any person approved
28 by the manager. The manager may approve such application if:

29

30 **Sec. 23-54. - Ice cream vendors.**

31 (1) It shall be unlawful for any person to sell or offer for sale ice cream, frozen milk, frozen
32 dairy or ice confection products on the streets, alleys or other public places in the city except as
33 authorized by this section and without first having obtained an ice cream vendor's license from the

~~director~~manager of licensing and consumer protection. The required ice cream vendor's license must be prominently displayed by being attached to the vendor's clothing or to a cord worn around the neck and be visible at all times.

(2) The ~~director~~manager of licensing and consumer protection shall make such investigation of each applicant for an ice cream vendor's license as in the ~~director~~manager of licensing and consumer protection's judgment may be appropriate. The ~~director~~manager of licensing and consumer protection shall require the applicant to be fingerprinted and photographed. One (1) copy of such photograph shall be permanently attached to the license required to be displayed pursuant to paragraph (1) of this section. The fingerprints shall be forwarded to the police department for a record check.

(3) No ice cream vendor's license shall be issued to or held by any person unless that person is satisfactory to the ~~director~~manager of licensing and consumer protection with respect to character and record. In making a determination as to good moral character, the ~~director~~manager of licensing and consumer protection shall consider whether or not the applicant has, at some time prior to the filing of the application, been convicted of a felony or other offense involving moral turpitude, and pertinent circumstances connected with such conviction. The intent of this paragraph is to expand employment opportunities for persons who, notwithstanding that fact of conviction of an offense, have been rehabilitated and are ready to accept the responsibilities of a law-abiding and productive member of society.

(4) In addition to the grounds shown in chapter 32 of this Code, the ~~director~~manager of licensing and consumer protection may refuse to issue an ice cream vendor's license to any applicant whose record shows one (1) or more convictions for an alcohol or drug related driving offense or a pattern of convictions for traffic violations.

(5) In addition to the grounds shown in chapter 32 of this Code, the ~~director~~manager of licensing and consumer protection may revoke or suspend an ice cream vendor's license for any violations of sections 36-6 or 38-89 of this Code. Permits authorized by section 38-89(e) of this Code shall not be valid for persons acting as ice cream vendors.

Sec. 23-56. - Exception to license requirements for a children's neighborhood beverage stand.

(1) As used in this article III, "children's neighborhood beverage stand" means a temporary food establishment that is:

(e) Operated no closer than two hundred (200) feet from a temporary food vendor selling beverages permitted by the department of parks and recreation or licensed by the department of ~~excise and licenses~~licensing and consumer protection;

Section 14. That chapter 24 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 24-51. - Required.

It shall be unlawful for any person to maintain a private water supply system except as provided in and authorized by this article and rules and regulations adopted and promulgated in pursuance hereof and without first having obtained a license from the ~~director of excise and licenses~~manager of licensing and consumer protection so to do.

Sec. 24-52. - Application.

In addition to the requirements of chapter 32, the application for a license under this division shall contain other information required by the ~~director of excise and licenses~~manager of licensing and consumer protection and the department of public health and environment in respect to the private water supply system proposed to be maintained for which a license is sought.

Sec. 24-53. - Issuance or denial.

The ~~director of excise and licenses~~manager of licensing and consumer protection shall submit all applications for licenses under the terms of this division to the department of public health and environment which shall inspect the premises of the applicant with regard to the provisions of this article and rules and regulations adopted and promulgated hereunder relative to the maintenance of private water supply systems. The department shall return the application to the ~~director of excise and licenses~~manager of licensing and consumer protection with its endorsement of approval or disapproval, and the ~~director~~manager of licensing and consumer protection shall issue or deny the license in accordance with chapter 32.

Denver, CO., Rev. Ordinances ch. 24, art. IV

Sec. 24-71. - License required.

(a) It is unlawful for any person to manufacture ice for sale without having first obtained a license from the ~~director of excise and licenses~~manager of licensing and consumer protection.

(b) It is unlawful for any person to distribute or sell ice without having first obtained a license from the ~~director of excise and licenses~~manager of licensing and consumer protection.

Sec. 24-212. - Licensing required.

1 It shall be unlawful to operate a crematory without first having obtained from the ~~director of~~
2 ~~excise and licenses~~manager of licensing and consumer protection a license therefor. Fees shall be as
3 prescribed in section 32-66. Medical hospitals, duly licensed pursuant to the laws of the state and the
4 ordinances of the city, shall be exempt from licensing under the provisions of this division. All duly
5 licensed medical hospitals shall, however, comply with all other terms and conditions of this division
6 and shall be required to have an accord of inspection services as provided herein.

7
8 **Sec. 24-246. - Licensing required.**

9 It shall be unlawful for any person to engage in the cleaning of cesspools, privies, privy vaults,
10 septic tanks or grease traps without first obtaining a license as a cesspool cleaner from the ~~director of~~
11 ~~excise and licenses~~manager of licensing and consumer protection. Application and license fees are
12 prescribed in section 32-59.

13
14 **Sec. 24-247. - Inspection and approval of vehicle proposed for use.**

15 The applicant shall, at the time of presenting application to the ~~director of excise and~~
16 ~~licenses~~manager of licensing and consumer protection, exhibit to the ~~director~~manager of licensing and
17 consumer protection for inspection and approval each vehicle proposed to be used in the business;
18 and shall, before entering upon the business, cause to be plainly painted on each side of vehicle, in
19 letters not less than six (6) inches in height, the name of the owner and the number of the license
20 granted under this division.

21
22 **Sec. 24-351. - Purpose and declaration of policy.**

23 (5) Delegate to the ~~director of the department of excise and licenses~~ manager of licensing
24 and consumer protection the duty and authority to license body artists, permanent body art
25 establishments, and mobile body art vehicles, and issue permits for temporary special event body art
26 facilities, after consultation with, and where appropriate the approval of, the department of public
27 health and environment and other appropriate municipal agencies;

28
29 **Sec. 24-352. - Definitions.**

30 (8) ~~Director means the director of the department of excise and licenses, or the director's~~
31 ~~duly authorized representative.~~[Reserved]

32 (12) *License* means written approval by the ~~director~~manager of licensing and consumer
33 protection to either perform body art procedures or to operate a body art establishment or mobile body
34 art vehicle.

(16) *Permit* means written approval by the ~~director~~manager of licensing and consumer protection for a person, while at a special event, to perform body art procedures or operate a temporary special event body art facility.

Sec. 24-361. - License required.

(a) It shall be unlawful for any person to advertise an offer to perform, solicit another person for purposes of performing, agree to perform, or perform any body art procedure on another living person, in exchange for anything of value, unless he or she has a valid body artist license or temporary body artist permit issued by the ~~director of excise and licenses~~manager of licensing and consumer protection.

Sec. 24-364. - Temporary body artist permit; required.

(a) The ~~director~~manager of licensing and consumer protection may issue temporary body artist permits to allow body artists to perform body art procedures outside of the premises of a licensed body art establishment. These may only be issued on a limited or one-time basis, for the purposes of an educational seminar, industry trade shows, product demonstration, or a special event, and are only valid in a temporary body art facility.

(2) The ~~director~~manager of licensing and consumer protection shall require proof that each temporary special event body art facility has been certified for approval by the appropriate municipal agencies, prior to issuing any temporary body artist permit for said event.

(b) It shall be unlawful for any person to advertise an offer to perform, solicit another person for purposes of performing, agree to perform, or perform any body art procedure on another living person, in exchange for a thing of value, in a temporary body art facility, unless they have a valid temporary body artist permit issued by the ~~director~~manager of licensing and consumer protection to perform body art procedures at the permitted location.

(c) An applicant for a temporary body artist permit shall submit an application with the ~~director~~manager of licensing and consumer protection not less than thirty (30) days prior to the date of the event, upon forms provided by the ~~director~~manager of licensing and consumer protection for that purpose, providing such information as required by the ~~director~~manager of licensing and consumer protection. Applications may be submitted by mail or by third parties, only if the application also contains the following additional information:

Sec. 24-365. - Issuance or denial.

(3) The person previously held a body artist license, temporary body artist permit, or any

1 similar license, permit, or privilege in another jurisdiction, which was revoked within the previous five
2 (5) years; nonetheless, the ~~director~~manager of licensing and consumer protection, after consultation
3 with and approval of the manager, may still issue said license or permit where, in the ~~director~~manager
4 of licensing and consumer protection's discretion, the applicant presents reasonable and reliable
5 assurances of future compliance with this article and the rules and regulations of the board.

6 (4) Any circumstances that would be lawful grounds for the suspension or revocation of a
7 license if such a license had been issued. In considering the conviction of a crime, the
8 ~~director~~manager of licensing and consumer protection shall consider whether, in fact, the applicant is
9 of good moral character at the time of the application. The intent of this provision is to expand
10 employment opportunities for persons who, notwithstanding the fact of conviction of an offense, have
11 been rehabilitated and are ready to accept the responsibilities of a law-abiding and productive member
12 of society.

13 (b) If the applicant for a license is found acceptable to the ~~director~~manager of licensing and
14 consumer protection and all the provisions of chapter 32 of the Revised Municipal Code have been
15 met, the license shall be granted. If the license is denied, upon the written request of the applicant, the
16 ~~director~~manager of licensing and consumer protection shall issue a written order stating the reasons
17 supporting the denial of the license and a copy of this order shall be sent to the applicant at the
18 applicant's last known address. Any applicant whose application has been denied and who has
19 requested a written order of the denial of license shall be entitled to a hearing on the denial upon
20 written request to the ~~director~~manager of licensing and consumer protection made within thirty (30)
21 days of the date the order was issued. Such hearing shall be held within thirty (30) days of receipt of
22 the written request for hearing by the ~~director~~manager of licensing and consumer protection.

24 **Sec. 24-366. - Photo identification badge or card.**

25 (a) In addition to the license provided for in this division, the licensee shall be issued a photo
26 identification badge, the content and form of which shall be determined by the ~~director~~manager of
27 licensing and consumer protection. Such photo identification badge must be continuously prominently
28 displayed, free of any obstructions or alterations, at the licensee's individual work station in the
29 licensed body art establishment or mobile body art vehicle at all times the licensee is performing body
30 art procedures.

31 (b) Upon approval of any temporary body artist's permit, the ~~director~~manager of licensing
32 and consumer protection shall issue a photo permit card, which may be released to a third party
33 preauthorized by the applicant. Each temporary body artist must have his or her photo permit card
34 prominently displayed at his or her individual work station in the permitted temporary special event

1 body art facility at all times during the event.

2

3 **Sec. 24-368. - Emergency suspension.**

4 (a) Where the ~~director~~manager of licensing and consumer protection or manager have
5 reasonable grounds to believe that a licensed body artist or temporary body artist permittee has
6 deliberately and willfully violated any section of this article, rule or regulation of the manager, or other
7 applicable federal, state, or municipal law or regulation, or finds that emergency action is necessary
8 because the health, safety or welfare of the public would be endangered by the continuation of the
9 privileges under the license or permit, and incorporates such findings in a written order, the individual
10 body artist license or temporary body artist permit may be immediately suspended.

11

12 **Sec. 24-369. - Suspension or revocation.**

13 (a) The ~~director~~manager of licensing and consumer protection may suspend or revoke any
14 body artist license or temporary body artist permit issued under this division on any of the following
15 grounds:

16 (b) The ~~director~~manager of licensing and consumer protection may, in his or her discretion,
17 place conditions upon any license or permit, during any period of suspension, reasonably related to
18 the rehabilitation of the licensee or permittee or the prevention of future violations of any provision of
19 this article, the rules or regulations of the board adopted under this article, or the laws or regulations of
20 the State of Colorado relating to body art, health, or the practice of medicine.

21

22 **Sec. 24-371. - License or permit required.**

23 (a) It shall be unlawful for any person to engage in the business of operating or managing a
24 body art establishment or mobile body art vehicle without first obtaining a license to engage in such
25 business from the ~~director~~manager of licensing and consumer protection in accordance with the
26 provisions of this article.

27 (b) It shall be unlawful for any person to operate, manage or work in a temporary special
28 event body art facility, without the ~~director~~manager of licensing and consumer protection having first
29 issued a valid temporary permit for the specific location; or to operate, manage, or work in said
30 temporary facility in violation of any limitations or restrictions, if any, of the permit.

31

32 **Sec. 24-373. - Licensing and permits in general.**

33 (d) Application for a special event body art facility permit shall be made to the
34 ~~director~~manager of licensing and consumer protection not less than thirty (30) days prior to the starting

1 date of the event. The special event permit may issue upon the manager's review and approval of
2 plans, submitted by the applicant, for the temporary facility. The ~~director~~manager of licensing and
3 consumer protection shall investigate each temporary body art permit application and either approve
4 or deny such application within twenty (20) days of the filing of the completed application and
5 appropriate permit fee. Approval of the public health and environment, building, fire, and zoning
6 departments of the city shall be required for the issuance of a temporary special event body art facility
7 permit.

8 (e) Body art establishment and mobile body art vehicle licenses are not transferable. Any
9 change of ownership of a body art establishment or mobile body art vehicle shall require a new
10 application and license, payment of fees, and approval of the ~~director~~manager of licensing and
11 consumer protection. However, when a license has been issued to a husband and wife, or to general
12 or limited partners, the death of a spouse or partner shall not require the surviving spouse or partner to
13 obtain a new license, and all rights and privileges granted under the original license shall continue in
14 full force and effect as to such survivors until the expiration date specified on the license. For the
15 purposes of this division, the transfer, sale, or assignment of more than ten (10) percent of the
16 corporate stock of a corporate licensee shall be conclusively presumed to be a change of ownership.

17 18 **Sec. 24-374. - Application.**

19 (a) Application for a body art establishment license, mobile body art vehicle license, or
20 temporary special event facility permit shall be made to the ~~director~~manager of licensing and
21 consumer protection upon forms to be provided by the ~~director~~manager of licensing and consumer
22 protection for that purpose, and the following information shall be provided:

23 (3) Such other information and documents as may be reasonably required by the
24 ~~director~~manager of licensing and consumer protection.

25 (c) The applicant for a body art establishment license shall provide to the ~~director~~manager
26 of licensing and consumer protection proof of the applicant's right of possession of the premises for
27 which application is made and a valid zoning use permit for the intended purpose.

28 (d) The ~~director~~manager of licensing and consumer protection shall take no action upon an
29 application until such time as all required information has been received.

30 31 **Sec. 24-375. - Grounds for denial.**

32 The ~~director~~manager of licensing and consumer protection shall refuse to approve any
33 application under this division and no body art establishment license, mobile body art vehicle license,
34 or temporary special event body art facility permit shall be issued where:

(b) The character of the applicant, or in the case of a corporate applicant, its officers, members, or directors, or its local manager, in the judgment of the ~~director~~manager of licensing and consumer protection, is such that violations of this article would likely result, or the health, welfare, or safety of the public would otherwise be endangered, if a license were granted. In making such determination, the ~~director~~manager of licensing and consumer protection shall consider:

(3) General personal history. Such other facts relevant to the general personal history of the applicant as the ~~director~~manager of licensing and consumer protection shall find necessary to a fair determination of the eligibility of the applicant.

(4) In making a determination as to license history or general personal history of the applicant, or considering the conviction of a crime, the ~~director~~manager of licensing and consumer protection shall consider whether, in fact, the applicant is of good moral character at the time of the application. The intent of this provisions is to expand employment opportunities for persons who, notwithstanding the fact of conviction of an offense, have been rehabilitated and are ready to accept the responsibilities of a law-abiding and productive member of society.

(d) If the applicant is found acceptable to the ~~director~~manager of licensing and consumer protection and all the provisions of chapter 32 of the Revised Municipal Code have been met, the license or permit shall be granted. If the license is denied, upon the written request of the applicant, the ~~director~~manager of licensing and consumer protection shall issue a written order stating the reasons supporting the denial of the license and a copy of this order shall be sent to the applicant at the applicant's last known address. Any applicant whose application has been denied and who has requested a written order of the denial of license shall be entitled to a hearing on the denial upon written request to the ~~director~~manager of licensing and consumer protection made within thirty (30) days of the date the order was issued. Such hearing shall be held within thirty (30) days of receipt of the written request for hearing by the ~~director~~manager of licensing and consumer protection.

Sec. 24-377. - Temporary summary suspension; hearing.

(a) Upon the apparent inability or willful failure of any licensee to comply with lawful corrective orders of the manager, the body art establishment or mobile body art vehicle license, or any portion of the licensed premises that can be reasonably and reliably separated, isolated, and closed, may be temporarily or summarily suspended or closed, pending public proceedings by the ~~director~~manager of licensing and consumer protection for suspension or revocation of said license.

(c) The manager may reinstate the privileges of said licensee or permittee prior to any public proceeding by the ~~director~~manager of licensing and consumer protection, upon certification that both compliance with their previous orders and reasonable and reliable assurances of future compliance

1 are present.

2 (e) No temporary or summary suspension of any portion of a licensed establishment
3 premises or vehicle shall be longer than fifteen (15) days before a public show cause hearing shall be
4 held before the ~~director~~manager of licensing and consumer protection for the possible revocation or
5 suspension of said license.

6

7 **Sec. 24-378. - Revocation or suspension; notice of hearing.**

8 (a) The ~~director~~manager of licensing and consumer protection, on his or her own motion or
9 on complaint, after investigation and public hearing, at which the licensee shall be afforded an
10 opportunity to be heard, may suspend, for a period up to six (6) months, or revoke any body art
11 establishment or mobile body art vehicle license, or may revoke any temporary special event permit, if
12 the ~~director~~manager of licensing and consumer protection finds that:

13 (c) The ~~director~~manager of licensing and consumer protection may, in his or her discretion,
14 place conditions upon any suspended license or permit, during the period of suspension, reasonably
15 related to the rehabilitation of the licensee or the prevention of future violations of any provision of this
16 article, the rules or regulations promulgated by the board under this article, or the laws or regulations
17 of the State of Colorado relating to body art, health, or the practice of medicine.

18 (d) Every licensee whose license has been suspended by the ~~director~~manager of licensing
19 and consumer protection shall post two (2) notices in the most conspicuous places on the exterior and
20 interior of the premises or vehicle for the duration of the suspension. The notices shall be two (2) feet
21 in length and fourteen (14) inches in width, consist of black lettering on a white background, at least
22 one (1) inch in height and appropriate width, and in the following form:

23

NOTICE OF SUSPENSION

24

THE LICENSE ISSUED

25

FOR THESE PREMISES HAS BEEN

26

SUSPENDED BY ORDER OF THE

27

~~DIRECTOR OF EXCISE AND LICENSES~~MANAGER OF LICENSING AND CONSUMER

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PROTECTION

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OF THE CITY AND COUNTY OF DENVER

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FOR VIOLATION OF THE

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DENVER REVISED MUNICIPAL CODE.

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33 **Sec. 24-379. - Renewals.**

34 (a) Application for the renewal of an existing body art establishment license or mobile body

art vehicle license shall be made to the ~~director~~manager of licensing and consumer protection not less than thirty (30) days prior to the date of expiration.

(b) The ~~director~~manager of licensing and consumer protection may refuse to renew any license for good cause, subject to judicial review.

Sec. 24-381. - Registration of local resident agent required.

It shall be unlawful for any person to own or operate a body art establishment, mobile body art vehicle, or temporary special event body art facility, unless they have filed a current registration statement with the department of ~~excise and licenses~~licensing and consumer protection, designating an authorized local resident agent, who is at least twenty-one (21) years of age, who resides or has an office within the City and County of Denver, for receipt of legal notices of violations and receiving service of process for violations of this Code. Whenever such local resident agent is changed, or the address of the local resident agent is changed, such owner or local manager shall, within five (5) days, register the name and address of the new local resident agent or the new address of the local resident agent with the ~~director~~manager of licensing and consumer protection.

Sec. 24-401. - Definitions.

(b) ~~Director means the director of the department of excise and licenses of the City and County of Denver and the director's authorized representative. [Reserved]~~

Sec. 24-421. - Applications.

All retail tobacco store license applications shall be submitted on forms provided by the ~~director~~manager of licensing and consumer protection. In addition to information required by chapter 32 of this Code, the applications shall contain the following information:

(b) Any supplemental materials the ~~director~~manager of licensing and consumer protection deems necessary to implement this division 2 and any rules adopted by the board or the department of ~~excise and licenses~~licensing and consumer protection.

Sec. 24-422. - Grounds for denial.

(b) In addition to the grounds set forth in chapter 32 of this Code, an application for a retail tobacco store license shall be denied under this division 2 if:

(2) This subsection (b) shall not apply to any application for a retail tobacco store license submitted on or before January 1, 2021 or to an applicant who can produce to the satisfaction of the ~~director~~manager of licensing and consumer protection documentary or other empirical evidence that

the sale of tobacco products occurred at the subject location prior to January 1, 2021. Documentary or empirical evidence shall include documentation that verifies the sale of tobacco at the subject location, including, but not limited to, tax documents, sales receipts, or other documentation deemed sufficient by the ~~director~~manager of licensing and consumer protection. An affidavit stating that the retail tobacco store sold tobacco products prior to January 1, 2021, without additional documentation, shall not constitute sufficient documentary or empirical evidence for purposes of this paragraph (2).

Sec. 24-423. - Transferability of license.

(b) *Ownership transferable.* A retail tobacco store license shall be transferable from one (1) person to another upon approval by the ~~director~~manager of licensing and consumer protection. Any application to transfer ownership of a retail tobacco store license may be denied for the reasons set forth in section 24-422, except that any transfer of ownership of a retail tobacco store license shall not affect any exemption that the licensed premises may enjoy from the location restrictions set forth in section 24-422(b).

Sec. 24-424. - Term of licenses; renewals

(b) Except when the department of ~~excise and licenses~~licensing and consumer protection has received a complete renewal application, it shall be unlawful for a retail tobacco store to sell, give, deliver, or furnish tobacco products after the expiration date recorded upon the face of the license issued pursuant to this division 2.

(c) In addition to the grounds for denial and revocation provided in chapter 32 of this Code, the ~~director~~manager of licensing and consumer protection may refuse to renew a license for any of the grounds for denial provided in section 24-422 or any grounds for revocation provided in section 24-425.

Sec. 24-425. - Suspension, revocation, and other sanctions.

(b) Procedures for investigation of license violations, and for suspension, revocation, or other licensing sanctions as a result of any such violation, shall be as provided in chapter 32 of this Code and any rules and regulations promulgated by the ~~director~~manager of licensing and consumer protection.

Sec. 24-426. - Rules and regulations.

(c) The ~~director~~manager of licensing and consumer protection may adopt such rules and regulations as may be necessary for the purpose of administering and enforcing the provisions of this

article XI and any other ordinances or laws relating to and affecting the licensing and operation of retail tobacco stores.

(d) It shall be unlawful for any person to violate a rule or regulation adopted by the board or the ~~director~~manager of licensing and consumer protection pursuant to this section.

Section 15. That chapter 26, article I of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 26-2. - Required licenses and fees.

(a) *License.* Any person operating a boarding home, or a personal care boarding home, shall first obtain a license to operate such a facility from the ~~director of excise and licenses~~manager of licensing and consumer protection pursuant to chapter 32 of this Code. A separate license shall be obtained for each such location and facility.

(b) *Application referrals.*

(1) Applications for a license to operate a boarding home, or personal care boarding home, as provided for in chapter 32 of this Code shall be forwarded to all appropriate city agencies, including, but not limited to, the department of public health and environment, department of zoning administration, department of safety, division of community corrections, neighborhood inspection services, fire prevention bureau, building inspection division, and the wastewater division of the department of transportation and infrastructure. Such city agencies shall investigate, inspect, and make recommendations to the ~~director of excise and licenses~~manager of licensing and consumer protection as provided for in chapter 32 of this Code. Such agencies may recommend that conditions which are related to the intent of this article or other ordinances and rules and regulations and to the protection of the health and safety of the residents and employees of such home and the residents of the city be included in any license issued by the ~~director of excise and licenses~~manager of licensing and consumer protection.

(d) *Provisional licenses.*

(1) Upon recommendation from the department of public health and environment and payment of the fee established in section 32-54 of this Code, the ~~director of excise and licenses~~manager of licensing and consumer protection may issue a provisional license to an applicant for the purpose of operating a personal care boarding home for a single ninety-day period.

Sec. 26-4. - Unlawful activities.

(a) It shall be unlawful for any person to operate a boarding home or personal care boarding home, without a license to operate such a facility from the ~~director of excise and licenses~~manager of

licensing and consumer protection. A separate license shall be obtained for each such location and facility.

Sec. 26-16. - Operation of nongovernmental residential facilities for the treatment or supervision of offenders.

(a) *General requirements.*

(1) The facility shall designate in writing a Director who is responsible for the day to day management and operation of the facility. The director so designated shall sign the written designation accepting this responsibility. The director shall be responsible for execution of every duty imposed upon the facility, its employees and case managers under this article and sections 26-15 and 26-16. In the event that the designated director is discharged, resigns, or otherwise ceases to accept or perform the responsibilities of director, the facility shall name a new director, complete a new written designation, obtain the new director's signature accepting this responsibility, and provide the same in writing to the ~~director of excise and licenses~~manager of licensing and consumer protection within thirty (30) days.

Section 16. That chapter 27 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 27-192. – Definitions.

(1) *Department* means the department of ~~excise and licenses~~licensing and consumer protection.

~~(2) *Director* means the director of excise and licenses.~~

~~(3)~~ *Dwelling unit* shall have the meaning set forth in the Denver Zoning Code.

~~(4)~~ *Home inspector* means a professional who meets the following qualifications:

- a. Certified by either the American Society of Home Inspectors, Inc., the International Association of Certified Home Inspectors, Inc., or the Master Inspector Certification Board, Inc.; and
- b. Certified as a Combination Building Inspector by the International Code Council.

~~(4)~~ *Manager* means the manager of licensing and consumer protection.

Sec. 27-193. - License required.

(a) ~~*License required—Residential rental property:*~~ apartment complexes and multi-unit homes. After January 1, 2023, it shall be unlawful for any person to offer, provide, or operate a residential rental property consisting of two (2) or more dwelling units on a parcel under that person's

ownership without first obtaining a license for that residential rental property as provided in this article VIII and in compliance with any and all applicable laws. Examples of two (2) or more dwelling units on a parcel include, but are not limited to apartment complexes, multi-unit structures, and any other type of home where two (2) or more dwelling units are provided for rent. The ~~director~~manager may issue a single residential rental property license for any residential property situated on two (2) or more contiguous parcels under the same ownership.

Sec. 27-194. - Application.

(a) *Application requirements.* All residential rental property license applications shall be made on forms provided by the ~~director~~manager and shall include, in addition to any information required by chapter 32 of this Code, all supplemental materials required by this article and any rules adopted pursuant thereto. The ~~director~~manager may, at the ~~director~~manager's discretion, require additional documentation associated with the application, as may be necessary, to enforce the requirements of this article VIII.

Sec. 27-196. - Inspections.

(d) *Deadlines for inspections.* The ~~director~~manager shall not accept verification of a successful inspection if the verification is completed more than ninety (90) days prior to the residential rental property application date. Applicants for a residential rental property may submit verification of a successful inspection at any time during the application period, as long as the verification occurred no more than ninety (90) days prior to the residential rental property application date. Verification of a successful inspection must be submitted prior to issuance of the license by the department.

Sec. 27-199. - Term license, renewal.

(b) *Application materials and deadlines.* Residential rental property license renewals shall be governed by the standards and procedures set forth in chapter 32 of this Code. Applications to renew a residential rental property shall be made in the manner provided by the ~~director~~manager.

(c) *Inspection prior to renewal.* Residential rental property licensees shall cause the licensed premises to be inspected pursuant to section 27-196 prior to renewal. The ~~director~~manager shall not accept verification of a successful inspection if the verification is not within ninety (90) days of the renewal application date, except as provided for in section 27-196(c).

Sec. 27-200. - Suspension, revocation, and other sanctions.

(b) *Disciplinary procedures.* Procedures for investigation of license violations and for suspension, revocation or other licensing sanctions as a result of any such violation shall be as provided in chapter 32 of this Code and any rules and regulations promulgated by the ~~director~~manager.

Sec. 27-201. - Rules and regulations.

The ~~director~~manager may adopt such reasonable rules and regulations as may be necessary for the administration and enforcement of the provisions of this article and any other ordinances or laws relating to and affecting the licensing and operation of residential rental properties. It shall be unlawful for any person to violate a rule or regulation adopted by the ~~director~~manager pursuant to this section.

Sec. 27-202. - Reporting.

Report to city council. The ~~director~~manager shall report in writing to city council by July 1 of each year, beginning in 2022, regarding the issuance of rental licenses.

Section 17. That chapter 31 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 31-41. - Required.

It shall be unlawful for any person, without obtaining a license therefor from the ~~director of excise and licenses~~manager of licensing and consumer protection, to engage in the business of operating a dry cleaning establishment.

Sec. 31-42. - Application.

In addition to the requirements of chapter 32, the application for a license under this division shall contain other information required by the ~~director of excise and licenses~~manager of licensing and consumer protection in respect to the undertaking proposed to be conducted under the terms of the license and the facilities and equipment of the establishment for which a license is sought.

Sec. 31-44. - Issuance or denial.

The ~~director of excise and licenses~~manager of licensing and consumer protection shall submit all applications for licenses under the terms of this section to the manager of public health and environment who shall inspect or cause to be inspected the establishment of the applicant with regard

to the provisions of this section relative to construction, equipment, cleanliness and sanitary facilities. The manager shall return the application to the ~~director of excise and licenses~~manager of licensing and consumer protection with endorsement of approval or disapproval, and the ~~director~~manager of licensing and consumer protection shall issue or deny the license.

Section 18. That chapter 32 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 32-1. - Enforcement by ~~director of excise and licenses~~manager of licensing and consumer protection to have exclusive licensing powers; hearing officers.

(a) ~~Director of the department of excise and licenses~~Manager of licensing and consumer protection—*Authority.* The ~~director~~manager shall have full power to grant, renew, suspend during investigation, and suspend or revoke after notice and hearing, any license issued under authority of this chapter 32.

(b) *Designation of authority.* The ~~director~~manager may designate a hearing officer or other such person to carry out the duties of this chapter. The hearing officer shall be appointed by the ~~director~~manager and shall serve at the ~~director~~manager's pleasure. The ~~director~~manager may delegate to the hearing officer the hearing of all matters, appeals, and cases which the ~~director~~manager may hear. The ~~director~~manager or hearing officer shall have the power to control the hearing including, but not limited to... If so delegated, a hearing officer shall hear all testimony and prepare a written statement of findings and recommendations to the ~~director~~manager. The ~~director~~manager shall review all matters contained in the record and considered by the hearing officer as set forth in the written findings and thereupon make a final decision and determination. Unless stated otherwise, the ~~director~~manager is not bound by the written findings and recommendations of the hearing officer.

Sec. 32-3. – Definitions

(2) *Department* means the ~~Denver Department of Excise and Licenses~~department of licensing and consumer protection.

(3) ~~Director~~ means the director of the Denver Department of Excise and Licenses.

(43) *Good moral character* means having a criminal background or licensing history that demonstrates honesty, fairness, and respect for the rights of others and for local, state, and federal law.

(54) *Identification card* means a card or badge issued to an individual licensee or permittee to

1 conduct or engage activity for which a license is required.

2 (65) *Law enforcement officer* has the meaning set forth in [section 38-116](#) of this Code.

3 (76) *License* means a license granted to a person to engage in or conduct activities for which
4 a license is required pursuant to state or local law. The term "license" is synonymous with the term
5 "permit" and all general license provisions of this Code shall equally apply to any permit granted by the
6 department.

7 (87) *Licensed premises* means the premises specified in an application for a license pursuant
8 to this Code, that is owned or in possession of the licensee, and within which the licensee is
9 authorized to conduct activities permitted by such license.

10 (98) *Licensee or permittee* means any person holding a valid license or permit issued by the
11 department.

12 (9) *Manager* means the manager of licensing and consumer protection.

13

14 **Sec. 32-5. - Application requirements.**

15 (a) *Application requirements—generally.* The application for every license required by and
16 issued under the authority of this [chapter 32](#) shall be made to the department in the manner provided
17 by the ~~director~~manager. Applications shall be deemed incomplete and will not be acted upon if the
18 department does not receive the requisite application fee and the application does not contain:

19 (1) The information required by this Code;

20 (2) Any other information required pursuant to an applicable statutory authority; or

21 (3) Any other information required by the ~~director~~manager.

22 (b) *Administrative closure of applications—Failure to complete application within one (1)*
23 *year.* Pending applications shall be administratively closed, without a hearing, one (1) year after the
24 date of application. Once an application is administratively closed the applicant must begin the
25 licensing process anew. At the ~~director~~manager's discretion, the ~~director~~manager may reopen an
26 application that has been administratively closed if the applicant can produce, no later than thirty (30)
27 days after administrative closure, documentary, or other empirical evidence to establish good cause
28 for the failure to complete the application process.

29 (c) *Application withdrawal.* An applicant may request that their application be withdrawn in a
30 form or manner provided by the ~~director~~manager. The ~~director~~manager, in the ~~director~~manager's
31 discretion, may approve or deny the withdrawal request. Upon approval of the request, the application
32 shall be administratively closed and the applicant must be begin the licensing process anew.

33 (d) *Refund of application fees.* The ~~director~~manager may refund application fees for
34 administratively closed or withdrawn applications upon a showing of good cause.

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Sec. 32-6. - Fees and bond requirements

- (b) *Waiver of license fees.* The ~~director~~manager may waive the local licensing fees for licenses granted by the department as provided in rules promulgated by the department.
- (c) *Proration of fees.* The ~~director~~manager may prorate the license fee if a license is issued...
- (g) *Rebate of fees—Uncontrollable circumstances.* If the ~~director~~manager, in the ~~director~~manager's discretion, determines that the licensee's business has been involuntarily terminated due to circumstances occurring outside of the licensee's control, the licensee may surrender the license and receive a rebate in the amount set forth in this section.
- (i) *Rebate of fees prohibited for suspended and revoked licenses.* Licenses shall not be eligible for a rebate of the license fee if the license has pending disciplinary action, is currently subject to license suspension, or if the ~~director~~manager determines that the license should be revoked or otherwise subject to disciplinary action.
- (j) *Bond requirements.* When the terms of this Code or any other applicable statutory authority set out bond requirements, no license shall be issued until the licensee or applicant furnishes the requisite and required bond with a surety to be approved by the ~~director~~manager. The following conditions shall be attached to the bond:

Sec. 32-7. - Approval by other officials.

Upon receipt of any application, the ~~director~~manager may give notice of the application to any other city agency or department. The applicant shall obtain any and all necessary permits, licenses, and other regulatory approvals from the city departments and agencies prior to the issuance, modification, or renewal of the license.

Sec. 32-9. – Transferability

- (b) *Administrative changes to addresses.* The department may amend license addresses so long as the physical location of the premises is not changing, and the ~~director~~manager determines such change is necessary for implementation of this Code.

Sec. 32-10. - Term of licenses; renewals.

- (c) *Late renewal.* A licensee whose license has been expired for not more than ninety (90) days may file a late renewal application upon the payment of the requisite license fee and a penalty

1 fee of twenty (20) percent of the amount of the license fee if the application for renewal is filed less
2 than thirty (30) days after the date upon which the license expires, or the requisite license fee and a
3 penalty fee of fifty (50) percent of the amount of the license fee if the application for renewal is filed
4 more than thirty (30) days after the date upon which the license expired. The ~~director~~manager may
5 waive or adjust any and all of such penalty and additional fee whenever, in the ~~director~~manager's
6 judgment, the delinquency in the prompt receipt of such application and fee is not the fault of the
7 licensee and to collect or require the payment thereof would be an injustice.

8 (e) *Cease of operations after expiration.* A licensee shall cease operations upon the
9 expiration date of the license. Upon filing a complete application and paying the requisite fee, the
10 licensee may continue operating in compliance with all applicable provisions of this Code and any
11 other applicable statutory authority until final agency action on the renewal. However, the
12 ~~director~~manager may require that operations cease if the license is subject to disciplinary action,
13 pending final agency action on the renewal application, or the licensee has not received any required
14 approvals, inspections, or permits from another agency.

15 (f) *Renewal hearing.* The ~~director~~manager may, upon the ~~director~~manager's own motion or
16 upon complaint, hold a hearing concerning any application for license renewal if there are grounds for
17 denial or suspension of the license.

18 (g) *Standards for denial of renewal application.* In addition to any other grounds specified in
19 this Code, the ~~director~~manager may deny a renewal application if:

20 (3) Any fact or condition exists which, if it had existed or had been known to exist at the time
21 of the application for such license, would have warranted the ~~director~~manager in refusing originally to
22 issue such license; or
23

24 **Sec. 32-11. - Causes for denial; hearings; and license conditions.**

25 (a) *Causes for denial.* No license authorized under this Code shall be issued or renewed if:

26 (6) The applicant is not of good moral character, has previously operated a similar
27 establishment in an unlawful manner, or has a license history that does not warrant the confidence of
28 the ~~director~~manager that the license will be lawfully operated.

29 (b) *Denial appeal procedure.* If it shall come to the attention of the ~~director~~manager that one
30 (1) or more of the above grounds exists, the application shall be denied. In the event that the
31 application is denied, the ~~director~~manager shall furnish the applicant a copy of the order and the
32 reasons supporting the denial upon the written request of the applicant. Any applicant whose
33 application has been denied without a hearing shall be entitled to a hearing on his application upon
34 written request to the ~~director~~manager, except as provided in section 32-5. Except as otherwise

provided by the specific terms or provisions pertaining to a license, a written request for a hearing must be submitted within ten (10) days of the mailing date of the order of denial. The ~~director~~manager may require the payment of a filing fee which shall accompany the request for an appeal hearing. A request for an appeal hearing without the accompanying fee shall not be accepted.

(c) *License conditions.* The ~~director~~manager may place conditions on a license to ensure that the licensee will operate lawfully or to incorporate the specific and enforceable provisions of a good neighbor agreement. Where possible, the ~~director~~manager may alter specific provisions requested to be placed as conditions on the license, while keeping the intent of the parties to the agreement, to make those provisions legal and enforceable by the department. All such conditions attached to the license shall continue to apply to renewed or transferred licenses until the conditions are removed or modified by the ~~director~~manager.

Sec. 32-12. - Unlawful acts.

(g) Failure to comply with subpoena. It shall be unlawful for any person, except for government officials acting in the course of their duties, to refuse to obey a subpoena issued by the ~~director~~manager.

(h) Failure to comply with rules and regulations. It shall be unlawful for any person to violate a rule or regulation adopted by the ~~director~~manager.

Sec. 32-13. - Investigations, records, subpoenas, and administrative warrants.

(b) *Department records.* The ~~director~~manager shall keep a record of all licenses issued, setting forth: the name of every licensee; the place of business licensed, if any; the residence of the licensee or of each of the individual members of the licensee firm, or of each of the directing officers of the licensee corporation; the kind and grade of license issued; the date the license was issued; and the date on which the license expires.

(c) *Administrative subpoenas.* The ~~director~~manager shall have the authority to issue subpoenas to compel the attendance and testimony of witnesses, with or without documentary evidence, at a hearing and compel the production of books and documents necessary for the parties' preparation for a hearing, or to delegate said authority. The department may petition the county court to enforce the subpoena upon non-compliance by the responsive party in the manner identified in the City Charter § 4.2.9.

(d) *Service of administrative subpoenas.* The ~~director~~manager may serve the subpoena by personal service as provided in C.R.C.P.4(e) or by certified mail to the subpoenaed party at the last known address provided to the department.

1
2 **Sec. 32-14. - Summary suspension.**

3 Where the ~~director~~manager has objective and reasonable grounds to believe and finds, upon a
4 reasonable ascertainment of the underlying facts, that the licensee has been guilty of deliberate and
5 willful violation or that the public health, safety, or welfare imperatively requires emergency action and
6 incorporates the findings in its order, the ~~director~~manager may summarily suspend the license pending
7 proceedings for suspension or revocation which shall be promptly instituted and determined as
8 provided in section 32-15.
9

10 **Sec. 32-15. - Disciplinary actions; sanctions, penalties.**

11 (a) *Disciplinary action—generally.* The ~~director~~manager may, on the ~~director~~manager's own
12 motion or upon complaint, and after investigation and a show-cause hearing at which the licensee
13 shall be afforded an opportunity to be heard, impose penalties on any license for any of the following
14 circumstances:

15 (2) The licensee has failed either to file the required reports or to furnish such information as
16 may be reasonably required by the ~~director~~manager under the authority vested in the ~~director~~manager
17 by the terms of the provisions relating to the specific license;

18 (b) *Notice.* Notice of suspension or revocation, as well as any required notice of a show-
19 cause hearing, shall be given by mailing the same in writing to the licensee at the licensee's last
20 address of record with the ~~director~~manager.

21 (e) *Penalties.* In addition to any other penalties prescribed by this Code or other applicable
22 statutory authority, the ~~director~~manager may impose any of the following penalties or combination of
23 such penalties on the license: suspension, revocation, fine, fine in lieu of suspension, or placement of
24 conditions on the license. The ~~director~~manager may also hold penalties in abeyance upon compliance
25 with terms and conditions identified by the ~~director~~manager.

26 (f) *Fines and fines in lieu of suspension.* Unless provided for otherwise, the ~~director~~manager
27 may assess an administrative fine or fine in lieu of suspension against the licensee not to exceed five
28 thousand dollars (\$5,000.00) per violation. If the fine is not paid by that date set by the
29 ~~director~~manager, the ~~director~~manager may suspend the license or permit until the fine is paid without
30 a hearing.

31 (g) *License conditions as a result of disciplinary action.* In addition to, or in the alternative to,
32 any suspension, revocation, or administrative fine imposed for any violation, the ~~director~~manager may
33 impose new or additional terms, requirements, conditions, or limitations on any license or permit
34 issued or under this Code.

(h) *Restrictions on applications for new license(s).* No application for the issuance of any license issued by the department shall be received or acted upon if, within two (2) years preceding the date of the application, the applicant has had a similar license revoked by the ~~director~~manager may impose new or additional terms, requirements, conditions, or limitations on any license or permit issued or under this Code.

Sec. 32-16. - Termination and surrender of license; effect of termination, surrender, or suspension.

(a) *License surrender.* Any licensee may request that their license be surrendered. The ~~director~~manager, in the ~~director~~manager's discretion may approve or deny the surrender request. However, any surrender shall not affect the civil or criminal liability for acts committed prior thereto, nor entitle the licensee to a refund of the license fee for any remaining portion of the license term.

Sec. 32-19. - Rules and regulations.

The ~~director~~manager may make such reasonable rules and regulations as may be necessary for the purpose of administering and enforcing the provisions of this article and any other ordinances or laws relating to and affecting the licensing of businesses and individuals that operate in the city.

Sec. 32-54. - Boarding homes.

(b) Tax exempt charitable organizations and state agencies that engage in the business of operating boarding homes within the city shall have their application fee and annual license fees waived by the ~~director~~manager ~~of excise and licenses~~.

Sec. 32-107.5. - Retail tobacco stores.

(2) Annual license fee (For any retail tobacco store licensee licensed prior to July 1, 2020, the ~~director~~manager is authorized to waive the annual license fee one time only.)500.00

Sec. 32-128. - Valet operator license.

(2) License fee: \$875.00

These fees shall be waived where the valet operator establishes to the satisfaction of the ~~director~~manager that the license is solely for a valet client business that is nonprofit.

Section 19. That chapter 33 of the Code shall be amended by deleting the language stricken

1 and adding the language underlined, to read as follows:

2 **Sec. 33-26. - Required.**

3 It shall be unlawful to conduct any hotel, rooming house or lodging house without obtaining a license
4 therefor from the ~~director of excise and licenses~~manager of licensing and consumer protection.

6 **Sec. 33-27. - Application.**

7 Before any license shall be granted under this division, an application shall be filed with the
8 ~~director of excise and licenses~~manager of licensing and consumer protection, by the applicant for such
9 license, stating the location, giving the street number in the city, the number of rooms contained in the
10 hotel, rooming house or lodging house, and giving two (2) or more references as to the integrity and
11 good moral character of the applicant.

13 **Sec. 33-29. - Causes for denial or revocation of license.**

14 (a) In addition to the grounds stated in chapter 32 of this Code for denial of a license, no
15 lodging license shall be issued when:

16 (1) The applicant, or any person with a financial interest of twenty-five (25) percent or
17 greater in the facility stated in the application, has been convicted of a felony, a misdemeanor, or a
18 nontraffic city ordinance violation for which jail is a possible penalty, within the five (5) years
19 immediately preceding the date of the application. If an applicant is entitled to a hearing pursuant to
20 chapter 32 of this Code, upon proof by the applicant of rehabilitation and a finding by the ~~director of~~
21 ~~excise and licenses~~manager of licensing and consumer protection that the applicant, at the time of the
22 hearing, has been rehabilitated and is ready to accept the responsibilities of a law-abiding and
23 productive member of society, the ~~director~~manager may issue a license.

24 (2) Within the five (5) years previous to the date of application, the applicant, or any person
25 with a financial interest of twenty-five (25) percent or greater in the facility stated in the application, has
26 committed or allowed acts to occur while operating any hotel, rooming house, or similar facility outside
27 the city which, if the facility had been located within the city, would justify revocation of any license
28 pursuant to paragraph (b) of this section. If an applicant is entitled to a hearing pursuant to chapter 32
29 of this Code, upon proof by the applicant of rehabilitation and a finding by the ~~director of excise and~~
30 ~~licenses~~manager of licensing and consumer protection that the applicant, at the time of the hearing,
31 has been rehabilitated and is ready to accept the responsibilities of a law-abiding and productive
32 member of society, the ~~director~~manager may issue a license.

33 (3) Within the five (5) years previous to the date of application, the applicant, or any person
34 with a financial interest of twenty-five (25) percent or greater in the facility stated in the application,

committed or allowed acts to occur while operating any hotel, rooming house, lodging house, or similar facility, which would justify suspension or revocation of a license pursuant to paragraph (b) of this section. If an applicant is entitled to a hearing pursuant to chapter 32 of this Code, upon proof by the applicant of rehabilitation and a finding by the ~~director of excise and licenses~~manager of licensing and consumer protection that the applicant, at the time of the hearing, has been rehabilitated and is ready to accept the responsibilities of a law-abiding and productive member of society, the ~~director~~manager may issue a license.

(b) In addition to the grounds for revocation or suspension of a license stated in chapter 32 of this Code, the ~~director of excise and licenses~~manager of licensing and consumer protection may suspend or revoke a lodging license when the ~~director~~manager finds, after a show cause order has been issued and the licensee has had the opportunity to be heard, that the licensed facility is a place where prostitution or other violations of state criminal statutes or nontraffic city ordinances have occurred. Whenever any license issued pursuant to this chapter has been revoked pursuant to this section, the ~~director of excise and licenses~~manager of licensing and consumer protection shall not grant another license for that location for a period of one (1) year following the effective date of the revocation.

Sec. 33-30. - Restrictions on licenses.

In approving a lodging facility license, the ~~director of excise and license~~manager of licensing and consumer protection may impose reasonable restrictions on the license, including, but not limited to, requirements for security, lighting, fencing, and prohibiting violations of law by guests. Prior to imposing such restrictions, the ~~director of excise and licenses~~manager of licensing and consumer protection may conduct an investigation to determine if such restrictions are necessary. The ~~director~~manager shall issue a written report enumerating the conditions that make such restrictions necessary, and a copy of this report shall be given to the applicant. All such restrictions shall be in writing, shall be attached to the license, and shall continue to apply to renewed or transferred licenses until the restrictions are canceled by the ~~director of excise and licenses~~manager of licensing and consumer protection. In addition to the grounds stated in chapter 32 of this Code, violations of restrictions on the license shall be grounds to suspend or revoke any license issued under this chapter.

Sec. 33-31. - Objection to restrictions; posting; hearing.

An applicant may object to any restrictions imposed pursuant to section 33-30. All such objections must be in writing and delivered to the ~~director of excise and licenses~~manager of licensing

1 and consumer protection no more than ten (10) days after delivery of the written report which
2 enumerated the conditions that make restrictions on a license necessary. Failure to make written
3 objections within the ten (10) days shall be deemed acceptance of the restrictions. Upon receipt of
4 written objections to the restrictions the ~~director of excise and licenses~~manager of licensing and
5 consumer protection shall:

6 (a) Schedule a public hearing concerning the restrictions. This hearing shall be not less than
7 forty (40) days from the date of receipt of the written objections to restrictions. The ~~director~~manager
8 shall designate the neighborhood being affected by such application. The designation of the
9 geographical extent and boundaries of such neighborhood shall be within the sole discretion of the
10 ~~director~~manager.

11 (b) The ~~director~~manager shall require public notice of the hearing concerning restrictions on
12 the license to be given by the posting of a notice of the public hearing. The posting shall be for a
13 period of not less than thirty (30) consecutive days in advance of the public hearing. The posting shall
14 be in a conspicuous place on the premises whereon the facility is proposed to be operated, legible
15 from the public street or public way (other than an alley) nearest to such premises. This public notice
16 shall contain the following information: (i) the name and address of the applicant, (ii) the designated
17 neighborhood, (iii) that the hearing concerns restrictions to the lodging license, (iv) that the applicant
18 objects to some or all of the restrictions, and (v) the time and place of the public hearing on the
19 application. Such posted notice of the public hearing shall be displayed on a sign or signs, in number,
20 size and location as prescribed by the ~~director~~manager.

21 (c) At the time and place specified in the notice, or at such other time to which the hearing
22 may be continued by the ~~director~~manager, the ~~director~~manager or any hearing officer shall receive
23 petitions and hear such information and evidence as may be offered by the applicant and residents of
24 the designated neighborhood concerning the conditions in the neighborhood that promote violations of
25 law on the premises requesting a license and the effect the issuance of the license without the
26 restrictions would have on the health or welfare or morals of the designated neighborhood. For
27 purposes of this section, the word resident shall mean residents of the designated neighborhood and
28 all owners or managers of businesses located in the designated neighborhood. Admissibility of
29 evidence, exhibits and petitions shall conform with the general rules of evidence.

30 (d) The imposition or nonimposition of any restriction on the license shall rest within the sole
31 discretion of the ~~director~~manager after evidence has been presented during such public hearing. In
32 making the decision, the ~~director~~manager shall consider all of the items shown above in subsection
33 (c).

1 **Sec. 33-46. - Definitions.**

2 (2) ~~Department~~ means the ~~Denver Department of Excise and Licenses~~department of
3 licensing and consumer protection.

4 ~~(3) — Director means the director of the Denver Department of Excise and Licenses.~~

5 (43) *Licensed premises* means the premises specified in an approved application for a
6 license under this chapter which are owned or in the possession of the licenses and within which such
7 licensee is permitted to provide short-term rental in accordance with the provisions of this article.

8 (4) Manager means the manager of licensing and consumer protection.

9

10 **Sec. 33-48. - Application.**

11 (a) Before any license under this article is issued, an application shall be submitted to the
12 ~~director~~manager pursuant to chapter 32. All applications shall be made upon forms provided by the
13 ~~director~~manager. The ~~director~~manager may, at the ~~director~~manager's discretion, require additional
14 documentation associated with the application as may be necessary to enforce the requirements of
15 this article III or chapter 32. In addition to any other requirements, applicants shall provide the
16 following documentation showing the official City and County of Denver address of the short-term
17 rental:

18 e. Any other legal documentation deemed sufficient by the ~~director~~manager which is
19 pertinent to establishing primary residency; and

20

21 **Sec. 33-49. - Unlawful acts.**

22 (e) *Insurance*. It shall be unlawful to operate a short-term rental without, fire, hazard and
23 liability insurance within the liability coverage limits set by the ~~director~~manager.

24

25 **Sec. 33-50. - Brochures.**

26 Each short-term rental shall provide a brochure on the licensed premises that includes the
27 licensee's contact information, a local responsible party's contact information, and any necessary
28 emergency contact information. ... but not limited to, parking restrictions, restrictions on noise and
29 amplified sound, trash collection schedule, relevant water restrictions, fire evacuation routes, and any
30 other information, as required by the ~~director~~manager, applicable to the short-term rental and the
31 surrounding neighborhood.

32

33 **Sec. 33-52. - Term license, renewal.**

(d) Except where the ~~director~~manager has received a complete renewal application along with the requisite fees, it shall be unlawful for any person to operate a short-term rental after the expiration date recorded upon the face of the short-term rental license.

Sec. 33-53. - Issuance or denial.

(a) The short-term rental is not the applicant's primary residence. In determining whether a location is the applicant's primary residence for short-term rental licensing purposes, the ~~director~~manager may consider any of the following applicable factors:

(7) Whether any other relevant information discovered by the ~~director~~manager or submitted by the applicant indicates that the short-term rental is or is not the applicant's primary residence.

(d) The applicant fails to obtain or maintain insurance in the amounts set by the ~~director~~manager.

Sec. 33-54. - Disciplinary actions; sanctions; penalties.

(b) Procedures for investigation of license violations and for suspension, revocation or other licensing sanctions as a result of any such violation shall be as provided in chapter 32 of this Code and any rules and regulations promulgated by the ~~director~~manager.

Section 20. That chapter 33.5 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 33.5-1. - Definitions.

~~(2) Director means the director of the Denver Department of Excise and Licenses.~~

~~(32) Department means the Denver Department of Excise and Licenses~~department of licensing and consumer protection.

~~(3) Manager means the manager of the department of licensing and consumer protection.~~

Sec. 33.5-2. - License required; exemptions.

(c) *Pattern of criminal behavior.* If there is a continued pattern of criminal behavior with arrests, complaints regarding sexual misconduct, or criminal intent that is related to human trafficking disguised as a legitimate exemption under this section, the ~~director~~manager may, at the ~~director~~manager's discretion, determine that a facility is no longer exempt from licensing pursuant to subsection 33.5-2(b).

1 **Sec. 33.5-3. - Application.**

2 (b) The ~~director~~manager may, at the ~~director~~manager's discretion, require additional
3 documentation associated with any application as may be necessary to enforce the requirements of
4 this article.

5
6 **Sec. 33.5-5. - Terms of licenses; renewals.**

7 (d) In addition to any other grounds specified in this Code, the ~~director~~manager may refuse
8 to renew a license for any of the causes for denial provided in section 33.5-6 or any of the causes for
9 disciplinary action provided in section 33.5-7.

10
11 **Sec. 33.5-7. - Disciplinary actions.**

12 (b) Procedures for investigation of license violations, and for suspension, revocation, or
13 other licensing sanctions as a result of any such violation, shall be as provided in chapter 32 of the
14 Code and any rules and regulations promulgated by the ~~director~~manager.

15
16 **Sec. 33.5-9. - Rules and regulations.**

17 (a) The ~~director~~manager may make such reasonable rules and regulations as may be
18 necessary for the purpose of administering and enforcing the provisions of this article and any other
19 ordinances or laws relating to and affecting the licensing and operation of massage businesses.

20 (b) It shall be unlawful for any person to violate a rule or regulation adopted by the
21 ~~director~~manager pursuant to this section.

22
23 **Section 21.** That chapter 35 of the Code shall be amended by deleting the language stricken
24 and adding the language underlined, to read as follows:

25 **Sec. 35-66. - Required.**

26 It shall be unlawful for any person to operate or maintain, or to hold themselves out as
27 operating or maintaining, any trailer park within the corporate limits of the city unless, in addition to the
28 trailer park and health permits required, a license shall be first applied for and obtained by such
29 person from the ~~director of excise and licenses~~manager of licensing and consumer protection.

30
31 **Sec. 35-67. - Application.**

32 (a) The application for a license under this division shall be made in writing on a printed form
33 furnished by the ~~director of excise and licenses~~manager of licensing and consumer protection.

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Sec. 35-69. - Issuance.

The license required by this division shall be issued by the ~~director of excise and licenses~~manager of licensing and consumer protection only upon being advised by the ~~director~~manager of building inspection that, after investigation, it has been found that the applicant is a fit and proper person to operate and maintain a trailer park, that such trailer park will be in conformity with the plan of the trailer park permit, and that a health permit has been issued.

Sec. 35-70. - Display.

The license issued under this division shall be evidenced by a printed form signed by the ~~director of excise and licenses~~manager of licensing and consumer protection which shall be posted by the licensee in a protected and conspicuous place on the trailer park premises to which the license pertains.

Sec. 35-72. – Transfer

(b) Application for transfer shall be made to the ~~director of excise and licenses~~manager of licensing and consumer protection and shall be referred by the ~~director~~manager to the director of building inspection for investigation of the character and fitness of the transferee, and inspection of the trailer park in question.

(c) Upon recommendation of such transfer by the director of building inspection to the ~~director~~manager, the license shall be transferred to the transferee upon payment by the transferee of a transfer fee of twenty dollars (\$20.00).

Sec. 35-74. - Revocation or suspension.

(c) If the board finds from the evidence that such violation has not been committed, it shall so advise the licensee and dismiss the charge, but if the board finds from the evidence that such violation has been committed it shall so advise the licensee and shall forthwith certify to the ~~director of excise and licenses~~manager of licensing and consumer protection, in writing, in accordance with chapter 32, a statement particularizing such violation.

Section 22. That chapter 38, article IV, division 1 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 38-89. - Disturbance of the peace.

(b) *Sound-amplifying equipment.* No person shall use or operate or allow to be used or operated any loudspeaker, public address system, radio, tape player, disc player or other sound-amplifying equipment in or on a motor vehicle in such a manner as to be plainly audible at twenty-five (25) feet from the motor vehicle unless a permit has been issued by the manager of ~~excise and licenses~~licensing and consumer protection pursuant to subsection (e) herein which allows such amplification. If such a permit has been issued, the intensity and loudness of any amplified sound which is transmitted shall comply with the provisions of chapter 36.

(e) *Permit.* Any person, partnership, association or corporation desiring to use or operate any loudspeaker, public address system or other sound-amplifying equipment in or from a motor vehicle for either commercial or noncommercial purposes which is plainly audible at twenty-five (25) feet must first obtain a permit from the manager of ~~excise and licenses~~licensing and consumer protection. The permit may authorize the use or operation of such sound-amplifying equipment between the hours of 7:00 a.m. and 10:00 p.m. for one (1) day. The application for the permit shall be filed with the manager of ~~excise and licenses~~licensing and consumer protection and shall provide the following information:

Section 23. That chapter 42 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 42-103. - Exemptions; conferences with alarm users.

(b) *Exception.* If there is reason to believe that any alarm system is not being used or maintained in a manner that ensures proper operation and suppresses false alarms, the police department, ~~excise and licenses~~licensing and consumer protection, fire department, or the building department may require a conference with an alarm permit holder and the individual or association responsible for maintenance of the alarm system to review the circumstances of each false alarm.

Sec. 42-104. - Alarm user permits required.

(a) It shall be unlawful for any person to own, use, lease, operate, or maintain an alarm system within the city unless such person shall have first obtained a permit from the ~~director of excise and licenses~~manager of licensing and consumer protection. There will be no guaranteed police department response to unpermitted systems. If, in a permit year, a permitted system generates five (5) avoidable alarms, which are recorded and upheld following any appeal as described in section 42-112, the alarm call status for police assistance for that permitted system will change from "emergency" to "general broadcast," as described in section 42-111. This status will remain in effect until a new

1 permit year begins.

2

3 **Sec. 42-105. - Alarm user permit application**

4 (a) In order to obtain an alarm user permit, any person who operates an alarm system shall
5 submit an application for such permit in the form designated by the city, which application shall contain
6 the following:

7 (6) Any other information as the ~~director of excise and licenses~~manager of licensing and
8 consumer protection may require.

9 (c) The manager of safety and the ~~director of excise and licenses~~manager of licensing and
10 consumer protection shall issue such rules, regulations and procedures governing use of permit
11 applications as are necessary to protect their confidentiality and provide for the efficient management
12 of information.

13

14 **Sec. 42-106. - Issuance.**

15 Upon receipt of a properly executed application, the ~~director of excise and licenses~~manager of
16 licensing and consumer protection shall issue an alarm user permit to the applicant. Alarm user
17 permits shall not be transferable and shall be maintained on the premises where the alarm system is
18 located and made available for inspection by police, fire, ~~excise and licenses~~licensing and consumer
19 protection, and building department personnel. Issuance of an alarm user permit, however, does not
20 guarantee emergency response to the alarm.

21

22 **Sec. 42-112. - Challenge to avoidable alarm classification.**

23 The ~~director of excise and licenses~~manager of licensing and consumer protection shall
24 establish procedures for administrative review of avoidable alarms to provide an opportunity for an
25 alarm user to challenge each avoidable alarm during a permit year to present evidence as to why any
26 such alarm should not be classified as an avoidable alarm. In order to present such evidence for
27 administrative review, an alarm user must so notify the ~~director of excise and licenses~~manager of
28 licensing and consumer protection in writing within thirty (30) days after the date of mailing of any
29 notification of an avoidable alarm. The failure to give timely notice shall be deemed a waiver of the
30 right to challenge the classification of avoidable alarm. If, within thirty (30) days after notification of
31 avoidable alarm number five (5), an alarm user does not request an administrative review, or if the
32 classification is upheld after administrative review, additional calls for service generated from the
33 user's system will receive the police department's "general broadcast" classification. Alarm users
34 eligible for and awaiting an administrative review will continue to receive emergency service, pending

the ~~director of excise and licenses~~manager of licensing and consumer protection' determination.

Sec. 42-115. - Permit for police alert alarms; charges for false alarms.

(a) *Permit for police alert alarms.* No person shall own, use, lease, operate or maintain a police alert alarm within the city unless such person shall have first obtained a permit from the ~~director of excise and licenses~~manager of licensing and consumer protection. The permit application shall contain such information as the ~~director of excise and licenses~~manager of licensing and consumer protection, with the advice of the manager of safety, shall require.

Sec. 42-116. - Required.

(a) It shall be unlawful for any business, firm, corporation or other commercial entity to operate, monitor, maintain, install or sell an alarm system without a license from the ~~director of excise and licenses~~manager of licensing and consumer protection.

(b) It shall be unlawful for any alarm business to operate, maintain or monitor an alarm system within the city unless such alarm system has a permit, granted by the ~~director of excise and licenses~~manager of licensing and consumer protection, in full force and effect.

(c) When an alarm business required to be licensed under this division requests a response by an emergency agency to the location of an alarm system, they shall provide to the emergency agency the permit number assigned by the department of ~~excise and licenses~~licensing and consumer protection to the alarm system. The alarm business shall be charged a penalty of twenty-five dollars (\$25.00) for providing an incorrect alarm system permit number or no permit number. Any alarm business required to be licensed under this division shall be charged a penalty of twenty-five dollars (\$25.00) each and every time they request an emergency response to an alarm or alarm system that has not been issued a permit granted by the ~~director of excise and licenses~~manager of licensing and consumer protection pursuant to this article. No alarm business shall be allowed to renew its license if any penalties due and owing under this subsection are unpaid. Any agency receiving a request for an emergency response to an alarm or alarm system shall notify the department of ~~excise and licenses~~licensing and consumer protection when a request for emergency response to an alarm or alarm system that has not been issued a permit pursuant to this article is received, or when either an incorrect or no alarm system permit number has been provided. This notification shall include the name of the alarm business making the request, date and time of the request, and the location to which the response was requested and, if either an incorrect or no alarm system permit number was provided by the alarm business, the correct and incorrect alarm system permit number, or the fact no alarm permit number was provided. The department of ~~excise and licenses~~licensing and consumer

protection shall notify the alarm business requesting the response that the location was not permitted or that either an incorrect or no alarm system permit number was provided, and assess the penalty. The penalty shall be considered due, owing, and payable to the city thirty (30) days after the department of ~~excise and licenses~~licensing and consumer protection has sent notice to the alarm business of a request for an emergency response to an unpermitted alarm or that either an incorrect or no alarm system permit number was provided. If prior to the expiration of the thirty-day period, the alarm business provides proof satisfactory to the ~~director of excise and licenses~~manager of licensing and consumer protection that the alarm or alarm system for which the emergency response was required was issued a permit by the department of ~~excise and licenses~~licensing and consumer protection prior to the request for an emergency response and that the correct alarm system permit number was provided, or, that the request for an emergency response to the unpermitted location was not made by the alarm business, the ~~director of excise and licenses~~manager of licensing and consumer protection shall vacate the penalty.

Sec. 42-117. - Application.

A business, firm, corporation or other commercial entity that is in the business of owning, operating, maintaining, monitoring, installing or selling alarm systems shall submit in writing an application for a license to the ~~director of excise and licenses~~manager of licensing and consumer protection. Such application shall contain, when applicable, specific provisions relating to testing procedures; to the skill and competency of the applicant to be a permittee; to the quality, efficiency and effectiveness of the alarm systems or proprietary systems owned or to be operated, maintained, monitored, installed or sold by the applicant; to procedures used to verify alarms and to such other information as the ~~director~~manager shall find reasonably necessary to effectuate the purpose of this article. Each application shall indicate the name, address and telephone number of a representative of the applicant who can be contacted to service the applicant's alarm systems or proprietary systems.

Sec. 42-119. - Issuance.

The ~~director of excise and licenses~~manager of licensing and consumer protection is hereby authorized to issue a vendor license to any business, firm, corporation or other commercial entity, authorizing such business, firm, corporation or other commercial entity to do business in the city by performing any or all of the following functions: to own, operate, maintain, install or sell alarm systems or proprietary systems.

Sec. 42-120. - Alarm business regulations.

(a) Every alarm business in the city shall provide all alarm systems purchasers or lessees with written instructions that provide adequate information to enable the alarm user to operate the alarm properly. A current copy of all such written instructions shall be furnished to the ~~director of excise and licenses~~manager of licensing and consumer protection upon its request.

(b) Every alarm business in the city shall provide all alarm system purchasers or lessees with an application for an alarm user permit in the form designated by the ~~director~~manager.

(d) Any alarm business which monitors or responds to an alarm system shall verify all alarms other than police alert alarms or holdup alarms, if possible, by telephone or by another method of verification that has been approved by the ~~director of excise and licenses~~manager of licensing and consumer protection. A record of all verification attempts shall be kept by the alarm business for a period of one (1) year and shall be made available to the ~~director of excise and licenses~~manager of licensing and consumer protection upon request.

Sec. 42-131. - Definitions.

(4) ~~Director means the director of the Denver Department of Excise and Licenses~~Manager means the manager of licensing and consumer protection.

Sec. 42-132. - License required; exemptions.

(f) *Security guard license and identification card.*

(1) In addition to a license, each security guard shall be issued an identification card which shall contain, at minimum, the following information:

d. The signature of both the card-holder and the ~~director~~manager;

(2) The identification card must be carried on the licensee's person at all times when the licensee is performing security services, and shall be exhibited upon request by a law enforcement officer, the ~~director~~manager, or other city official. It shall be unlawful for any licensee, or for any agent or employee of the licensee, to fail to comply with this section.

(g) *Termination or changes in employment.*

(1) Whenever the employment of a security guard is terminated for any reason, the employer shall notify the ~~director~~manager within seventy-two (72) hours of such termination.

(2) When the employment of a security guard is terminated, the security guard shall notify the ~~director~~manager within seventy-two (72) hours of such termination.

(3) Any person changing place of business or adding an employer shall notify the ~~director~~manager of such fact within seventy-two (72) hours, together with the name and address of the new place of business or new employer. It shall be the responsibility of the licensee to keep contact

1 information current with the ~~director~~manager.

2 (h) *Reporting requirements.*

3 (1) When a security guard is convicted of any crime specified in section 42-142 of this
4 article, the security guard shall notify the ~~director~~manager within seventy-two (72) hours of such
5 conviction.

6 (2) Whenever a security guard, while providing security services, uses force that results in
7 bodily harm to another person, the security guard must immediately contact the Denver police
8 department and shall notify the ~~director~~manager within seventy-two (72) hours of such use of force.

9

10 **Sec. 42-133. - Application requirements.**

11 All applications for licensing as a security guard or private security employer shall be made upon forms
12 provided by the ~~director~~manager and shall include, in addition to any information required by Chapter
13 32 of this code, all supplemental materials required by this article V and any rules adopted pursuant
14 thereto.

15

16 (1) *Security guard license.* Every application for a security guard license shall contain the
17 following:

18 a. The name of the private security employer by whom the applicant will be employed, the
19 address of the employer, the nature of the services to be rendered, and any other pertinent
20 information required by the ~~director~~manager. In addition, the applicant must provide written
21 documentation that the applicant will be employed by a private security employer in the event the
22 application is approved;

23 (2) *Private security employer license.* Every application for a license to operate as a private
24 security employer shall contain the following;

25 h. Certificates of insurance demonstrating minimum insurance coverage as required in
26 section 42-138 of this article V and any rules or regulations promulgated by the ~~director~~manager.

27

28 **Sec. 42-134. - Required training.**

29 (c) *Minimum training requirements.* For new license applications, in addition to any other
30 training required by the ~~director~~manager, the security guard training verification shall indicate the
31 applicant completed at least sixteen (16) hours of basic security training, which shall include, at
32 minimum:

33 (5) Any additional training required by the ~~director~~manager.

34

1 **Sec. 42-135. - Vehicles, uniforms, and badges.**

2 (a) *Vehicles.*

3 (1) All vehicles used by any licensee providing or performing security services within the city
4 shall be approved by the ~~director~~manager, and once determined, shall not be changed except with
5 approval from the ~~director~~manager. The licensee is responsible for submitting any vehicle design or
6 design change to the ~~director~~manager for approval.

7 (b) *Uniforms and badges.*

8 (1) All uniforms shall be presented to the ~~director~~manager for approval prior to being used
9 by any licensee to provide security services, and once this determination is made, it shall not be
10 changed except with approval from the ~~director~~manager. The licensee is responsible for submitting
11 any proposed uniform design or design change for approval.

12 (6) Notwithstanding the requirement of a uniform in paragraph (2) of this subsection (b),
13 upon written request from a private security employer, the ~~director~~manager may provide specific
14 authorization for licensees to perform security services while wearing plainclothes. Such request must
15 provide sufficient detail to support the need for an exemption from the uniform requirement, and the
16 decision to allow an exemption lies within the sole discretion of the ~~director~~manager.

17
18 **Sec. 42-138. - Minimum insurance requirements.**

19 In addition to any other insurance coverage required by the ~~director~~manager, private security
20 employers shall meet the following minimum insurance requirements in amounts as required by the
21 ~~director~~manager:

22 (4) Certificates of insurance shall be submitted to the ~~director~~manager before any license
23 may be issued or renewed.

24
25 **Sec. 42-140. - Unlawful acts.**

26 In addition to any other acts prohibited by this chapter, it shall be unlawful:

27 (8) For any licensee to wear a uniform, badge or insignia other than that authorized by the
28 ~~director~~manager.

29
30 **Sec. 42-141. - Term of licenses; renewals.**

31 (b) Except when the ~~director~~manager has received a complete renewal application, it shall
32 be unlawful for any person to provide security services after the expiration date recorded upon the
33 face of the license issued pursuant to this article V.

34 (c) Applications for renewal of a private security employer license shall include:

(3) Any additional information as required by the ~~director~~manager.

(d) Applications for renewal of a security guard license shall include:

(3) Any additional information as required by the ~~director~~manager.

(e) In addition to any other grounds specified in this Code, the ~~director~~manager may refuse to renew a license for any of the causes for denial provided in section 42-142.

Sec. 42-143. - Disciplinary actions.

(b) Procedures for investigation of license violations, and for suspension, revocation, or other licensing sanctions as a result of any such violation, shall be as provided in chapter 32 of the Code and any rules and regulations promulgated by the ~~director~~manager.

Sec. 42-161. - Rules and regulations.

(a) The ~~director~~manager may make such reasonable rules and regulations as may be necessary for the purpose of administering and enforcing the provisions of this article and any other ordinances or laws relating to and affecting the licensing and operation of security guards and private security employers.

(b) It shall be unlawful for any person to violate a rule or regulation adopted by the ~~director~~manager pursuant to this section.

Section 24. That chapter 44 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 44-121. - Additions to inventory.

A licensee under this article shall make no additions whatsoever, during the period of the licensed sale, to the stock of goods set forth in the inventory attached to the application for a license, unless and until the applicant has filed a supplemental application and inventory or statement for the additional goods with the ~~director of excise and licenses~~manager of licensing and consumer protection, and the director has found that such additions are required or desirable to aid in the conduct of the sale of the goods in the original inventory. Such supplemental inventory or statement shall be in such form and detail as may be required by the director. If the supplemental inventory or statement is found to be insufficient, written notice thereof shall be given to the applicant, and the applicant shall be granted permission to amend the same. The applicant shall not be denied the right to add goods unless the applicant is given an opportunity for a hearing with five (5) days' written notice thereof.

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Sec. 44-131. - Required.

A license issued by the ~~director of excise and licenses~~manager of licensing and consumer protection shall be obtained by any person before selling or offering to sell any goods at a sale to be advertised or held out by any means to be one (1) of the following kinds:

Sec. 44-132. - Application.

A person desiring to conduct a sale regulated by this article shall make a written application to the ~~director of excise and licenses~~manager of licensing and consumer protection setting forth and containing the following information:

(6) An inventory or statement, in such form and in such detail as the ~~director of excise and licenses~~manager of licensing and consumer protection may require, setting forth the amount and description of the goods to be sold at such sale, and when required by the director, the date of acquisition of such goods, the persons from whom obtained, and the place from which the goods were last taken.

Sec. 44-133. - Investigation; denial or issuance.

(a) Upon the filing of an application under this division, the ~~director of excise and licenses~~manager of licensing and consumer protection may make or cause to be made an investigation, examination or audit of the applicant and the applicant's affairs in relation to the proposed sale.

(b) If the ~~director of excise and licenses~~manager of licensing and consumer protection finds the statements in the application are true and complete, and the proposed method of conducting the sale are not such as to work a fraud on purchasers by misrepresentation or deception, then the director shall issue a license; otherwise, the director shall deny it. The director may deny a license on insufficiency of information in the application, statement or inventory, but in that event the director shall notify, in writing, the applicant of the specific grounds of insufficiency and shall grant the applicant permission to file an amended or supplemental application, statement or inventory.

Sec. 44-137. - Type of sale authorized.

(b) The license shall authorize only the sale of goods described in the inventory attached to the application, in the form and detail as required by the ~~director of excise and licenses~~manager of licensing and consumer protection, and only such additional goods as have been approved for sale by the director after a supplemental inventory has been filed, as provided by the terms of this division.

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Sec. 44-138. - Renewal.

The ~~director of excise and licenses~~manager of licensing and consumer protection shall renew a license for one (1) period of time only, such period to be in addition to the sixty (60) days permitted in the original license and not to exceed thirty (30) consecutive days, Sundays and holidays excluded, when the director finds:

Sec. 44-139. - Suspension or revocation.

In addition to the other penalties herein provided, the ~~director of excise and licenses~~manager of licensing and consumer protection shall have the power to suspend or to revoke, to any time, any license issued under this division whenever any such sale is conducted in violation of the provisions of this article or in such manner as to deceive or defraud the public.

Section 25. That chapter 45 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 45-51. - Required.

It shall be unlawful for any person to be a pawnbroker except as provided in and authorized by this article and without first having obtained a license from the ~~director of excise and licenses~~manager of licensing and consumer protection.

Sec. 45-53. - Bond required.

The licensee or applicant under this division shall furnish a good and sufficient bond with a surety to be approved by the ~~director of excise and licenses~~manager of licensing and consumer protection in the sum of five thousand dollars (\$5,000.00) conditioned for the faithful observance of this article and conditioned for the safekeeping or return of all articles held in pledge by the pawnbroker.

Sec. 45-54. - Issuance or denial.

If the ~~director of excise and licenses~~manager of licensing and consumer protection shall find after investigation that the requirements of chapter 32 have been met and that the financial responsibility, experience, character and general fitness of the applicant, or of the members thereof, if the applicant be a firm, or of the officers and directors thereof, if the applicant be a corporation, are such as to command the confidence of the public and to warrant belief that the business will be

operated lawfully, honestly, fairly and efficiently for the purpose of this article, the ~~director~~manager shall thereupon issue and deliver to the applicant a pawnbroker's license for use at the premises specified in the application.

Sec. 45-71. - Transferability.

The ~~director of excise and licenses~~manager of licensing and consumer protection may permit the license of a secondhand dealer, automobile parts recycler, or junk dealer to be transferred from one (1) person to another or from one (1) location to another pursuant to chapter 32 of the Revised Municipal Code. Junk wagon licenses shall not be transferable.

Sec. 45-72. - Rules and regulations.

The ~~director of excise and licenses~~manager of licensing and consumer protection shall have the authority to make and promulgate such rules and regulations as the ~~director~~manager finds necessary for the administration and enforcement of this article and articles IV, V, and VI of this chapter. It shall be unlawful for any person to violate a rule or regulation adopted by the ~~director~~manager pursuant to this section.

Sec. 45-89. - Reports, notice.

(e) Except in the case of flea markets and similar facilities as provided in this subsection (e), every secondhand dealer shall conspicuously post a notice in a place clearly visible to all buyers and traders which sets forth the provisions of this section and of C.R.S. sections 18-13-114 and 18-13-116 and which sets forth the penalties for violating such sections and for violating C.R.S. section 18-4-410, concerning theft by receiving. Such notification shall include information to the effect that stolen property may be confiscated by any peace officer and returned to the rightful owner without compensation to the buyer. In the case of flea markets and similar facilities, the operator thereof shall post the notice required in this section in such a manner as to be obvious to all persons who enter the flea market or similar facility. The department of ~~excise and licenses~~licensing and consumer protection shall print and provide the notices required by this subsection. It shall be unlawful for any secondhand dealer or operator of a flea market or similar facility to violate any of the provisions of this subsection.

Sec. 45-101. - Required.

It shall be unlawful for any person to be a secondhand dealer as described in section 45-66 without first having applied for and obtained a secondhand dealer license from the ~~director of excise and licenses~~manager of licensing and consumer protection. In the event that two (2) or more separate

business entities shall be located in the same building, each such entity doing business under this article shall be required to have an individual license.

Sec. 45-102. - Application.

A person desiring to do business in the City and County of Denver as a secondhand dealer shall make application therefor to the ~~director of excise and licenses~~manager of licensing and consumer protection, in writing, on forms provided by the ~~director of excise and licenses~~manager of licensing and consumer protection. The applicant shall further:

(1) Provide proof of approval from the zoning administration, the fire department and the transportation and infrastructure department to the ~~director of excise and licenses~~manager of licensing and consumer protection.

(2) Be of good moral character. In making such determination the ~~director of excise and licenses~~manager of licensing and consumer protection shall consider:

a. *Penal history.* All convictions, the reasons therefor, and the demeanor of the applicant subsequent to his release. The ~~director of excise and licenses~~manager of licensing and consumer protection shall have the authority to require fingerprint checks.

Sec. 45-122. - Vehicle plates.

It shall be unlawful for any person licensed under the provisions of this article to use any other vehicle or allow or cause the same to be used, for the collection or disposal of any of the articles of junk mentioned in this article, without having securely fastened to the rear of such vehicle an identification plate obtained from the ~~director of excise and licenses~~manager of licensing and consumer protection, showing the number of the license required under this article, the word "junk," and the year for which the license has been issued. Such identification plate shall be kept clean so that the words and figures thereof may be easily read.

Sec. 45-123. - Identification card for drivers.

Licensees under this article shall obtain from the ~~director of excise and licenses~~manager of licensing and consumer protection an identification card for the driver of each licensed junk vehicle, having a number thereon corresponding to the number of the identification plate.

Sec. 45-136. - Required.

It shall be unlawful for any person to exercise, carry on, or engage in the business of keeping a junk shop or junk yard for the purchase, sale, barter, exchange or other dealing in or storage of rags,

or old rope; paper or bagging; old iron, brass, copper, tin, slush or lead; empty bottles or other junk; or to exercise, engage in or carry on any such business at any other house or place than that designated in the license of such person; or to draw or drive, or cause to be drawn or driven, through the streets of the city, any handcart, wheelbarrow or other car or vehicle for the purpose of collecting or disposing of such articles or materials; or to use, or to allow or cause to be used, a cart or other vehicle for such purpose, without being first licensed by the ~~director of excise and licenses~~manager of licensing and consumer protection for such purpose.

Sec. 45-138. - Issuance.

The ~~director of excise and licenses~~manager of licensing and consumer protection may issue licenses to such persons as shall produce satisfactory evidence of good character to keep what are commonly called junk shops or junk wagons, or both, for the purchase and sale of old rope, old iron, brass, copper, tin or lead, rags, empty bottles, paper, bagging and other junk.

Sec. 45-144. - Register.

(1) Every person licensed as an automobile parts recycler shall keep and maintain in such person's place of business an easily accessible and permanent daily record of all secondhand or used motor vehicle equipment, attachments, accessories, and appurtenances bought, sold, traded, exchanged, dealt in, or received or disposed of in any manner or way by or through the automobile parts recycler. Said record shall be kept in a good businesslike manner in the form of invoices or in a book by the dealer or proprietor and shall contain a description of any and all said articles of property of every class or kind sufficient for the ready identification thereof by a peace officer, and such record shall include the name and address, legibly written, of the owner, vendor, and vendee, the time and date of such transactions, and the name and address of the driver and of the owner of any motor vehicle received for sale, trade, exchange, storage, repairs, or any other purpose, together with the model year, make and style, and engine or vehicle identification number and state registration license number of such motor vehicle and for what purpose said motor vehicle was so received and what disposition was made thereof. The record and any motor vehicle or used automobile parts still at the location of the licensed automobile parts recycler are to be available at all times during regular business hours to the inspection by the department of ~~excise and licenses~~licensing and consumer protection, the zoning department or any peace officer, and available for use as evidence.

Sec. 45-151. - Required.

It shall be unlawful for any person to be an automobile parts recycler as described in section

45-141 without first having applied for and obtained an automobile parts recycler license from the ~~director of excise and licenses~~manager of licensing and consumer protection. In the event that two (2) or more separate business entities shall be located in the same building, each such entity doing business under this article shall be required to have an individual license.

Sec. 45-152. - Application.

A person desiring to do business in the City and County of Denver as an automobile parts recycler shall make application therefor to the ~~director of excise and licenses~~manager of licensing and consumer protection, in writing, on forms provided by the ~~director of excise and licenses~~manager of licensing and consumer protection. The applicant shall further:

(1) Provide proof of approval from the zoning administrator, the fire department and the transportation and infrastructure department to the ~~director of excise and licenses~~manager of licensing and consumer protection.

(2) Be of good moral character. In making such determination the ~~director of excise and licenses~~manager of licensing and consumer protection shall consider:

a. *Penal history.* All convictions, the reasons therefor, and the demeanor of the applicant subsequent to his release. The ~~director of excise and licenses~~manager of licensing and consumer protection shall have the authority to require fingerprint checks.

c. *General personal history.* Such other facts relevant to the general personal history of the applicant as the ~~director~~manager shall find necessary to a fair determination of the eligibility of the applicant.

d. In making a determination as to license history or general personal history of the applicant, or considering the conviction of a crime, the ~~director~~manager shall consider whether, in fact, the applicant is of good moral character at the time of the application. The intent of this provision is to expand employment opportunities for persons who, notwithstanding the fact of conviction of an offense, have been rehabilitated and are ready to accept the responsibilities of a law-abiding and productive member of society.

e. If the applicant is found acceptable to the ~~director~~manager and all the provisions of chapter 32 of the Revised Municipal Code have been met, the license shall be granted. If the license is denied, upon the written request of the applicant, the ~~director~~manager shall issue a written order stating the reasons supporting the denial of the license and a copy of this order shall be sent to the applicant at the applicant's last known address. Any applicant whose application has been denied and who has requested a written order of the denial of license shall be entitled to a hearing on the denial upon written request to the ~~director~~manager made within thirty (30) days of the date the order was

1 issued. Such hearing shall be held within thirty (30) days of receipt by the ~~director~~manager of the
2 written request for hearing.

3
4 **Section 26.** That chapter 47 of the Code shall be amended by deleting the language stricken
5 and adding the language underlined, to read as follows:

6 **Sec. 47-19. - License for sponsoring juvenile peddlers.**

7 (d) The sponsor shall provide to each juvenile in its sales force a badge or other easily
8 readable form of identification, issued or approved by the department of ~~excise and licenses~~licensing
9 and consumer protection, which identifies the name of the sponsor, the name of the juvenile, the
10 juvenile's date of birth, and the juvenile's address, and which also contains a photograph of the
11 juvenile. The sponsor shall require all juveniles in its sales force to wear such identification so that it is
12 clearly visible at all times when the juveniles are peddling. The ~~director of excise and licenses~~manager
13 of licensing and consumer protection may establish and charge the reasonable cost of issuing such
14 badges.

15
16 **Sec. 47-26. - Required.**

17 (a) Except as provided in paragraph (b) of this section, it shall be a violation of this Code for
18 any individual to peddle goods, merchandise or services without first obtaining a license therefor from
19 the ~~director of excise and licenses~~manager of licensing and consumer protection.

20 (b) It shall be a violation of this Code for any sponsor of juvenile peddlers to allow or
21 promote peddling as provided in section 47-19 without first obtaining a license therefor from the
22 ~~director of excise and licenses~~manager of licensing and consumer protection.

23
24 **Sec. 47-29. - Causes for denial.**

25 (a) As provided in Article I of Chapter 32 and in the exercise of the police powers, the
26 ~~director of excise and licenses~~manager of licensing and consumer protection may deny a license
27 under this division to any of the following persons:

28 (2) Any person whose character and record are such as not to warrant the
29 ~~director~~manager's confidence that the person seeking a license will conduct the business of peddling
30 lawfully, honestly...

31 (5) Any person who has been denied a license under this article within the immediately past
32 year, unless the applicant can and does show to the satisfaction of the ~~director of excise and~~
33 ~~licenses~~manager of licensing and consumer protection that the reasons for such earlier denial no
34 longer exist.

(b) In making a determination as to the character or record, or when considering a criminal or ordinance violation conviction or judgment, the ~~director~~manager shall be governed by the provisions of C.R.S. Section 24-5-101, as amended, pertaining to the effect of criminal convictions on employment rights. The ~~director~~manager shall also give consideration to the following criteria:

(c) As part of the review, the ~~director of excise and licenses~~manager of licensing and consumer protection may require fingerprinting of the applicant and conduct a check of the applicant's background, including a review of the applicant's criminal history record within the five (5) years preceding the date of application.

Sec. 47-30. - Right of appeal.

Any applicant whose application for a peddler's license is denied under section 47-29 is entitled to a hearing upon written request to the ~~director of excise and licenses~~manager of licensing and consumer protection in accordance with Article I of Chapter 32.

Sec. 47-32. - License card.

(a) In addition to any license issued in the form specified in Chapter 32, a peddler shall be issued a license card which shall be of billfold size, approximately two and one-half (2½) inches by four (4) inches, and shall include such identification and other information as specified by the ~~director of excise and licenses~~manager of licensing and consumer protection.

Section 27. That chapter 48 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 48-62. - License required.

Any person who desires to transport solid waste from within the city other than an individual who transports solid waste that he or she has generated, shall obtain a license from the ~~director of excise and licenses~~manager of licensing and consumer protection and shall maintain a record of such license in each transport vehicle and at the solid waste hauler's address. It shall be unlawful for any person to transport solid waste from within the city without a solid waste hauler license, other than an individual who transports solid waste that he or she has generated.

Sec. 48-65. - Rules and regulations.

The manager of transportation and infrastructure or the ~~director of excise and licenses~~manager of licensing and consumer protection shall be empowered to prescribe such rules and regulations as the

manager or director may deem proper and not inconsistent with the Charter and ordinances, to govern the licensing and operation of solid waste haulers.

Sec. 48-66. - Suspension, revocation and other sanctions.

The ~~director of excise and licenses~~manager of licensing and consumer protection may, on the director's own motion or on complaint, and after investigation and a show-cause hearing at which the licensee shall be afforded an opportunity to be heard, suspend, revoke, or fine any license previously issued by the director for any violation of this article or any rule or regulation or law promulgated under this article.

Section 28. That chapter 49 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 49-192. - Definitions.

(d) *Licensed contractor* shall mean:

(1) Any general contractor who is licensed as detailed in sections 49-596 and 49-598 by ~~excise and license~~the department of licensing and consumer protection under the authority of the manager to do work in and on the street right-of-way; or

(2) Any sewer contractor who is licensed as detailed in section 49-616 and 49-618 by ~~excise and license~~the department of licensing and consumer protection under the authority of the manager to do work in and on the street right-of-way; or

(3) Any paving contractor who is licensed as detailed in sections 49-626 and 49-628 by ~~excise and license~~the department of licensing and consumer protection under the authority of the manager to do work in and on the street right-of-way.

Sec. 49-199. - Excavator's license.

It shall be unlawful for any person other than the city or a franchisee to engage in the business of performing excavations on public property without first having obtained an excavation license from the ~~director of excise and licenses~~manager of licensing and consumer protection.

Sec. 49-577. - Application for permit.

(3) The period of time the activities are to be conducted under the permit, subject to the approval of the manager of transportation and infrastructure and of the manager of safety; the manager of public health and environment when food or drink is proposed to be sold; and the ~~director~~

1 ~~of excise and licenses~~manager of licensing and consumer protection when a special state license is
2 required for the sale of beer, wine or liquor;

3
4 **Sec. 49-587. - Appointment of personnel.**

5 The ~~director of excise and licenses~~manager of licensing and consumer protection may, with the
6 approval of the manager of transportation and infrastructure, appoint any and all necessary aides and
7 assistants for the proper execution of the duties of the ~~director of excise and licenses~~manager of
8 licensing and consumer protection as required by this article and to empower any such assistant to act
9 for the director or as a representative or deputy, and to carry into effect any rule adopted by the
10 department of ~~excise and licenses~~licensing and consumer protection pursuant to chapter 32 of the
11 Revised Municipal Code relating to licensing.

12
13 **Sec. 49-596. - Required.**

14 It shall be unlawful for any person to engage in the business of general contracting and
15 construction work except as provided in and authorized by this division and without first having
16 obtained a license from the ~~director of excise and licenses~~manager of licensing and consumer
17 protection so to do.

18
19 **Sec. 49-606. - Required.**

20 It shall be unlawful for any person to engage in the business of constructing bridges, viaducts,
21 public buildings and any and all other public and private structures except as provided in and
22 authorized by this division and without first having obtained a license from the ~~director of excise and~~
23 ~~licenses~~manager of licensing and consumer protection so to do; provided, however, that a general
24 contractor licensed under division 2 of this article shall not be required to be licensed as a structural
25 contractor.

26
27 **Sec. 49-616. - Required.**

28 It shall be unlawful for any person to engage in the business of opening, uncovering or laying
29 storm or sanitary sewers except as provided in and authorized by this division and without first having
30 obtained a license from the ~~director of excise and licenses~~manager of licensing and consumer
31 protection so to do; provided, however, that a sewer layer licensed under chapter 56, article III,
32 division 2, subdivision II, shall not be required to be a licensed sewer contractor for laying private or
33 building sewers, and a general contractor licensed under division 2 of this article shall not be required
34 to be licensed as a sewer contractor.

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Sec. 49-626. - Required.

It shall be unlawful for any person to engage in the business of street or alley paving without first having obtained a license from the ~~director of excise and licenses~~manager of licensing and consumer protection so to do; provided, however, that a general contractor licensed under division 2 of this article shall not be required to be licensed as paving contractor.

Sec. 49-636. - Required.

It shall be unlawful for any person to engage in the business of constructing or installing traffic control devices, fencing, lighting projects, water lines, sprinkling systems, or any other device or object not specifically covered by the licensing provisions contained in divisions 2, 3, 4, 5 and 7 of this article, division 3 of article VIII of this chapter, subdivision II of division 2 of article III of chapter 56, except as provided in and authorized by this division and without first having obtained a license from the ~~director of excise and licenses~~manager of licensing and consumer protection so to do; provided, however, that a general contractor licensed under division 2 of this article shall not be required to be licensed as a special contractor.

Sec. 49-646. - Required; exceptions.

No person shall lay, construct or reconstruct a sidewalk or driveway in the public right-of-way without first procuring a license therefor from the ~~director of excise and licenses~~manager of licensing and consumer protection; except, that this provision shall not apply to the following:

Sec. 49-652. - Revocation of license for failure to reconstruct; re-let of construction.

(a) The manager of transportation and infrastructure may recommend revocation of the license of a contractor who fails or refuses to comply with a written notice hereunder; and, upon receipt of such recommendation, the ~~director of excise and licenses~~manager of licensing and consumer protection shall commence revocation proceedings in accordance with the provisions of article I of chapter 32.

Sec. 49-653. - License suspension or revocation for unsatisfactory work; recovery of cost.

(b) Upon receipt of such recommendation, the ~~director of excise and licenses~~manager of licensing and consumer protection shall commence proceedings to revoke or suspend such license in accordance with the provisions of article I of chapter 32.

Section 29. That chapter 51 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 51-2. - Licensing.

It shall be unlawful for any person to operate a swimming pool except as provided in this chapter and without first having obtained a license from the ~~director of excise and licenses~~manager of licensing and consumer protection. Application and license fees shall be as prescribed in chapter 32 of the Denver Revised Municipal Code.

Section 30. That chapter 53 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 53-2. - Definitions.

(4) ~~"Director of excise and licenses" means the director of excise and licenses for the City and County of Denver.~~[Reserved]

Sec. 53-3. - Administration; rules and regulations.

(a) Except for those provisions of this chapter concerning licensing specifically referring to the ~~director of excise and licenses~~manager of licensing and consumer protection, the administration of articles I through VIII of this chapter is vested in and shall be exercised by the manager, who shall prescribe such forms and such rules and regulations as may in the manager's judgment be necessary or appropriate to carry out the purposes of this chapter, including forms or regulations for the making of returns...

Sec. 53-5. - Third-party collectors.

(b) *Duties, responsibilities, and liabilities.* Upon obtaining a third-party collector license from the ~~director of excise and licenses~~manager of licensing and consumer protection, a third-party collector shall become a collection agent for the city and shall assume all the duties, responsibilities, and liabilities of a vendor as set forth in articles II, III, IV, and VII of this chapter, an employer as set forth in article V of this chapter, a business as set forth in article VI of this chapter, or a telecommunications business as set forth in article VIII of this chapter.

(d) *License.*

(1) *License required.* No person shall engage in third-party collection without first obtaining a third-party collector license from the ~~director of excise and licenses~~manager of licensing and

consumer protection pursuant to chapter 32 of the Code. The failure to comply with this requirement is a violation of this chapter.

(3) *Approval by the manager of finance.* No application for a third-party collector license shall be acted upon by the ~~director of excise and licenses~~manager of licensing and consumer protection unless approved by the manager.

(4) *Revocation.* If a third-party collector fails to comply with any of the requirements of the Code, ordinances or rules of the city pertaining to third-party collectors, the manager may make a written request to the ~~director of excise and licenses~~manager of licensing and consumer protection to revoke the license of the third-party collector. A third-party collector license shall be revoked by the ~~director of excise and licenses~~manager of licensing and consumer protection upon the written request of the manager only after notice and hearing as provided in article I of chapter 32 of the Code.

(5) *Appeal from revocation.* Any finding or order of the ~~director of excise and licenses~~manager of licensing and consumer protection made pursuant to article I of chapter 32 of the Code revoking the third-party collector license of any person or denying the licensing of any person engaged as a third-party collector shall be subject to review in the district court of the second judicial district of the state upon application of the aggrieved person, and the procedure for review shall be in accordance with that set forth in Rule 106(a)(4) of the Colorado Rules of Civil Procedure, as they may be amended from time to time and as any substitutionary provision may be made for review in the nature of certiorari. The decision of the district court may be reviewed in accordance with the Colorado Appellate Rules.

Sec. 53-70. - Required.

(a) No person shall engage in the business of selling within the city at retail without first obtaining a city retail sales license or a special event retail sales license from the ~~director of excise and licenses~~manager of licensing and consumer protection in accordance with the provisions of chapter 32 of the Code.

Sec. 53-72. - Approval by manager of finance.

No application shall be acted upon by the ~~director of excise and licenses~~manager of licensing and consumer protection unless the application is approved by the manager of finance.

Sec. 53-74. - Revocation.

Licenses shall be revoked by the ~~director of excise and licenses~~manager of licensing and consumer protection upon the written request of the manager only after notice and hearing as

1 provided in article I of chapter 32 of the Code.

2

3 **Sec. 53-75. - Appeal from order of revocation.**

4 Any finding or order of the ~~director of excise and licenses~~manager of licensing and consumer
5 protection made pursuant to article I of chapter 32 of the Code revoking the city retail sales license or
6 the special event retail sales license of any person or denying the licensing of any person engaged in
7 the business of selling at retail shall be subject to review in the district court of the second judicial
8 district of the state upon application of the aggrieved person, and the procedure for review shall be in
9 accordance with that set forth in Rule 106(a)(4) of the Colorado Rules of Civil Procedure, as they may
10 be amended from time to time and as any substitutionary provision may be made for review in the
11 nature of certiorari. The decision of the district court may be reviewed in accordance with the Colorado
12 Appellate Rules.

13

14 **Sec. 53-91. - Definitions.**

15 (5) "Retail marijuana store" means an entity licensed by the Colorado Department of
16 Revenue to sell retail marijuana and retail marijuana products to consumers pursuant to section 16 of
17 article XVIII of the Colorado Constitution and the "Colorado Retail Marijuana Code," Article 43.4 of
18 Title 12, C.R.S., and licensed by the department of ~~excise and license~~licensing and consumer
19 protection pursuant to article V of chapter 6 of the Code.

20

21 **Sec. 53-170. - Required.**

22 No person shall engage in the business of furnishing lodging without first obtaining a city
23 lodger's license from the ~~director of excise and licenses~~manager of licensing and consumer protection.
24 In instances in which the business of furnishing lodging is conducted or transacted at two (2) or more
25 separate locations by one (1) person, separate licenses for each location of business shall be
26 required.

27

28 **Sec. 53-172. - Approval by manager of finance.**

29 No application under this division shall be acted upon by the ~~director of excise and~~
30 ~~licenses~~manager of licensing and consumer protection unless approved by the manager or the duly
31 authorized representative thereof.

32

33 **Sec. 53-173. - Revocation.**

1 A city lodger's license shall be revoked by the ~~director of excise and licenses~~manager of
2 licensing and consumer protection upon the written request of the manager or the duly authorized
3 representative, only after notice and hearing.

4
5 **Sec. 53-174. - Appeal from order of revocation.**

6 Any finding or order of the ~~director of excise and licenses~~manager of licensing and consumer
7 protection revoking the city lodger's license of any person or denying the licensing of any person
8 engaged in the business of furnishing lodging shall be subject to review in the district court of the
9 second judicial district of the state upon application of the aggrieved person, and the procedure for
10 review shall be in accordance with that set forth in Rule 106(a)(4) of the Colorado Rules of Civil
11 Procedure, as they may be amended from time to time and as any substitutionary provision may be
12 made for review in the nature of certiorari.

13
14 **Section 31.** That chapter 54 of the Code shall be amended by deleting the language stricken
15 and adding the language underlined, to read as follows:

16 **Sec. 54-419. - Parking in private driveway or on private property.**

17 (d) At a private parking lot or area which is exempt from licensing under article IX of chapter
18 55, it shall be unlawful for any person to tow away any vehicle; or to immobilize any vehicle by
19 installing or attaching to the same a device designed to restrict the normal movement of such vehicle
20 or by any means whatsoever, except:

21 (3) When upright, permanent signs, not less than one (1) square foot in size and with
22 lettering not less than one (1) inch in height, are posted at the head of the parking spaces within the
23 private parking area, numbering at least one sign per each fifteen designated parking spaces or in
24 another number or manner designed to give parkers reasonable notice and approved by the ~~director~~
25 ~~of excise and licenses~~manager of licensing and consumer protection, warning trespassing parkers that
26 they are subject to fine and that vehicles illegally parked by them will be towed away or immobilized;
27 and, upright, permanent signs, not less than four (4) square feet in size with lettering not less than two
28 (2) inches in height, and kept illuminated at night, are posted in a conspicuous location or locations at
29 eye level and not less than ten (10) feet from each entrance to the private parking area, warning
30 trespassing parkers that they are subject to fine and that vehicles illegally parked by them will be
31 towed away or immobilized, and listing by name each business served by such lot if there are less
32 than five (5) businesses, or if there are five (5) or more businesses, clearly identifying the businesses
33 in a manner satisfactory to and approved by the ~~director of excise and licenses~~manager of licensing
34 and consumer protection; and, the person towing or immobilizing any vehicle complies with the terms

and conditions of licensing provided for in article X of chapter 55. On and after July 1, 2006, in order to meet the requirements of this subsection any sign shall, in addition to meeting any other requirement of this subsection, be displayed not less than six (6) feet above grade and not more than three (3) feet from any entrance to the private parking area; and

Sec. 54-487. - Special license for parking in truck loading zone.

(a) It shall be unlawful for any person to stop, stand or park any vehicle in any parking space reserved and marked "Truck Loading Only" unless such vehicle is licensed as a truck and bears truck registration license plates, or shall have affixed to the lower left-hand corner of the windshield of the vehicle adjacent to the state inspection sticker, a special license sticker issued by the ~~director of~~ excise and licenses manager of licensing and consumer protection indicating that the owner or operator of the vehicle has paid the fee for a license to park a vehicle other than truck licensed as such in a truck loading zone.

(b) The owner or operator of any vehicle which is not licensed as a truck and which does not bear truck registration license plates but which vehicle is used in the conduct of any lawful business may apply to the ~~director of excise and licenses~~ manager of licensing and consumer protection for a license authorizing the loading or unloading of the vehicle in any parking space in the city designated as "Truck Loading Only" for the loading or unloading of such vehicle. If the director determines that the vehicle is used in the pursuit of the applicant's lawful business and is a vehicle which is regularly used for the same purpose as a truck, the director shall, upon receipt of the annual license fee, issue a license to the applicant to be affixed to the vehicle.

Sec. 54-672. - Definitions.

~~(a) Director means the director of excise and licenses for the city.~~

~~(b1)~~ (b1) *Ice cream truck* means any vehicle from which ice cream, frozen milk, frozen dairy or ice confection products are sold or offered for sale.

~~(c2)~~ (c2) *Vehicle* means every device in, upon or by which any person or property is or may be transported or drawn upon the public streets, irrespective of the source from which the power to propel the vehicle may come, and irrespective of the number of wheels of the vehicle.

Section 32. That chapter 55 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 55-121. - Required.

1 It shall be unlawful for any person to engage in the business of repairing or of renting or loaning
2 bicycles for hire, or altering bicycles, or buying or selling or exchanging used bicycles or bicycle parts,
3 or bicycle accessories theretofore used, without first obtaining a license therefor from the ~~director of~~
4 ~~excise and licenses~~manager of licensing and consumer protection.

5
6 **Sec. 55-145. - Rules and regulations.**

7 The ~~director of excise and licenses~~manager of licensing and consumer protection may adopt and
8 enforce reasonable rules and regulations for operation of escort vehicles and for the use of
9 identification cards, uniforms and equipment in connection with such operation, to carry out the
10 purposes and provisions of this article. It shall be unlawful for any person to violate a rule or regulation
11 adopted by the director pursuant to this section.
12

13 **Sec. 55-151. - Required.**

14 It shall be unlawful for any person to operate an escort vehicle without first obtaining a license
15 from the ~~director of excise and licenses~~manager of licensing and consumer protection.
16

17 **Sec. 55-152. – Application.**

18 (1) The name of the person by whom the applicant is to be employed; the address where
19 the applicant is to be employed; the nature of the services to be rendered; the purpose of the
20 employment; and other pertinent facts required by the director;
21

22 **Sec. 55-155. - Identification cards.**

23 In addition to the license, the ~~director of excise and licenses~~manager of licensing and consumer
24 protection shall issue to each licensee an identification card approximately two and one-half (2½)
25 inches by four (4) inches in size which shall include the following:

- 26 (4) The signature of the licensee and that of the director;
27 (5) Such other information as the director may deem advisable.
28

29 **Sec. 55-156. - Revocation or suspension.**

30 The ~~director of excise and licenses~~manager of licensing and consumer protection may suspend
31 or revoke a license issued under this division after notice and hearing, on any of the following grounds:

32 (2) The licensee has violated any of the requirements of state law, any provision of this
33 article or any of the rules and regulations adopted and promulgated by the director pursuant hereto;

1
2 **Sec. 55-179. - Rules and regulations.**

3 The ~~director of excise and licenses~~manager of licensing and consumer protection may adopt
4 and enforce reasonable rules and regulations for administrative purposes in accordance with the
5 provisions of this article for public towing services, private towing operators, and towing vehicle
6 operators. It shall be unlawful for any person to violate a rule or regulation adopted by the director
7 pursuant to this section.
8

9 **Sec. 55-180. - Public towing; rates and hours schedule.**

10 All persons who furnish public towing services in the city shall file with the ~~director of excise and~~
11 ~~licenses~~manager of licensing and consumer protection a schedule of current rates and hours of
12 availability and any subsequent change, which schedule shall be of public record
13

14 **Sec. 55-186. - License required.**

15 (1) It shall be unlawful for any person to engage in the activity of towing or moving any motor
16 vehicle or salvage vehicle from points originating within the City and County of Denver and terminating
17 within the Denver greater metropolitan area without first obtaining one (1) or more of the following
18 licenses from the department of ~~excise and licenses~~licensing and consumer protection:

19 (a) Private Towing License. All persons who engage in private towing as defined in section
20 55-171(4) shall obtain a private towing license from the ~~director of excise and licenses~~manager of
21 licensing and consumer protection.

22 (b) Tow Operator's License. All persons who operate a towing vehicle in private towing shall
23 obtain a tow operator's license from the ~~director of excise and licenses~~manager of licensing and
24 consumer protection.
25

26 **Sec. 55-187. - Application.**

27 (1) The name, business address and telephone number of the applicant; and
28 (2) Such other information as the ~~director of excise and licenses~~manager of licensing and
29 consumer protection shall find reasonably necessary to effectuate the purposes of this article.
30

31 **Sec. 55-188. - Inspection.**

32 All persons required to be licensed pursuant to this article VI shall submit towing vehicles,
33 excluding trailers, for inspection to the ~~director of excise and licenses~~manager of licensing and

1 consumer protection upon applying for a license under section 55-188 [under this division], and once
2 each calendar year thereafter, in order to assure that towing vehicles conform to the requirements of
3 section 55-174.

4
5 **Sec. 55-190. - Standards for issuance and renewal.**

6 (1) The ~~director of excise and licenses~~manager of licensing and consumer protection may
7 issue or renew a license under this division upon a finding:

8 (2) The ~~director of excise and licenses~~manager of licensing and consumer protection may
9 consider prior criminal or ordinance convictions, but shall also consider the applicant's present
10 rehabilitation. In determining good moral character, the ~~director~~manager may also require fingerprints
11 and a record check to be conducted by the Denver Police Department prior to issuing any license
12 under this article.

13
14 **Sec. 55-191. - Insurance prerequisite to issuance.**

15 (1) *General commercial liability insurance.* No private towing license shall be issued or
16 remain in effect unless the applicant or licensee maintains in force and on file with the ~~director of~~
17 ~~excise and licenses~~manager of licensing and consumer protection, sufficient evidence of general
18 commercial liability insurance. All licensees shall maintain a general commercial liability insurance
19 policy covering operations of the public towing or private towing licensee when engaged in the
20 operation of towing vehicles in the amount of one hundred thousand dollars (\$100,000.00) for any
21 person and three hundred thousand dollars (\$300,000.00) for two (2) or more persons in any one (1)
22 accident and one hundred thousand dollars (\$100,000.00) coverage for injury to or destruction of
23 property of others in any one (1) accident.

24 (2) *Change or cancellation endorsement.* All private towing licensees shall provide an
25 endorsement on the required policies providing for thirty (30) days notice to the ~~director of excise and~~
26 ~~licenses~~manager of licensing and consumer protection in the event of any material change or
27 cancellation.

28
29 **Sec. 55-192. - Sticker on vehicle.**

30 Private towing licensees shall at all times prominently display on each towing vehicle, in a place
31 to be designated by the ~~director of excise and licenses~~manager of licensing and consumer protection,
32 a nontransferable license sticker issued by the city.

33
34 **Sec. 55-193. - Revocation, suspension, nonrenewal.**

1 The ~~director of excise and licenses~~manager of licensing and consumer protection may
2 suspend, revoke or refuse to renew a license issued under this division on the following grounds:

3 (3) The licensee has violated any of the requirements of state law, the provisions of this
4 article, or any of the rules and regulations as established by the ~~director~~manager;

5
6 **Sec. 55-237. - License required.**

7 No person shall conduct, operate or maintain a repair or service garage within the city without
8 first obtaining a license therefor from the ~~director of excise and licenses~~manager of licensing and
9 consumer protection.

10
11 **Sec. 55-239. - Investigation.**

12 No license shall be issued under this article until satisfactory proof shall have been given to the
13 ~~director of excise and licenses~~manager of licensing and consumer protection, or until the
14 ~~director~~manager shall have been satisfied upon investigation, that the building or place wherein the
15 repair or service garage is to be operated or maintained is constructed and will be maintained in
16 accordance with the zoning ordinance, fire code, and building code of the city. The chief of the fire
17 department and the director of the building inspection division shall render to the ~~director of excise and~~
18 ~~licenses~~manager of licensing and consumer protection such assistance as the ~~director~~manager may
19 require in making the investigation.

20
21 **Sec. 55-240. - Causes for denial.**

22 (a) As provided in article I of chapter 32 and in the exercise of the police powers, the ~~director~~
23 ~~of excise and licenses~~manager of licensing and consumer protection may deny a license under this
24 article to any of the following persons:

25 (2) Any person whose character and record are such as not to warrant the
26 ~~director~~manager's confidence that the person seeking a license will conduct the business of repair or
27 service garage lawfully, honestly and fairly or without resorting to fraud or other improper activity. In
28 making this judgment, the ~~director~~manager may take into consideration any judgments or convictions
29 in a court of record based on fraud, deceit or misrepresentation;

30 (4) Any person who has been denied a license under this article within the immediately past
31 year, unless the applicant can and does show to the satisfaction of the ~~director of excise and~~
32 ~~licenses~~manager of licensing and consumer protection that the reasons for such earlier denial no
33 longer exist.

34 (b) In making a determination as to character or record, or when considering a criminal or

ordinance violation conviction or judgment, the ~~director of excise and licenses~~manager of licensing and consumer protection shall be governed by the provisions of section 24-5-101, C.R.S., as amended, or similar statutory enactment of the State of Colorado, pertaining to the effect of criminal convictions on employment rights. The ~~director~~manager shall also give consideration to the following criteria:

(c) As part of the review, the ~~director of excise and licenses~~manager of licensing and consumer protection may require fingerprinting of the applicant and conduct a check of the applicant's background, including a review of the applicant's criminal history record within the five (5) years preceding the date of application.

Sec. 55-242. - Right of appeal.

Any applicant whose application for a license under this chapter is denied, revoked, suspended or nonrenewed shall be entitled to a hearing upon written request to the ~~director of excise and licenses~~manager of licensing and consumer protection, in accordance with article I of chapter 32 of this Code.

Sec. 55-246. - Required.

No person shall conduct, operate or maintain a garage within the city without first obtaining a license therefor from the ~~director of excise and licenses~~manager of licensing and consumer protection.

Sec. 55-248. - Investigation.

No license shall be issued under this division until satisfactory proof shall have been given the ~~director of excise and licenses~~manager of licensing and consumer protection, or until the ~~director~~manager shall have been satisfied upon investigation, that the building or place wherein the garage is to be operated or maintained is constructed and maintained in accordance with this Code and applicable ordinances and regulations of the city; and the chief of the fire department and the building inspector shall render the ~~director~~manager such assistance as the ~~director~~manager may require in making the investigation.

Sec. 55-263. - Signs.

(a) Each licensee under this article shall maintain at each entrance a permanent sign not exceeding twenty (20) square feet in area, giving the following information, together with such information as may be required by the ~~director of excise and licenses~~manager of licensing and consumer protection. Each sign shall be illuminated during open hours between sunset and sunrise.

(2) *Rates.* The rates charged for parking of motor vehicles; where more than one (1) rate is charged, figures of each rate shall be of the same size and dimensions; all figures and letters regarding rates and closing hours shall not be less than six (6) inches in height and three (3) inches in width; and all such signs shall be subject to the approval of the ~~director of excise and licenses~~manager of licensing and consumer protection.

(4) *Payment instructions.* On lots that are unattended during certain hours or that use meters or ticket dispensers, the signs shall provide detailed instructions as to methods of payment throughout the specified open period. Such instructions shall be subject to the approval of the ~~director of excise and licenses~~manager of licensing and consumer protection.

Sec. 55-266. - Protection against theft.

Every parking lot shall be operated and managed in such a manner as to afford reasonable protection against the theft of cars and the contents thereof parked on the lot, and shall be kept properly illuminated at all times the lot is open for business. Such illumination shall be subject to the approval of the ~~director of excise and licenses~~manager of licensing and consumer protection. Wherever an operator is unable to deliver a car, when called for, the operator shall, forthwith, make a report of such fact to the police department.

Sec. 55-276. - Required.

No person shall conduct, operate or maintain a parking lot without first obtaining a license therefor from the ~~director of excise and licenses~~manager of licensing and consumer protection.

Sec. 55-277. - Application.

(a) Application for parking lot licenses shall be made by the owner or operator thereof to the ~~director of excise and licenses~~manager of licensing and consumer protection and shall set forth the following: The name and address of the applicant, and if a partnership, the names and addresses of all partners, and, if a corporation, the name, date and state under which incorporated, and the names and addresses of the officers; if the applicant is a nonresident of the city, the name and address of a local representative inside the city limits upon whom service can be had under the provisions hereof, or a summons or other process issued by court.

(b) In accepting a license under the provisions of this division, an operator or owner agrees to notify the ~~director of excise and licenses~~manager of licensing and consumer protection as to any material changes in the facts set forth in his application. The notification of such changes shall be in writing and properly acknowledged.

Sec. 55-279. - Proof of compliance with Code prerequisite to issuance.

No license shall be issued under this division until satisfactory proof shall have been made to the ~~director of excise and licenses~~manager of licensing and consumer protection that the parking lot is laid out and constructed and will be maintained in accordance with this Code and the ordinances and regulations of the city.

Sec. 55-298. - Rules and regulations.

The ~~director of excise and licenses~~manager of licensing and consumer protection may adopt and enforce reasonable rules and regulations for vehicle immobilization services, which rules and regulations shall be issued and promulgated from time to time, to provide for the health, safety and welfare of the city in relation to vehicle immobilization services and the operators, agents, servants and employees of such services. Such rules and regulations may pertain by way of example to the duties of licensees, the manner of conduct of the business and of the operators, agents, servants and employees, and reports to be furnished to the ~~director~~manager. It shall be unlawful for any person to violate a rule or regulation adopted by the ~~director~~manager pursuant to this section.

Sec. 55-311. - Required.

It shall be unlawful for any vehicle immobilization service to engage in business without first obtaining a vehicle immobilization service license from the ~~director of excise and licenses~~manager of licensing and consumer protection.

Sec. 55-312. – Application.

(b) In accepting a license under the provisions of this division, an owner or operator of or for a vehicle immobilization service agrees to notify the ~~director of excise and licenses~~manager of licensing and consumer protection as to any material changes in the facts set forth in the application. Such notification shall be in writing, properly acknowledged, and filed with the ~~director~~manager within ten (10) days of the change.

Sec. 55-314. - Requirements for issuance.

(f) The applicant completes and signs an application on forms prescribed by the ~~director~~manager;

(g) The applicant provides a list of all businesses and locations for which the applicant

intends to provide vehicle immobilization services, certifies that the signage required by section 54-419(d) is in place and has been in place at each location at least ten (10) days before immobilization begins, and during the term of the license notifies the ~~director~~manager of any additions or changes to the list of businesses or locations for which the applicant intends to provide vehicle immobilization services within ten (10) days of the addition or change;

Sec. 55-317. - Revocation or suspension.

The ~~director of excise and licenses~~manager of licensing and consumer protection may suspend or revoke a license issued under this division on the following grounds:

(3) That the licensee has violated any of the requirements of state law, of this article, or of any of the rules and regulations as established by the ~~director~~manager; or

Sec. 55-381. - Definitions.

(1) ~~Director~~Manager: The ~~director of excise and licenses~~manager of licensing and consumer protection, or his designated representative.

Sec. 55-384. - Schedule of charges to the public.

The operator of any pedal-cab business shall file with the ~~director~~manager a schedule of current fees to be charged to the public for pedal-cab services.

Sec. 55-391. - Required; types.

(1) *Operator's license*. It shall be unlawful for any person to operate a pedal-cab business without first obtaining an operator's license from the ~~director~~manager.

(2) *Pedal-cab driver's license*. It shall be unlawful for any person to drive a pedal-cab without first obtaining a pedal-cab driver's license from the ~~director~~manager.

Sec. 55-392. - Procedures.

All licenses for operators and pedal-cab drivers required by this article shall be issued by the ~~director~~manager in accordance with Article I of Chapter 32, relating to general licensing provisions, of this Code; provided, however, that no person shall be licensed to drive a pedal-cab without first having obtained a valid Colorado driver's license.

Sec. 55-394. - Insurance prerequisite.

1 It shall be unlawful for any person to operate a pedal-cab business unless currently insured by
2 a reputable insurance company, said policy providing insurance coverage for each and every pedal-
3 cab owned, operated or leased by said person for injury to or death of persons in accidents resulting
4 from any cause for which said person would be liable on account of any liability imposed on him by
5 law, regardless of whether the said pedal-cab was being driven by the owner, his agent or lessee; and
6 as against damage to the property of another, including personal property, under like circumstances.
7 The ~~director~~manager shall determine and set the minimum insurance limits. However, the minimum
8 insurance shall not be decreased below the following minimum limits: Bodily injury, one hundred
9 thousand dollars (\$100,000.00) each person, three hundred thousand dollars (\$300,000.00) each
10 accident; property damage, fifty thousand dollars (\$50,000.00). The ~~director~~manager may change the
11 minimum insurance limits through the adoption of rules and regulations in accordance with this article.
12 The ~~director~~manager shall notify city council in writing of any proposed rules and regulations to change
13 the minimum limits.

14
15 **Sec. 55-395. - Identification cards.**

16 (a) *Issuance.* In addition to the license, the ~~director~~manager shall issue to each licensee an
17 identification card approximately two and one-half (2½) inches by four (4) inches which shall contain
18 such information deemed appropriate by the ~~director~~manager.

19
20 **Sec. 55-396. - Rules and regulations.**

21 The ~~director~~manager may adopt and from time to time amend rules and regulations for the
22 implementation of the licensing of operators and pedal-cab drivers, and it shall be unlawful for any
23 person to violate the rules and regulations adopted hereunder.

24
25 **Sec. 55-420. - Definitions.**

26 (b) *DirectorManager:* means the ~~Director of excise and licenses~~manager of licensing and
27 consumer protection.

28
29 **Sec. 55-422. - Valet operator license.**

30 (g) The applicant completes and signs an application on forms prescribed by the
31 ~~director~~manager;

32
33 **Sec. 55-423. - Valet location license.**

(a) The applicant completes and signs an application on forms prescribed by the ~~director~~manager;

Sec. 55-424. - Valet parking plan; modification of valet parking plan.

(a) The ~~director~~manager shall not issue a valet location license unless the city traffic engineer has first:

(b) The city traffic engineer shall, within a reasonable time, review the valet parking plan and either approve the valet parking plan, disapprove the plan, or approve the plan with terms, conditions, and restrictions that may be necessary to protect public health, safety, welfare or convenience. The city traffic engineer shall forward his or her approval, disapproval, or approval with conditions, terms, limitations, and restrictions to the ~~director of excise and licenses~~manager of licensing and consumer protection. In the event that the city traffic engineer approves the valet parking plan with conditions, terms, limitations, or restrictions, the city traffic engineer shall attach the conditions, terms, limitations, and restrictions in writing to the approval along with a statement briefly describing why such conditions, terms, limitations, and restrictions are necessary to protect public health, safety, welfare or convenience.

(c) The ~~director~~manager shall make any terms, conditions, restrictions or limitations imposed by the city traffic engineer written conditions of the valet location license. The applicant shall have the right to contest the validity of such conditions in an administrative hearing, as provided in subsection 55-426(d).

(d) Any valet operator may apply to the city traffic engineer for a modification of the valet parking plan approved at the time the valet location license was issued. Any approved modification of the valet parking plan shall be in writing and shall become a condition of the valet location license. The city traffic engineer may issue a temporary approval of the proposed modified valet parking plan pending consideration of the application. The city traffic engineer shall forward any modification of the approved valet parking plan as well as any temporary approval of modifications to the valet parking plan to the ~~director~~manager.

Sec. 55-425. - Terms of valet operator license and valet location license.

(g) Every valet location license includes the contents, terms, conditions, restrictions and limitations of the valet parking plan approved at the time the license is issued, or as modified in writing by the city traffic engineer after issuance, and the same shall be conditions of the license. The ~~director~~manager may impose any additional term, condition, requirement, or limitation on any valet operator license that the ~~director~~manager may determine is necessary to protect public health, safety,

welfare or convenience.

Sec. 55-426. - Denial of valet operator or valet location license; applicants denied ineligible for one year; hearings on denial or conditions imposed on license.

(a) The ~~director~~manager may deny the issuance or renewal of any valet operator license or valet location license of any applicant who:

(b) Any applicant whose application for a valet operator license or valet location license is denied shall be ineligible to re-apply for such license for one (1) year from the date of the denial unless the ~~director~~manager enters an order making the applicant eligible to re-apply in some shorter period.

(c) Any applicant whose application for issuance or renewal of a valet operator license or valet location license is denied may, within fifteen (15) days of such denial, apply in writing to the ~~director~~manager for an administrative hearing to determine whether legal and factual cause exists to deny the issuance or renewal of the license under the terms of this article. If such application is made, the ~~director~~manager or the ~~director~~manager's hearing officers shall conduct an administrative hearing to determine whether legal and factual cause exist for the denial.

(d) Any person or entity who is issued a valet operator license or valet location license containing terms, conditions, requirements, or limitations may, within fifteen (15) days of the issuance of such license, apply in writing to the ~~director~~manager for a hearing to determine whether a legal and factual cause exists for the imposition of such terms, requirements, conditions or limitations. If such application is made, the ~~director~~manager or the ~~director~~manager's hearing officers shall conduct a hearing to determine whether such legal and factual cause exist.

Sec. 55-427. - Suspension or revocation of valet operator license or valet location license; administrative fines against licensees.

(a) After notice and an administrative hearing at which the city submits proof by a preponderance of the evidence, or upon stipulation of the parties, or upon failure of the licensee to appear at such a hearing after notice has been given, the ~~director~~manager may suspend or revoke the valet location license of any person or entity who:

(5) Commits any act prohibited under any rule or regulation or fails to perform any act required under any rule or regulation promulgated under this article by the ~~director~~manager or permits any valet attendant or other person hired by him to do the same;

(b) After notice and an administrative hearing at which the city submits proof by a preponderance of the evidence, or upon stipulation of the parties, or upon failure of the licensee to appear at such a hearing after notice has been given, the ~~director~~manager may suspend or revoke the

1 valet operator license of any person or entity who:

2 (c) In lieu of any suspension, the ~~director~~manager may assess an administrative fine against
3 the license not to exceed one thousand dollars (\$1,000.00) per violation. Whether a fine should be
4 assessed in lieu of suspension or revocation, and the amount of such fine shall be determined by the
5 ~~director~~manager in his or her discretion, based upon the nature of the offense, the licensee's record,
6 whether the violation presents a threat to public health, safety or welfare, the duration of the violation,
7 and any other mitigating or aggravating circumstances present. In the event that the ~~director~~manager
8 imposes an administrative fine under this section, the ~~director~~manager's order shall state a deadline
9 for payment of the fine, not to exceed thirty (30) days. In the event that the fine is not paid by that
10 date, the ~~director~~manager shall suspend the license until the fine is paid.

11 (d) In addition to or in the alternative to any suspension, revocation, or administrative fine
12 provided in this section, the ~~director~~manager may impose new or additional terms, requirements,
13 conditions, or limitations on any license issued under this article.

14 (e) In addition to or in the alternative to any suspension, revocation, or administrative fine
15 provided in this article, and in addition to or in the alternative to any new or additional terms,
16 requirements, conditions, or limitations imposed on any license issued under this article, the
17 ~~director~~manager may impose administrative citations pursuant to article XII of chapter 2 of the Denver
18 Revised Municipal Code. No license shall be renewed if any outstanding fine is unpaid at the time of
19 renewal, and the ~~director~~manager shall suspend any license if any fine is unpaid within thirty (30) days
20 of imposition or, in the event the fine was appealed, within thirty (30) days of resolution of the appeal.

21

22 **Sec. 55-428. - Waiver of licensing requirements for certain events.**

23 (a) The ~~director~~manager may waive the valet location licensing requirements of this article
24 for certain events where:

25 (b) Any waiver issued by the ~~director~~manager under this section shall be in writing.

26

27 **Sec. 55-429. - Rules and regulations.**

28 The ~~director~~manager may make and promulgate rules and regulations for the administration of
29 this article and further regulating the conduct of valet operators and valet attendants while providing
30 valet parking services consistent with the provisions of this article.

31

32 **Section 33.** That chapter 56 of the Code shall be amended by deleting the language stricken
33 and adding the language underlined, to read as follows:

34 **Sec. 56-66. - Required.**

1 It shall be unlawful for any person to engage in the business of opening, uncovering or laying
2 private sewers or building sewers except as provided in and authorized by this division and without
3 first having obtained a license from the ~~director of excise and licenses~~manager of licensing and
4 consumer protection so to do; provided, however, that no plumber duly licensed as such by the State
5 of Colorado shall be required to be licensed under the terms of this division. Trade licenses or
6 certificates shall be required to cover work performed on any building or private sewer.

7
8 **Sec. 56-68. - Bond prerequisite to issuance.**

9 The licensee or applicant under this subdivision shall furnish a good and sufficient bond in the
10 amount of one thousand dollars (\$1,000.00) with a surety to be approved by the ~~director of excise and~~
11 ~~licenses~~manager of licensing and consumer protection in substantially the following form:

12 KNOW ALL MEN BY THESE PRESENTS: That ____ (principal) ____ of ____ (address) ____ in the City
13 and County of Denver, State of Colorado and ____ (surety) ____ a ____ (company or corporation) _____,
14 organized and existing under and by virtue of the laws of the State of _____, and duly qualified
15 under the laws of the State of Colorado as a surety company, are well and firmly bound unto the City
16 and County of Denver, a Municipal Corporation in the State of Colorado, in the penal sum of one
17 thousand dollars (\$1,000.00), lawful money of the United States, for the payment of which, well and
18 truly to be made, we and each of us bind ourselves, our heirs, executors, administrators, successors
19 and assigns, jointly and severally, firmly by these presents.

20
21 THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

22 WHEREAS, the said principal has been duly licensed as a sewer layer for the year _____, in
23 accordance with the provisions of the article on Private Sewers and Building Sewers of the Municipal
24 Code of the City and County of Denver, entitled to open, uncover or lay private sewers or building
25 sewers:

26
27 NOW, THEREFORE,

28 (a) If the said principal shall faithfully comply with all the terms of the provisions and
29 requirements of the article on Private Sewers and Building Sewers with respect to the laying, and
30 maintenance of all types of private sewers and building sewers, and shall pay all fees lawfully
31 assessed thereunder; and

32 (b) If the said principal shall indemnify, save and keep the city and county and its officials
33 and employees harmless from any claims, damages, liabilities, losses, actions, suits or judgments
34 which may be presented, sustained, brought or obtained against the said City and County of Denver or

any of its officials or employees because of the opening up or laying of any private sewer or building sewer or maintenance of same, or by reason of any accidents caused by or resulting therefrom;

(c) If the said principal shall faithfully satisfy all judgments based on tort liability which are obtained by reason of the negligence in the opening, covering or laying of any private sewer or building sewer for which said principal is responsible;

Then this obligation shall be void; otherwise it shall be in full force and effect.

Provided, further, that this obligation shall be in full force and effect unless and until the surety herein shall exercise the option to cancel the same by filing at any time with the ~~director of excise and licenses~~manager of licensing and consumer protection, the clerk and the manager of transportation and infrastructure of the City and County of Denver a ninety (90) day notice of its desire to be relieved of liability. However, such cancellation shall not discharge the surety from any liability already accrued under this obligation or any liability which shall accrue before the expiration of the ninety (90) day period.

Section 34. That chapter 57, article IV, division 2 of the Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 57-71. - Required.

It shall be unlawful for any person to engage in the business of, or receive compensation for, cutting, trimming, pruning or removing trees, without first procuring a license therefor from the ~~director of excise and licenses~~manager of licensing and consumer protection.

Sec. 57-72. - Application.

Applicants for a license to engage in the businesses specified in section 57-71 shall file an application with the ~~director of excise and licenses~~manager of licensing and consumer protection on forms to be provided by the ~~director~~manager for that purpose which shall contain, in addition to the information required by chapter 32, a statement describing the types, classifications or kinds of service which the applicant wishes to engage in.

Section 35. This ordinance shall only be effective after certification of passage by electors of a referred question changing the department of excise and licenses to the department of licensing and consumer protection at a special municipal election to be held in conjunction with the coordinated election of November 4, 2025, and upon publication and filing of such results with the Secretary of

1 State.
2 COMMITTEE APPROVAL DATE: July 16, 2025
3 MAYOR-COUNCIL DATE: N/A
4 PASSED BY THE COUNCIL _____
5 _____ - PRESIDENT
6 APPROVED: _____ - MAYOR _____
7 ATTEST: _____ - CLERK AND RECORDER,
8 EX-OFFICIO CLERK OF THE
9 CITY AND COUNTY OF DENVER
10 NOTICE PUBLISHED IN THE DAILY JOURNAL _____;
11 PREPARED BY: _____; DATE: _____
12 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
13 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
14 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
15 3.2.6 of the Charter.
16
17 Katie J. McLoughlin, Interim City Attorney
18
19 BY: _____, Assistant City Attorney DATE: _____