

**TOWN OF KEYSTONE  
ORDINANCE NO. 2025-O-04**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE,  
COLORADO, REGARDING THE LICENSING OF BUSINESSES**

**WHEREAS**, the Town of Keystone, Colorado (“Town”) is a home rule municipality, duly organized and existing under the laws of the state of Colorado; and

**WHEREAS**, the Town of Keystone Town Charter article 2.9 grants the Keystone Town Council the right to exercise all legislative powers and functions of municipal government; and

**WHEREAS**, Colorado Revised Statute 31-15-501(1)(c) grants municipalities the authority to license businesses; and

**WHEREAS**, the Town of Keystone Town Council has found that the licensing of businesses will enhance the compliance of businesses with local laws; and

**WHEREAS**, the Town Council has determined that it is in the best interest of the health, safety, and welfare of the Town and its citizens adopt an ordinance to license businesses in a cost effective, efficient, expedient, and effective manner.

**NOW THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Keystone, Colorado, as follows:

Section 1. The Town Council adopts the items in attached Exhibit A as the Town’s business license ordinance regarding the licensing of businesses operating within the town limits of the Town of Keystone.

Section 2. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 3. Any and all Ordinances or Codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

Section 4. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 5. Effective Date. After adoption by the Town Council, this ordinance shall take effect on July 1, 2025.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AND SCHEDULED FOR PUBLIC HEARING ON February 25, 2025, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

11th DAY OF FEBRUARY 2025.

Signed by:  
*Kenneth D. Riley* \_\_\_\_\_  
FFCC105F18734F9...  
Kenneth D. Riley, Mayor

ATTEST:

DocuSigned by:  
*Madeleine Sielw* \_\_\_\_\_  
04E4BE3F50A1424...  
Town Clerk

APPROVED AS TO FORM:

Signed by:  
*Jennifer Madsen* \_\_\_\_\_  
89751994A1B74EC...  
Town Attorney

READ, PASSED AND ADOPTED WITH A ROLL CALL VOTE OF 7 IN FAVOR AND 0 OPPOSED ON SECOND READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS 25th DAY OF FEBRUARY 2025.

Signed by:  
*Kenneth D. Riley* \_\_\_\_\_  
FFCC105F18734F9...  
Kenneth D. Riley, Mayor

ATTEST:

DocuSigned by:  
*Madeleine Sielw* \_\_\_\_\_  
04E4BE3F50A1424...  
Town Clerk

APPROVED AS TO FORM:

Signed by:  
*Jennifer Madsen* \_\_\_\_\_  
89751994A1B74EC...  
Town Attorney

## **Exhibit A**

### **Town of Keystone Business Licensing Ordinance**

#### **Section 1.** – Title.

This ordinance shall be known as the *BUSINESS LICENSE ORDINANCE*.

#### **Section 2.** - Purpose.

The purpose of this Ordinance is to require the annual licensing and limited regulation of all business conducted within the town and to provide the town with necessary information concerning the activities of businesses in order to protect the property, health, welfare, peace or safety of its citizens, inhabitants and visitors.

#### **Section 3.** - Definitions.

For purposes of this ordinance, the following definitions shall apply:

**BUSINESS:** Any business (including sales of tangible personal property and furnishing of services), profession, occupation, or activity engaged in by a person for profit, gain, benefit or advantage which is conducted within the town.

**LICENSE YEAR:** All licenses shall automatically expire the June 30 immediately following the issuance or renewal of the license unless revoked pursuant to the provisions of this Ordinance.

**LICENSEE:** Any person required to obtain an annual business license.

**MINOR-OPERATED BUSINESS:** A business solely operated by persons under the age of eighteen (18) for not more than eighty-four (84) days in any calendar year.

**PERSON:** Any individual, partnership, corporation, firm, estate, trust, association, joint venture or other entity.

**TOWN:** The town of Keystone, Colorado.

#### **Section 4.** – License required.

It shall be unlawful for any person to commence or carry on any business within the Town without having first obtained a license from the Town. It shall be unlawful for any person to operate or carry on a business under the license of another and no licensee

shall allow or permit any other person to operate under the licensee's permit. It shall be unlawful for a licensee to continue to engage in any business or activity after their license has expired.

Section 5. – Two forms of licenses

There shall be two forms of business licenses issued by the Town of Keystone:

A) Annual Business License – issued to all business except for those defined in subsection B of this Section.

B) Peddler/ Solicitor / Transient Vendor License.

*Peddler* means any person who goes from house to house, from place to place or from street to street, traveling by foot, vehicle, or any other type of conveyance, carrying or transporting merchandise for the purpose of selling and delivering the merchandise to customers.

*Solicitor* means any person who goes from house to house, from place to place or from street to street, traveling by foot, vehicle or any other type of conveyance, soliciting, taking or attempting to take orders for the sale of merchandise or services of any kind for future performance or delivery, whether or not such individual has, carries or exposes for sale a sample of the merchandise or services and whether or not he or she is collecting advance payments on such sales or orders, or who engages in any of the foregoing activities from a stationary location, any street or other public place. The word solicitor shall also refer to the word canvasser or any other person who goes from door to door as described above or stands upon any street or other public place soliciting or collecting funds.

*Transient Vendor* means any person who brings into temporary premises and exhibits stocks of merchandise to the public for the purpose of selling or offering to sell the merchandise to the public.

Section 6. - Exemptions

The following businesses, persons, and events shall be exempt from the provisions of this Chapter:

- A. Churches or established religious organizations;
- B. Charitable organizations;
- C. State licensed medical facilities;
- D. Schools;
- E. Governments;
- F. Persons exempt from business licensing under federal or Colorado law;
- G. Special events as licensed by the Town of Keystone;
- H. Wholesale businesses that are not required to obtain a Colorado retail sales license;
- I. Businesses that have a state standard retail license without a physical presence in the Town, as defined by C.R.S. § 39-26-802.9(2)(e), as amended, and which are not subject to other regulation by the Town of Keystone;
- J. Businesses that have a state standard retail license with only an incidental physical presence in the Town, as defined by C.R.S. § 39-26-802.9(2)(c), as amended, and which are not subject to other regulation by the Town of Keystone;
- K. Professional businesses with only an incidental physical presence in the Town, as defined by C.R.S. § 39-26-802.9(2)(c), as amended, and which are not subject to other regulation by the Town of Keystone;
- L. Artisans and entertainers, operating out of a home office located in Keystone, which otherwise only have an incidental physical presence in the Town, as defined by C.R.S. § 39-26-802.9(2)(c), as amended, and which are not subject to regulation by the Town of Keystone;
- M. Minor-operated short-term businesses;
- N. Entertainment for which no fee is charged, and which is not subject to regulation by the Town of Keystone;
- O. Free distribution of information, flyers, pamphlets, brochures or petitions; and
- P. Yard sales.
- Q. Short-term rental properties that have been issued an active STR license by the Town of Keystone.

Section 7. Business to obtain license for each establishment.

An annual business license shall be obtained for each place of business within the town regardless of whether the business conducted therein is a separate business or a branch, division or agency of a licensed business situated at another location in town.

Section 8. – Sharing a business location.

Businesses that are comprised of several persons within the same or similar occupations, which may or may not be considered by that business as independent contractors or other independent entities for federal income tax purposes, such as, without limitation, real estate agents and cosmetologists, shall be considered one (1) business entity for purposes of this Ordinance.

Section 9. – Additional requirements for Peddler / Solicitor / Transient Vendor License.

It shall be unlawful for a Peddler, Solicitor or Transient Vendor to engage in the following prohibited activities:

A. To make any false statement or misrepresentation of fact, or otherwise to engage in fraud, in the course of carrying on the activities permitted under this article, or to fail to fulfill the obligations and representations which the peddler makes to a purchaser.

B. In peddling or vending any goods, merchandise or services to be delivered or provided at a future date, to refuse or fail to give to a purchaser at the time of sale a receipt which shall accurately set forth the name, address and telephone number of the peddler or vendor; a brief description of the goods, merchandise or services to be delivered or provided; the anticipated date and manner of delivery or provision; the amount paid by the purchaser; the balance due on the purchase; and the terms of payment.

C. To fail or refuse to leave peacefully private property immediately when told to do so by the landowner, the landowner's agent or representative, or the occupant of the premises or to attempt to solicit business at any place which maintains a sign or other visible and legible indication that such solicitation of business is not desired or is

prohibited, unless the permission of the owner, agent, representative or occupant of the premises has been previously obtained.

D. To obstruct, impede or otherwise interfere with the public's use of public streets, ways or places, other than as authorized by other provisions of Town of Keystone ordinances or regulations.

These prohibited activities are in addition to the business regulations.

Section 10. – Business license fee and payment.

A. License Fee: The license fee for business licenses shall be set by Council resolution. No refunds shall be considered by the town.

B. Term of License: Every annual business license shall be valid through June 30 immediately following the issuance of the license.

Peddler/ / Solicitor / Transient Vendor Licenses shall be valid for a period of seven days following the activation of such license.

C. Payment: Every business shall obtain an annual business license prior to the commencement of business and shall pay the license fee specified in subsection A of this section.

D. Annual Renewal: It shall be the duty of each annual business licensee to obtain a renewal of such license by payment of the annual license fee to the town clerk on or before the day of its expiration as provided in subsection B of this section.

D. If a license fee is paid by credit card, the Town may impose a convenience fee for the use of this alternative form of payment in an amount not to exceed the actual additional cost incurred by the Town to process the transaction. Any such convenience fee shall be imposed in accordance with the rules of the credit card provider. In the event of declined payment or insufficient funds, the Town may assess a penalty in an amount set by resolution. After a second declined payment or second instance of insufficient funds, the Town may require all payments from that business to be by certified funds, cashier's check or cash.



Section 11. - Administration.

The administration of this Article is hereby vested with the Town Clerk who is hereby authorized to:

- A. Collect license fees and issue receipts therefore.
- B. Adopt all forms and prescribe the information to be given therein.
- C. Investigate and determine the eligibility of each applicant for a license.
- D. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Ordinance.
- E. Investigate, report and recommend to the Town Council the suspension or revocation of license for violation by the licensee of a provision of this Ordinance.
- F. Require an applicant to produce documentation supporting information given on the business license application if the initial documentation is missing, incomplete, or the Clerk has reason to believe the nature of the business has substantially changed since the time of application.

Section 12. – Grounds for denial of license.

The Clerk shall examine the information provided by the applicant for the license and shall have the authority to deny the issuance or renewal of the license if the applicant, licensee, or premises has not complied with the general laws and statutes of the State or the ordinances of the Town in the application process. No license shall be issued for the conduct of any business if the premises and building are to be used for the purpose that does not fully comply with the requirements of the Town, or would otherwise violate any federal, state, or local law.

Section 13. - Appeal

Any person or business aggrieved by the action of the Clerk in the denial of a license, denial of a license renewal shall have the right of appeal to the Town Manager, unless the reason for the denial is an incomplete application, nonconformance with the zoning or building codes or failure to pay required fees. Such appeal shall be taken by filing with the Town Manager, within fourteen (14) days after the notice of the action complained of has been provided to such person in writing, a written statement setting

forth fully the grounds for appeal. The Town Manager shall set a time and place for an administrative hearing on such appeal, and five (5) days' notice of such hearing shall be given to the licensee in writing. The decision of the Town Manager on such appeal shall be final and conclusive. The licensee may not operate the business or enterprise licensed during the pendency of said appeal. The Town Manager's decision shall be the final action of the Town.

Section 14. – Requirements of Licensee.

Every licensee under this Ordinance shall do the following:

- A. Comply With Laws: Ascertain and at all times comply with all laws and regulations applicable to a licensed business;
- B. Avoidance Of Illegal Practices: Avoid any illegal, dangerous or harmful practices or conditions which are detrimental to the public property, health, welfare, peace or safety;
- C. Refrain From Business: Refrain from engaging in business on the licensed premises during a period when the license is revoked or suspended;
- D. Posting: The licensee shall post the current business license in a conspicuous place on the licensed premises at all times

Section 15. - Enforcement.

The Town may seek an injunction to restrain a person from engaging in business within the Town who does not obtain an annual business license under this ordinance or whose license is revoked or suspended, and this remedy shall be in addition to all other remedies prescribed in this ordinance or by law.

Section 16 - Penalty.

The Town may elect to enforce violations of this Business License Ordinance through an administrative citation as set forth in Ordinance 2025-O-01 or a summons and complaint filed in the Municipal Court. Any person who violates a provision of this Ordinance may be subject to the Town of Keystone's General Penalties Ordinance. Each day of business without a current business license shall constitute a separate offense.