

**NOTICE OF PUBLIC HEARING
ORDINANCE No. 1850, SERIES 2023**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Louisville, Colorado, to be held on February 21, 2023 at the hour of 6:00 p.m., at Louisville City Hall, 749 Main Street, Louisville, Colorado 80027 or in an electronic meeting, the City Council will hold a Public Hearing on the final passage and adoption of a proposed **ORDINANCE AMENDING SECTION 3.24 OF THE LOUISVILLE MUNICIPAL CODE REGARDING THE TAX AND FEE BUSINESS ASSISTANCE PROGRAM.**

Published in the *Daily Camera* on February 12, 2023 with full ordinance.

Full copies available in the City Clerk's Office, 749 Main Street, Louisville CO 80027.

**ORDINANCE NO. 1850
SERIES 2023**

**AN ORDINANCE AMENDING SECTION 3.24 OF THE LOUISVILLE MUNICIPAL
CODE REGARDING THE TAX AND FEE BUSINESS ASSISTANCE PROGRAM**

WHEREAS, by Ordinance No. 1507, Series 2007 the City Council established the Tax and Fee Business Assistance Program ("BAP") to recruit and retain businesses and employers within the City of Louisville, thereby stimulating the economy of and within the City, providing employment for residents of the City and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the City, and further increasing the sales taxes and fees collected by the City; and

WHEREAS, the City Council finds the BAP program has been successful, benefitting the City and its residents and taxpayers in accordance with its purposes; and

WHEREAS, the City Council desires to amend the BAP program as set forth herein to further promote business retention when a business must relocate due to loss of a lease or other unforeseen circumstance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Section 3.24.040 of the Louisville Municipal Code is hereby amended to read as follows (words added are underlined, word deleted are ~~stricken through~~):

3.24.040. Basis for participation.

Any owner or operator of a proposed business, the owner or operator of an existing business who demonstrates to the city that they must relocate to a new premises due to non-renewal of a lease or other unforeseen circumstance outside of the control of the owner or operator of the business, or the owner or operator of an existing

business which proposes to expand substantially, may apply to the city for inclusion within the BAP, provided that the proposed new, relocated or expanded business is reasonably likely to generate enhanced or increased sales taxes, permit fees and/or construction use taxes within the city in the first year of operation, or maintain existing sales taxes when relocating due to an unforeseen circumstance. Application for inclusion in the BAP must be made prior to the proposed opening, acquisition or expansion.

Section 2. If any portion of this ordinance is held to be invalid for any reason such decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 3. The repeal or modification of any provision of the Louisville Municipal Code by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portions hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED
PUBLISHED this _____ day of _____, 2023.

Dennis Maloney, Mayor

ATTEST:
Meredyth Muth, City Clerk

APPROVED AS TO FORM:
Kelly PC
City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2023.

Dennis Maloney, Mayor

ATTEST:
Meredyth Muth, City Clerk