

O-2021-4

AN ORDINANCE

AMENDING TITLE 3 OF THE LAKEWOOD MUNICIPAL CODE TO MODIFY CERTAIN SALES AND USE TAX EXEMPTIONS AND TO ADOPT CERTAIN CHANGES TO SECTIONS 3.03.310 AND 3.01.320 AND CHAPTERS 3.02 AND 3.03 THEREOF

WHEREAS, the Lakewood City Council desires to repeal certain sales and use tax exemptions in chapter 3.01 of the Lakewood Municipal Code (“LMC”) and to add an exemption thereto for the purposes of simplifying taxation for businesses, increasing taxpayer compliance, and aligning more closely with the State of Colorado and the revised Sales and Use Tax Code adopted by the City Council on second reading on December 14, 2020 (the “Revised Tax Code”);

WHEREAS, the City Council desires further to amend LMC sections 3.01.310 and 3.01.320 to add semi-annual license renewals and update licensing fees to more accurately reflect the cost of sales and use tax license administration;

WHEREAS, the City Council additionally desires to amend LMC chapters 3.02 and 3.03 to revise citations to the Revised Tax Code, as well as certain definitions and language, to make such citations, definitions and language consistent with the Revised Tax Code;

WHEREAS, analyses conducted by the City’s Revenue Division of the Finance Department have shown that the amendments herein will cause, at most, a *de minimis* net revenue gain;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The sales and use tax exemptions identified in **Exhibit A** hereto are hereby repealed, and the Revised Tax Code shall be amended as shown in such Exhibit A.

SECTION 2. The amendments as set forth in **Exhibits B, C and D** hereto are hereby adopted.

SECTION 3. This ordinance shall take effect thirty (30) days after final publication.

SECTION 4. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a virtual regular meeting of the Lakewood City Council on the 22nd day of February, 2021; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org, on the 25th day of February, 2021; set for public hearing to be held on the 22nd day of March, 2021; read, finally passed and adopted by the City Council on the 22nd day of March, 2021; and signed by the Mayor on the ____ day of _____, 2021_.

Adam Paul, Mayor

ATTEST:

Bruce Roome, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney