

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB9

ORDINANCE NUMBER: 2019-9

TITLE: AN ORDINANCE AMENDING SECTION 4-41(a) OF THE BLACK HAWK MUNICIPAL CODE TO CORRECT A CLERICAL ERROR REGARDING THE CITY'S SALES TAX RATE

WHEREAS, the registered electors of the City of Black Hawk previously approved a sales tax rate of 4.5% at a November 2016 special election; and

WHEREAS, the City has discovered that the City's voter-approved sales tax rate is not properly codified in Section 4-41(a) of the City of Black Hawk Municipal Code, and thus the City Council needs to correct the clerical error regarding the City's sales tax rate.

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

Section 1. Section 4-41(a) of the City of Black Hawk Municipal Code is amended to read as follows:

Sec. 4-41. Purpose.

(a) The purpose of this Article is to impose a ~~four percent~~ ***four and one-half percent (4½)*** sales tax on the sale of tangible personal property at retail and the furnishing of services and credit sales and exchanges of property at retail as provided in Section 29-2-105(1)(d), C.R.S., upon every retailer in the City, with the revenue generated by one-half (½) percent of such tax being dedicated to marketing and promoting the City through fireworks displays, holiday light displays, public flower boxes, and other general governmental purposes. In addition, this Article shall provide the power necessary to exercise effectively the right to raise revenue that is essential to home rule and self-government. Similarities to state law adopted in this Article are for the purpose of promoting efficiency in the collection of revenue, and, except where prohibited by state law, such matters are declared to be matters of local concern.

Section 2. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.


Section 4. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 8th day of May, 2019.



David D. Spellman, Mayor

ATTEST:



Melissa A. Greiner, CMC, City Clerk

