



**AGENDA FOR THE  
ENGLEWOOD CITY COUNCIL  
STUDY SESSION  
JULY 1, 2013**

- I. Executive Session**  
A 6:00 p.m. in the City Council Conference Room pursuant to C.R.S. 24-6-402-4(b), City Council will discuss a litigation matter (Ryals).
- II. Golf Course Bond Refunding**  
At 6:15 p.m. in the Community Room, Financial and Administrative Services Director Frank Gryglewicz will discuss a Golf Course bond refunding.
- III. Miscellaneous License Changes**  
Financial and Administrative Services Director Frank Gryglewicz will discuss miscellaneous license changes.
- IV. Home Occupation Issues**  
City Council will discuss home occupations moratorium.
- V. City Council 2014 Budget Subcommittee**  
City Council Members will decide amongst themselves who will serve on the City Council 2014 Budget Subcommittee.
- VI. City Council Budget Advisory Committee Council Liaison**  
City Council will appoint their representative (Council Liaison) to the Budget Advisory Committee.
- VII. City Manager's Choice.**
  - A. Budget Advisory Committee Update.
- VIII. City Attorney's Choice.**

## **Memorandum**

**To:** Mayor Penn and City Council  
**Thru:** Gary Sears, City Manager  
**From:** Frank Gryglewicz, Director of Finance and Administrative Services  
**Date:** June 25, 2013  
**Re:** Broken Tee Golf Course Refunding

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The following will be discussed at the July 1, 2013 Study Session.

Broken Tee Golf Course currently has \$2,515,000 in outstanding revenue bonds with 2013 debt service of \$216,663. Beginning in 2014 debt service will increase substantially to \$290,000.

The current low interest rate environment is such that the bonds can be refunded to a lower rate and save money over the term of the bonds or extend the bonds over a longer period, reducing debt service payments, which will reduce overall Broken Tee's expenses. Reduced expenses will provide more flexibility to weather revenue fluctuations due to changing demographics, weather, and other factors generally outside the control of Broken Tee's staff.

Due to projected variability in course use, Golf Course staff has determined it is most beneficial to them to reduce debt service by extending the term of the bonds to insure the long-term financial health of Broken Tee without increasing total debt service.

Also, as with previous debt and lease issuances, this will go as an "emergency" ordinance to reduce the time to close which reduces interest rate risk to potential investors. The emergency ordinance will set the parameters for the 2013 issue.

## Memorandum

**To:** Mayor Penn and City Council  
**Thru:** Gary Sears, City Manager  
**From:** Frank Gryglewicz, Director of Finance and Administrative Services  
**Date:** June 25, 2013  
**Re:** Proposed Code Changes (Title 4, Building Use Tax and Title 5, Miscellaneous Licenses)

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The following will be discussed at the July 1, 2013 Study Session.

During the 2013 budget process, staff discussed strategies to ensure the City of Englewood collects all the taxes it is due. One area discussed was Building Use Tax. Various staff members focused on clarifying what is subject to tax and the timing of collections.

Currently, 4-4-5-3-B-2 of the Englewood Municipal Code is somewhat vague regarding what is subject to Building Use Tax. Proposed changes (attached) clarify what is subject to Building Use Tax. The current Code does not specifically note that materials used outside of the "footprint" of a building are subject to tax. The collection of the tax on these materials has been collected in the past but these changes will make in clear in the Code. By making these changes contractors will know what is subject to Building Use Tax.

Also, the Code allows, if the contract price of the improvement to realty is in excess of two hundred thousand dollars (\$200,000.00) to be paid on a "monthly, quarterly, or other basis" This was written a many years ago so the \$200,000.00 is too low to allow payment plans. City staff recommends increasing the amount to \$3 million or as set by Council in the future. This change will insure the City collects the Building Use Tax up front for most projects.

The attachment indicates the proposed changes to 4-4-5-B-2 of the Englewood Municipal Code.

Each year, Finance and Administrative Services staff review the Title 5, Miscellaneous License and the fees associated with the licenses. The fees in place at this time are in line with other municipalities so no fee increases are recommended. Some "administrative" changes will be made internally to license applications to reflect changes in responsibilities for performing inspections, deleting non-applicable license provisions, etc.

The Purchaser of Valuable Articles License fees were never established and need to be set by resolution at an upcoming regular Council meeting.

Staff proposes eliminating the Going Out of Business License. The Department has issued very few of these licenses. The license was initially put in place to eliminate illegitimate businesses from advertising a "going-out-of-business sale" when there was no intent to close the business only as an advertising ploy that could lead customers to believe they were getting a closeout price on a product. Staff believes additional language can be added to Code to restrict this type of misleading advertising without issuing a license.

Attachment

July 1, 2013 Recommended Code Changes

## 2013 Title 4 Building Use Tax Code Changes

EMC Code Wording to increase the dollar amount from \$200,000 to \$3 Million and the valuation percentage for Site Work.

### Add legal definition of "Realty" to definition section of 4-4-2

**4-4-5-3-B-2 Payment and Collection on Specific Items: Building Materials and Supplies states (2)Building Materials and Supplies:** Any person who does not maintain a permanent place of business within the boundaries of the City and who shall build, construct or improve any building, dwelling or other structure or improvement to realty whatsoever (**including but not limited to structures, and site work such as landscaping, utility infrastructure, curb/gutter installation, parking lot resurfacing, etc.**) within the City shall, upon application for a building permit **for improvement to realty**, pay as a deposit for payment of the tax levied by Section 4-4-5-1 an amount equal to three and one-half percent (3.5%) of fifty percent (50%) **of the estimated cost or total contract price of the structure improvement or three and one-half percent (3.5%) of forty percent (40%) of the estimated cost of the improvement other than to the structure.**; provided, however, that **If the estimated cost or the total contract price of the improvement to realty is in excess of two hundred thousand dollars (\$200,000.00) three million dollars (\$3,000,000.00) or as set by City Council Resolution, the City Manager or designee, at his/her** discretion and upon application to it, may authorize a waiver of said deposit and accept the payment of said tax on a monthly, quarterly or other basis, based upon actual purchases of materials, supplies and equipment for which such tax may be due, subject to such rules and regulations as the said City may adopt. In all cases where the deposit required by the provisions of this Section is made, if it is determined at the time of the completion of the building, dwelling or other structure of improvement from the invoices and statements reflecting the purchase therefor, that the deposit made as herein required, together with the actual payments to the City as a sales tax, is in excess of the actual tax due therefor, the person making said deposit or paying said tax may make application to the City for refund of any amount paid in excess of the actual taxes due, in which event it shall be the duty of the person making such application to furnish all necessary bills and invoices evidencing over-payment of the tax, and, if the said City is satisfied that there has been such overpayment, it shall refund such overpayment to the taxpayer

## 2013 Title 5 Miscellaneous License Code Changes

### Adult Entertainment

#### 5-6-4: - Special License Application.

A.

For all adult entertainment establishments in addition to the license application requirements, in Chapter 1 of this Title, the applicant must comply with the following special application requirements:

1.

Diagram requirement:

i.

The application must be accompanied by a diagram showing the configuration of the premises, including a statement of total floor space occupied by the business and designating the use of each room or other area of the premises.

ii.

- iii. The diagram shall designate all areas of the premises where patrons are not permitted.
  - iv. The diagram need not be professionally prepared, but must be drawn to a designated scale, or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches (6").
  - v. The diagram shall designate the place at which the license will be conspicuously posted.
  - vi. No alteration in the configuration of the premises or any change in use of any room or area as shown on the diagram may be made without the prior written approval of the Licensing Officer.
  - vii. The Licensing Officer may waive the diagram requirement for renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared and that the use of any area or room in the premises has not changed.
- The applicant must be qualified according to the provisions of this chapter and the premises must may be inspected by the City and found to be in compliance with the law.

**DELETE Chapter 17 Going Out of Business and Damaged Goods Sales**

~~Chapter 17 - GOING OUT OF BUSINESS AND DAMAGED GOODS SALES~~

- ~~5-17-1: Definitions.~~
- ~~5-17-2: License Required.~~
- ~~5-17-3: Application for License.~~
- ~~5-17-4: Special Conditions and Restrictions of the License.~~

~~5-17-1: Definitions.~~

For the purpose of this Chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

~~*Damaged Goods:* A sale held out in such a manner as to reasonably cause the public to believe that the sale will offer goods damaged by fire, smoke, water, or other reason.~~

~~*Going Out of Business Sale:* A sale held out in such a manner as to reasonably cause the public to believe that, upon the disposal of the stock of goods on hand, the business will cease and will be discontinued, including but not limited to the following sales: adjuster's, adjustment, alteration, assignee's, bankrupt, benefit of administrator's, benefit of creditor's, benefit of trustee's, building coming down, closing, creditors' committee, creditors' end,~~

~~executor's, final days, forced out, forced out of business, insolvents, last days, lease expires, liquidation, loss of lease, mortgage sales, receiver's, trustee's, quitting business.~~

~~Goods: Is meant to include any goods, wares, merchandise or other property capable of being the object of a sale regulated by this Chapter.~~

~~(Ord. 96-59)~~

## ~~5-17-2: - License Required.~~

~~It shall be unlawful to conduct a going out of business and/or damaged goods sales prior to obtaining a license from the Licensing Officer except for the following:~~

~~A.~~

~~Persons acting pursuant to an order or process of a court of competent jurisdiction, persons acting in accordance with their powers and duties as public officials, and any publisher of a newspaper, magazine or other publication, who publishes in good faith, any advertisement, without knowledge of its false, deceptive or misleading character or without knowledge that the provisions of this Chapter have not been complied with. **Add this section to Chapter I (See Below)**~~

## **Add Chapter 17 Language to Chapter 1**

### **Chapter 1 - MUNICIPAL FINANCES**

5-1-1: - Definitions.

5-1-2: - License Required.

5-1-3: - Duties of City Licensing Officer.

5-1-4: - Application for License.

5-1-5: - Exemptions.

5-1-6: - Determination of License Fees and Term of License.

5-1-7: - Transfers and Change of Location for Licenses.

5-1-8: - License Available for Inspection.

5-1-9: - Hearings, Orders, and Appeals.

#### **5-1-1: - Definitions.**

For the purpose of this Title and Code in all matters relating to the licensing of any business, the following terms, phrases, words, and their derivations shall have the meanings given herein:

*Business/Business Use:* The employment of one or more persons for the purpose of earning a livelihood, activities of persons to improve their economic conditions and desires, and generally related to commercial and industrial engagements.

*Charitable Organization:* An organization listed as exempt under the United States Internal Revenue Code or which provides proof of a valid exemption certificate from the State of Colorado Department of Revenue.

*City Licensing Officer or Licensing Officer:* The City Manager of the City of Englewood, Colorado, or designee.

*Computation of Time:* In computing any period of time prescribed by this Title, the day of the act or event from which the designated period of days begins to run shall not be included and the last day shall be included. Saturday, Sunday and legal holidays shall be included, in the time for any act to be done. If the last day of any period is a Saturday, Sunday or legal holiday the period is extended to include the next day which is not a Saturday, Sunday or legal holiday.

**Damaged Goods: A sale held out in such a manner as to reasonably cause the public to believe that the sale will offer goods damaged by fire, smoke, water, or other reason.**

*Engage in Business:* To carry on or take part in the operation of a business. Agents, employees in their capacity as agents, or other representatives of any entity doing business in this City shall be personally responsible for compliance with this Title. A license need not be obtained for each branch of an establishment, if the business and branches are operated legally as one business except as required by any other Chapter in this Title.

**Going Out of Business Sale: A sale held out in such a manner as to reasonably cause the public to believe that, upon the disposal of the stock of goods on hand, the business will cease and will be discontinued, including but not limited to the following sales: adjuster's, adjustment, alteration, assignee's, bankrupt, benefit of administrator's, benefit of creditor's, benefit of trustee's, building coming down, closing, creditors' committee, creditors' end, executor's, final days, forced out, forced out of business, insolvents, last days, lease expires, liquidation, loss of lease, mortgage sales, receiver's, trustee's, quitting business.**

**Goods: Is meant to include any goods, wares, merchandise or other property capable of being the object of a sale regulated by this Chapter.**

*License:* Written permission to pursue or carry on a business subject to this Title.

*License Holder:* A person who has the authority to engage in a business is required to be licensed by this Title.

*Manager:* An individual who manages, directs, supervises, oversees and administers the acts and transactions of the agents or servants of any establishment governed by this Article or who, through his or her own actions, directs, oversees and administers the affairs of any such establishment.

*Minor:* Any person under the age of eighteen (18) years.

*Moral Turpitude:* Act or behavior that gravely violates moral sentiment or accepted moral standards of the community and includes behavior which is inimicable to the welfare, safety or morals of children or the public.

*Premises:* A lot, parcel, or plot of land together with the structures, equipment and appurtenances, and personal property.

(Code 1985, § 5-1-1; Ord. 99-17)

## **5-1-2: - License Required.**

It shall be unlawful for any corporation, company, partnership or individual to engage in any business without a license as required by this Title.

(Code 1985, § 5-1-2; Ord. 99-17)

**5-1-3: - Duties of City Licensing Officer.**

- A. The Licensing Officer shall collect all applicable fees, and issue licenses in the City's name to persons qualified under the provisions of this Title and shall:
  - 1. Promulgate and enforce all reasonable rules and regulations necessary for the administration and enforcement of this Title.
  - 2. Prepare and provide forms necessary to issue licenses.
  - 3. Require applicants to submit all affidavits and oaths necessary to administer this Title.
  - 4. Notify applicant of acceptance or denial of application and state in writing the reason(s) for denial.

(Code 1985, § 5-1-3; Ord. 99-17)

**5-1-4: - Application for License.**

- A. Each applicant required to procure a license under the provisions of this Title shall submit an application for such license to the Licensing Officer. The application shall:
  - 1. Be in writing, using forms provided by the Licensing Officer. The form shall include a signed affidavit by the applicant including:
    - i. The name of the license holder, and the name(s) under which the business is conducted.
    - ii. The address and the specific activity to be conducted.
    - iii. Any information required by another chapter or section of this Title or any other Title of this Code.
  - 2. Include other information which the Licensing Officer shall find reasonably necessary for the administration of this Title.
- B. The applicant shall submit all applicable fees to the Licensing Officer prior to a review of the application.
- C. *Renewal:* Applications for renewal must be submitted by December 31 of each year. A renewal application not received or postmarked by December 31 shall be subject to a late fee as determined by City Council Resolution. If a renewal application is not received before the expiration of the current license, it may be treated as a new application and an application fee may be assessed as required in this Title.
- D. The Licensing Officer has the authority to deny any applications or renewal of an existing license or to suspend or revoke an existing license under the following conditions:
  - 1. The license was obtained by fraud, misrepresentation, or false statements.
  - 2. The licensed activity is a public nuisance as defined by ordinance or statute.
  - 3. The license was issued in error.
  - 4. Upon grounds provided by any other city application requirement, ordinance, State Statute, Federal Law, or regulation of the City, State, or Federal government.
  - 5. The applicant is in default of any indebtedness or other obligation due the City.
  - 6. The proposed use of any premises for which the license is sought is not authorized by the Unified Development Code, building, housing or other regulations.
  - 7. Failure of the license holder to submit a new application before the expiration of a current license.
  - 8. The granting of a license does not give the license holder an automatic right for a renewal. An application for a renewal will be denied if any condition exists which would result in the denial of an application for a new license.
- E. An applicant, when denied a license, shall not engage in the business for which a license is required.
- F. If the Licensing Officer finds that the licensee's activities fall under the provisions of more than one (1) license, the License Officer may require the licensee to obtain a license for each activity.

(Code 1985, § 5-1-4; Ord. 99-17; Ord. 04-6; Ord. 07-22)

#### **5-1-5: - Exemptions.**

The Licensing Officer may waive fees and licenses to charitable organizations. A letter of application for exemption must be filed with, and approved by, the Licensing Officer prior to engaging in business.

(Ord. 99-17)

#### **5-1-6: - Determination of License Fees and Term of License.**

- A. The City Council shall determine and set by resolution all fees required under this Title.
- B. Unless otherwise specifically provided, a license shall be issued for a period not to exceed one year and shall expire on December 31 following its issuance. The Licensing Officer shall promulgate a policy regarding proration of license fees.
- C. No refund of an application fee shall be made.

(Code 1985, § 5-1-5; Ord. 99-17)

#### **5-1-7: - Transfers and Change of Location for Licenses.**

- A. Unless otherwise specifically provided, a license holder does not have the right to transfer the license to another person or location.

(Code 1985, § 5-1-6; Ord. 99-17)

#### **5-1-8: - License Available for Inspection.**

The license holder shall make the license immediately available to any person for inspection at all times that the licensed premises or activity is in operation.

(Code 1985, § 5-1-7; Ord. 99-17)

#### **5-1-9: - Hearings, Orders, and Appeals.**

- A. When a City official reports a violation of this Title, Code, law, statute, or ordinance, the Licensing Officer shall issue a provisional order to comply.
  - 1. The provisional order, and all other notices issued in compliance with this Title, shall be in writing, shall be served as provided in the Englewood Municipal Code, and shall notify the license holder of the specific violation(s). If the license holder can not be served in this manner, the premises may be posted.
  - 2. Before the period of compliance expires, as noted in the provisional order, the license holder or the City may submit a written application for hearing. The Licensing Officer shall order a hearing after reviewing the application.
  - 3. The Licensing Officer shall order a hearing within fourteen (14) days of the receipt of the application for a hearing.
  - 4. The Licensing Officer shall make a final decision in writing, within thirty (30) days after the conclusion of the hearing.
- B. The Licensing Officer shall have the authority to revoke or suspend licenses, to extend the time for compliance, to grant a new hearing, and to change, modify or rescind any recommendation or order.
- C. When the conduct of any license holder, agent, or employee is so hazardous to the public health, safety and general welfare as to constitute a danger to health, safety, and welfare of the public or give rise to an emergency, the Licensing Officer shall have the authority to summarily order the cessation of business and close the premises or to suspend or revoke the license unless waived in writing, within ten (10) days after the issuance of the summary order, the Licensing Officer shall conduct a hearing. The Licensing Officer shall make a final decision in writing, within thirty (30) days after the conclusion of the hearing.
- D. Any license holder aggrieved by a final decision of the Licensing Officer shall have the right to appeal to an independent hearing officer appointed by the City. A written appeal must be filed with the City Manager within ten (10) days of the final decision by the Licensing Officer.
  - 1. The appeal shall include a copy of the order or decision of the Licensing Officer and a statement by the license holder setting forth the basis of the appeal.

2. The City Manager shall fix a time and place for hearing the appeal and shall give notice to the appellant and Licensing Officer.
  3. The independent hearing officer shall be limited to a determination as to whether the Licensing Officer's finding was arbitrary and capricious.
  4. The findings of the independent hearing officer shall be given the appellant and the Licensing Officer.
  5. If the independent hearing officer makes a determination that the Licensing Officer's finding was arbitrary or capricious, the Licensing Officer shall follow the procedures and have the powers set forth under paragraphs, A, B, and C, of this section to make corrections and issue a new final decision.
- E. No civil or administrative action shall bar or prevent prosecution in Municipal Court for any violation of this Code.

*(Code 1985, § 5-1-8; Ord. 99-17)*

**5-1-10: - Special License Application.**

**It shall be unlawful to conduct a going out of business and/or damaged goods sales except for the following:**

**A.**

**Persons acting pursuant to an order or process of a court of competent jurisdiction, persons acting in accordance with their powers and duties as public officials, and any publisher of a newspaper, magazine or other publication, who publishes in good faith, any advertisement, without knowledge of its false, deceptive or misleading character or without knowledge that the provisions of this Chapter have not been complied with**



# M E M O R A N D U M

## COMMUNITY DEVELOPMENT

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TO: Mayor Penn and City Council

THROUGH: Gary Sears, City Manager

FROM: Alan White, Community Development Director ✓

DATE: May 14, 2013

SUBJECT: Home Occupation Issues

Based on Council Request 13-072 about a home occupation, there may be interest by Council to address the City's home occupation regulations. The business that was the subject of that Council Request was an irrigation and landscape company and the business activities consisted of office work - presumably such activities as customer contact, invoice preparation, materials ordering, bill paying and similar activities. The residence was not used for storage of irrigation materials, nor as a place for employees to meet before going to a job site. In this particular instance, the home occupation was being conducted from a residence in the R-1-A Zone District. Home occupations of any kind are expressly prohibited in the R-1-A Zone District. This is the only residential zone district in which home occupations are prohibited. (See Attachment.)

The regulations do not make any distinction between conducting only bookkeeping or other office functions in connection with a business versus making and selling products on the premises, for example. Therefore, any activity associated with the conduct of a business in a residence is considered a home occupation. The regulations list specific businesses that are prohibited, but do not list businesses that are permitted as home occupations. One is left to conclude that any business that isn't prohibited and that meets the operational requirements is an allowed home occupation.

The list of prohibited businesses and the operational requirements are intended to protect residential neighborhoods from the impacts associated with commercial and business uses, such as delivery trucks, customer and employee traffic, odors, dust and noise. More research would be needed to verify this, but the current home occupation regulations probably have been carried over in each code re-write since the 1950's and the exclusion of home occupations from the R-1-A Zone District has remained.

The nature of having a home business has changed since these home occupation regulations were written. Certain types of business activities that can be conducted in a home can have very little impact on a neighborhood. Architects, tax consultants, financial planners, and various types of web-based businesses operate out of residences with little to no impact on neighbors.

If Council perceives a need to modify the home occupation regulations, the following options are available:

1. Include the R-1-A Zone District in the list of zone districts in which home occupations are permitted.
2. Modify the regulations by listing expressly permitted home occupations, and modify the prohibited home occupation list to include other types of businesses not mentioned in the current regulations.
3. Create a restricted list of home occupations permitted in R-1-A.
4. The R-1-A exclusion can also be removed by rezoning areas from R-1-A to another zone district.

The home occupation regulations can be amended in a number of ways to remove or add exclusions and/or to clarify aspects of home occupations (bookkeeping, for example) that may be acceptable activities in a residential zone district.

The process of amending the UDC or the Zoning Map requires a public hearing at Planning and Zoning Commission and two readings of an ordinance along with a public hearing at City Council.

## Attachment

Section 16-5-4 of the UDC establishes regulations for Accessory Uses. Regulations for Home Occupations are included under Accessory Uses, at Section 16-5-4 C. The home occupation regulations are as follows:

1. *Home Occupation.* Occupations customarily incidental to the principal use as a residence may be allowed when conducted in the same dwelling, provided the following standards are met:
  - a. *Districts Allowed.* Home occupations are allowed in the following districts: R-1-B, R-1-C, R-2-A, R-2-B, MU-R-3-A, and MU-R-3-B. Only one (1) home occupation shall be permitted per dwelling unit. Home occupations may be permitted accessory to principal residential uses located in nonresidential districts (e.g., in a manufactured home park located in an industrial district) provided the home occupation complies with all requirements of residential district home occupations herein.
  - b. *Where Allowed on Site.* The home occupation shall be operated entirely within the dwelling unit and only by the person or persons maintaining a dwelling unit therein. The home occupation shall not have a separate outside entrance. The home occupation shall not be conducted in a detached accessory structure.
  - c. *Registration.* All home occupations shall register with the City.
  - d. *Sales.*
    - (1) *On the Premises.* The sale on the premises of items that have been made, grown, or prepared on the premises shall be permitted. The sale on the premises of any item that has not been made, grown, or prepared on the premises shall be prohibited.
    - (2) *Off the Premises.* Sales off the premises of such items as personal or household goods such as those products offered by Avon, Amway, Fuller Brush, Watkins, etc., shall be permitted.
  - e. *Operational Requirements.*
    - (1) No assistants or employees that are not residents of the principal dwelling unit shall be employed in the home occupation.
    - (2) The hours and manner of such uses and the noise created thereby shall not interfere with the peace, quiet, or dignity of the neighborhood and adjoining properties.
    - (3) Incidental storage shall be allowed for items made on the premises and/or sold off the premises consistent with this Section.
    - (4) The home occupation, including storage of materials, equipment, inventory, and/or supplies, shall not utilize more than three hundred (300) square feet; provided, however, that this does not apply to permitted home care accessory uses.

- (5) The use of electric motors shall be limited in power, with a total limitation of one and one-half (1 1/2) horsepower, and no single unit over three-fourths (3/4) horsepower.

f. *Prohibited Uses.* In no event shall any home occupation include the following business or commercial activities:

- (1) Animal hospital or kennel, animal daycare, breeders, except licensed canine and feline breeders.
- (2) Asphalt paving business.
- (3) Barbers, hairdressers, cosmetologists, beauticians or any activity involving the skin, hair or nails.
- (4) Body, mechanical repair, or modification of motor vehicles.
- (5) The sale, storage, manufacture, or assembly of guns, knives or other weapons or ammunition.
- (6) Dump trucks.
- (7) Restaurants.
- (8) Towing business.
- (9) Processes involving the dispensing, use, or recycling of hazardous or flammable substances and materials.
- (10) Automotive vehicle sales requiring a state dealer's license.
- (11) Medical Marijuana Centers.
- (12) Medical Marijuana-Infused Products manufacturers.
- (13) Optional Premises Cultivation Operation.

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2013

**DRAFT**

A RESOLUTION RECOMMENDING TO THE CITY MANAGER OF THE CITY OF ENGLEWOOD, COLORADO THE SUSPENSION OR MORATORIUM OF THOSE SECTIONS PROHIBITING "HOME OCCUPATIONS" IN R-1-A ZONE DISTRICT ALLOWING ONLY THOSE HOME OCCUPATION ACCESSORY USES ALLOWED IN THE OTHER RESIDENTIAL DISTRICTS.

WHEREAS, the Unified Development Code, as adopted, allows "Home Occupation" as an "Accessory Use" to the permitted uses in other zone districts; and

WHEREAS, these accessory "Home Occupation" uses have restrictions on how the "Home Occupation" may be conducted including restrictions on location, employees, customers and a prohibition on certain occupations; and

WHEREAS, the Accessory Use "Home Occupation" is not currently allowed in the R-1-A zone district; and

WHEREAS, the Englewood City Council wishes to have staff review the current Code regarding whether the "Home Occupation" Accessory Use would also be appropriate in the R-1-A zone district; and

WHEREAS, this moratorium would temporarily stop enforcement of those sections prohibiting "Home Occupations" in R-1-A zone district allowing only those home occupation accessory uses allowed in the other residential districts.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The City Council of the City of Englewood, Colorado recommends the City Manager enact a moratorium or temporary suspension on the enforcement of those sections prohibiting "Home Occupations" in R-1-A zone district allowing only those home occupation accessory uses allowed in the other residential districts.

Section 2. The Englewood City Council finds the provisions of this Resolution are temporary in nature and are intended to be replaced by subsequent legislative enactment so that the moratorium or temporary suspension as specified in this Resolution should terminate on December 16, 2013.

ADOPTED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
Randy P. Penn, Mayor

\_\_\_\_\_  
Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. \_\_\_\_\_, Series of 2013.

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Loucrishia A. Ellis, City Clerk



C I T Y O F E N G L E W O O D  
City Manager's Office

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June 26, 2013

Englewood, CO 80110

RE: **Budget Advisory Committee**

Dear

Congratulations on your appointment by City Council to the **Budget Advisory Committee!** The appointment is effective July 1, 2013. The inaugural meeting for this Committee is scheduled on **Wednesday, July 17 from 7:30am to 10:30am** in the **Community Room** located on the second floor of the Englewood Civic Center 1000 Englewood Parkway.

The day, time and location for future meetings will be determined by the members at the first meeting. We plan to electronically send the agenda and information packet prior to each meeting for your review.

If you have any questions or need directions to the meeting location, please contact Jennifer Nolan by phone 303-762-2409 or email [jnolan@englewoodgov.org](mailto:jnolan@englewoodgov.org).

We look forward to meeting and working with you.

Sincerely,

Gary Sears, City Manager

Frank Gryglewicz, Finance and Administrative Services Director