

AGENDA ITEM SUMMARY

September 5, 2017

City Council

STAFF

Tiana Smith, Revenue and Project Manager
Mike Beckstead, Chief Financial Officer
Ryan Malarky, Legal

SUBJECT

Second Reading of Ordinance No. 114, 2017, Repealing Article III of Chapter 15 of the Code of the City of Fort Collins Relating to Amusement Devices and Places.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on August 15, 2017, repeals Article III of Chapter 15 of City Code to remove a license requirement on amusement devices and places, including but not limited to, pool tables, roller skating rinks, shooting galleries and electronic game devices. Once this Ordinance is adopted, the Sales Tax Office will send a notification letter to businesses that in 2017 have held such a license as required under Article III of Chapter 15. The letter will contain information about the action taken by City Council with the Ordinance to repeal the section of the Code, what that means for the business and when it goes into effect.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. First Reading Agenda Item Summary, August 15, 2017 (PDF)
2. Ordinance No. 114, 2017 (PDF)

AGENDA ITEM SUMMARY

August 15, 2017

City Council

STAFF

Tiana Smith, Revenue and Project Manager
Mike Beckstead, Chief Financial Officer
Ryan Malarky, Legal

SUBJECT

First Reading of Ordinance No. 114, 2017, Repealing Article III of Chapter 15 of the Code of the City of Fort Collins Relating to Amusement Devices and Places.

EXECUTIVE SUMMARY

The purpose of this item is to repeal Article III of Chapter 15 of City Code to remove a license requirement on amusement devices and places, including but not limited to, pool tables, roller skating rinks, shooting galleries and electronic game devices.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The City has imposed a license requirement on amusement devices and places, including but not limited to, pool tables, roller skating rinks, shooting galleries and electronic game devices. In a response to citizen inquiry, the City Council has determined that the circumstances in the community have changed since the original adoption of the license requirement making it no longer necessary to regulate these amusement devices and places for the benefit of the public health, safety and welfare.

CITY FINANCIAL IMPACTS

The City of Fort Collins collects approximately \$18,000 per year in license fees for amusement devices and places. There are approximately 30 businesses located in Fort Collins that have licenses for approximately 260 amusement devices and places. The amount of revenue is insignificant in light of the City's budget. After the Ordinance is in effect, staff will issue refunds to those current licensees who paid license fees before the effective date of the Ordinance, prorated by month. Staff estimates the total refund amount to be \$1,000.

ORDINANCE NO. 114, 2017
OF THE COUNCIL OF THE CITY OF FORT COLLINS
REPEALING ARTICLE III OF CHAPTER 15 OF THE CODE OF THE CITY
OF FORT COLLINS RELATING TO AMUSEMENT DEVICES AND PLACES

WHEREAS, the City has imposed a license requirement upon amusement devices and places, including but not limited to, pool tables, roller skating rinks, shooting galleries, and electronic game devices; and

WHEREAS, proprietors of such devices and places are required to obtain a license and pay a licensing fee on either a six-month or annual basis; and

WHEREAS, in response to citizen inquiry, the City Council has determined that circumstances in the community have changed since the original adoption of this license requirement making it no longer necessary to regulate these amusement devices and places for the benefit of the public health, safety and welfare; and

WHEREAS, the revenue from the licensing fees is insignificant in light of the City's budget; and

WHEREAS, it is the desire of City Council to amend Chapter 15 of the City Code to eliminate the license requirements for such devices and places.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Article III of Chapter 15 of the Code of the City of Fort Collins is hereby repealed in its entirety.

Introduced, considered favorably on first reading, and ordered published this 15th day of August, A.D. 2017, and to be presented for final passage on the 5th day of September, A.D. 2017.

Mayor

ATTEST:

Interim City Clerk

Passed and adopted on final reading on the 5th day of September, A.D. 2017.

Mayor

ATTEST:

Chief Deputy City Clerk