

TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2026-285

AN ORDINANCE AMENDING SECTION 6-3 OF THE JOHNSTOWN MUNICIPAL CODE CONCERNING ANNUAL BUSINESS LICENSES; SECTION 6-63 OF THE JOHNSTOWN MUNICIPAL CODE CONCERNING SHORT-TERM RENTAL LICENSES; AND SECTIONS 6-172 AND 6-175 OF THE JOHNSTOWN MUNICIPAL CODE CONCERNING LIQUOR LICENSING; REPEALING ARTICLE III OF CHAPTER 5 OF THE JOHNSTOWN MUNICIPAL CODE CONCERNING THE TELEPHONE OCCUPATION TAX

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, Chapter 6 of the Johnstown Municipal Code regulates business licensing; and

WHEREAS, Article I of Chapter 6 contains general business licensing regulations, and Section 6-3 contained therein addresses the length of business licenses; and

WHEREAS, the Town Clerk recommends that the Town Council amend Section 6-3 to provide that a business license shall terminate on the last day of the month one (1) year from the date of issuance, rather than on December 31 of each calendar year; and

WHEREAS, Article IV of Chapter 6 contains short term rental licensing regulations, and Section 6-63 contained therein addresses, among other provisions, posting requirements concerning the short-term rental license; and

WHEREAS, the Town Clerk recommends that the Town Council amend Section 6-63 to require that the short-term business license number be included in a conspicuous location on all print and online advertising for the short-term rental of the property; and

WHEREAS, Article IX of Chapter 6 contains liquor licensing regulations, and Sections 6-172 and 6-175 contained therein set forth, respectively, relevant definitions and the scope of the delegation of authority to the Town Clerk; and

WHEREAS, the Colorado General Assembly recodified liquor license regulations and the Town Clerk recommends that the Town Council amend Section 6-172 to reflect the correct statutory reference for state law liquor license regulations; and

WHEREAS, the Town Clerk further recommends that the Town Council amend Section 6-175 to delegate additional authority to the Town Clerk to process the transfer of ownership of liquor licenses; and

WHEREAS, based on the recommendations of the Town Clerk, the Town Council desires to amend Sections 6-3, 6-62, 6-172 and 6-175 of the Johnstown Municipal Code; and

WHEREAS, the Town adopted a telephone occupation tax in 1979, codified at Article III of Chapter 5 of the Johnstown Municipal Code, levying on and against each telephone utility company operating within the Town a tax on the occupation and business of maintaining a telephone exchange and lines connected therewith and of supplying local exchange telephone service to the inhabitants of the Town; and

WHEREAS, because the nature of telephone service has changed since adoption of the telephone occupation tax over forty-five (45) years ago and the telephone occupation tax is no longer imposed or collected by the Town and will not likely be subject to imposition or collection in the future, Town Staff recommends that the Town Council repeal the telephone occupation tax; and

WHEREAS, based on Town Staff's recommendation, the Town Council desires to repeal Article III of Chapter 5 of the Johnstown Municipal Code; and

WHEREAS, Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of the public health, safety and welfare and that this Ordinance is in the best interests of the citizens of the Town.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, AS FOLLOWS:

Section 1. Recitals. The recitals set forth above are affirmed and incorporated herein.

Section 2. Section 6-3. Section 6-3 of the Johnstown Municipal Coder is hereby repealed and reenacted to read as follows:

Sec. 6-3. License required; term.

- (a) Unless exempted by the Town Clerk, the owner of each business within the Town shall obtain an annual business license. A separate business license shall be obtained for each premises, regardless of ownership, wherein business is conducted in the Town.
- (b) It is unlawful for an owner to commence, carry on or establish any business within the Town without first obtaining a business license.
- (c) Each business license shall remain in effect until the earlier of the following: (i) the last day of the month one (1) year from the date of issuance; (ii) the business no longer operates within the Town boundaries; or (iii) the ownership of the business changes. Upon termination, the business license shall, if the business continues to operate in the Town, be renewed upon payment of the business license renewal fee and the receipt of additional information, if any, required by the Town Clerk.

Section 3. Section 6-63. The title of Section 6-63 of the Johnstown Municipal Coder is hereby amended to read "Application for license; posting license," and subsection 6-63(b) is hereby repealed and reenacted to read as follows:

Sec. 6-63. Application for license; posting license.

...

- (b) If the Town Clerk determines that the issuance of the short-term rental license is consistent with this Article, the rules and regulations promulgated hereunder and the Code, the Town Clerk shall issue the short-term rental license. The license must be posted in a conspicuous location within the short-term rental property, and the license number must be included in a conspicuous location in all print and online advertising for the short-term rental of the property.

Section 4. Section 6-172. Section 6-172 of the Johnstown Municipal Coder is hereby amended to repeal and reenact the definition of *state liquor laws*, which shall hereinafter read as follows:

Sec. 6-172. Definitions.

...

State liquor laws means Title 44, Articles 3, 4 and 5, C.R.S., as amended, and the rules and regulations adopted thereunder by the Colorado Liquor Licensing Authority and the Colorado Department of Revenue.

Section 5. Subsection 6-175(a). Subsection 6-175(a) is hereby repealed and reenacted to read as follows:

Sec. 6-175. Administrative application and delegation of authority to Town Clerk.

- (a) *Town Clerk Administrative Authority.* Subject to the applicant's right of appeal to the Local Licensing Authority, the Town Clerk, pursuant to and in compliance with the applicable state liquor laws, is authorized to act as the local licensing authority and process and issue the following administrative applications:
- (1) Annual license renewals required by the state liquor laws, provided that the licensee has no pending actions, is not the subject of any official investigation and has not had any adjudicated violations or stipulations within the preceding year;
 - (2) Changes in shareholders, officers, directors or trade names of a licensee, provided that any investigation conducted by the Town does not reveal information that may reasonably form the basis of a determination that the applicant is not qualified to hold the respective license;
 - (3) Changes in the registered manager of a licensee, provided that any investigation conducted by the Town does not reveal information that may reasonably form the basis of a determination that the proposed manager is not qualified to hold the position;
 - (4) Modification of premises, provided that any investigation conducted by the Town does not reveal information that may reasonably form the basis of a determination that the premises should not be modified;
 - (5) Issuance of special events permits, provided that there are no persons filing a written objection to said permit;
 - (6) Issuance of temporary permits and, unless the Town Clerk determines that a hearing is warranted, transfer of ownership of liquor licenses; and
 - (7) Issuance and renewal of tastings permits.

Section 6. Repeal. Article III of Chapter 5 of the Johnstown Municipal Code (Telephone Occupation Tax) is hereby repealed.

Section 7. Severability. If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and, to this end, the provisions and parts of this Ordinance are declared to be severable.

Section 8. Repealer. All ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any ordinance, or part thereof, heretofore repealed.

Section 9. Publication; Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado ("Charter") and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk. This Ordinance shall become effective upon final passage as provided by the Charter. Copies of the entire Ordinance are available at the office of the Town Clerk.

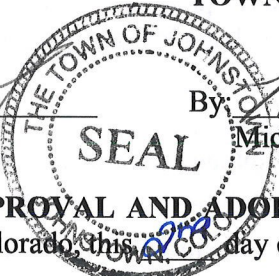
INTRODUCED, AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this 5th day of January, 2026.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: Meghan Martinez
Meghan Martinez, Town Clerk

By: Michael P. Duncan
Michael P. Duncan, Mayor



PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this 28th day of February, 2026.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: Meghan Martinez
Meghan Martinez, Town Clerk

By: Michael P. Duncan
Michael P. Duncan, Mayor

