

CHAPTER 14 – BUSINESSES AND TRADES

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14.1 Liquor License Fees

14.1-1 Definitions

As used herein, the following words or phrases shall have the following meanings:

Malt Liquors - Shall include beer and shall be construed to mean any beverage obtained by the alcoholic fermentation of any infusion or decoction of barley, malt, hops or any other similar products or any combination thereof in water, containing more than 3.2% of alcohol by weight.

Vinous Liquors - Shall include wine and fortified wines not exceeding 21% of alcohol by volume and shall be construed to mean alcoholic beverages obtained by the fermentation of the natural sugar contents of fruits or other agricultural produce containing sugar.

Spirituos Liquors - Shall be construed to mean any alcoholic beverage obtained by distillation, mixed with water and other substances in solution, and includes among other things brandy, rum, whiskey, gin, and every liquid or solid, patented or not, containing alcohol and which are fit for use for beverage purposes. Any liquid or solid containing beer or wine in combination with any other liquor except as above provided shall not be construed to be malt or vinous liquors but shall be construed to be spirituous liquor.

3.2% Beer - Shall be construed to mean malt liquor, as herein defined, containing not more than 3.2% of alcohol by weight.

Person - Used in this Section shall include persons, partnerships, association, organizations or corporations.

Operator - Means a person licensed by law to sell malt, vinous, and spirituous liquors, for beverage purposes at retail and who is engaged at any time during the calendar year in such operation within the Town of Berthoud.

14.1-2 Classification

The business of selling at retail, any malt, vinous or spirituous liquor, or 3.2% beer, for beverage purposes is hereby defined and separately classified as such occupation for the purposes of this Code as follows:

- A. Hotel & Restaurant Operators: All operators who are licensed to sell beer, wine and spirituous liquors for consumption on the premises either as hotel or restaurants shall be Hotel & Restaurant Operators.
- B. Hotel & Restaurant Operators with optional premises. Those Hotel & Restaurant operators who have established a "bar" type area of their business to primarily serve beer, wine, or spirituous liquors shall be classified as Hotel & Restaurant Operators with optional premises.
- C. Beer & Wine Operators: All operators licensed to sell malt or vinous liquors only by the drink for consumption on the premises shall be Beer & Wine Operators.
- D. Retail Liquor Store Operators: All operators licensed as retail liquor stores to sell in original containers malt, vinous or spirituous liquors for consumption off the premises shall be Retail Liquor Store Operators.
- E. Liquor licensed Drugstore Operators: All operators licensed as drug stores to sell malt, vinous or spirituous liquors in original containers for consumption off the premises, shall be Liquor Licensed Drugstore Operators.
- F. Club License: All operators licensed to sell malt, vinous or spirituous liquors as clubs are Club Operators.
- G. Retail 3.2% Beer On Premises Operators: All operators licensed to sell only 3.2% beer and who sell the same for consumption on the premises are Retail 3.2% Beer On Premises Operators.
- H. Retail 3.2% Beer Off Premises Operators: All operators licensed to sell only 3.2% beer and who sell the same solely in the original package or container for consumption off the premises shall be Retail 3.2% Beer Off Premises Operators.

14.1-3 License Fee

The operators identified in Subsection 14.1-2 of this Section shall be required to pay an annual licensing fee to the town in the then current amount set by state statute. (C.R.S. 12-47-505)

14.1-4 Declaration of Policy and Purposes

The town board hereby finds, determines and declares that considering the nature of the business of selling at retail 3.2% beer, malt, vinous and spirituous liquors for beverage purposes, and the relation of such business to the municipal welfare, as well as the relation thereof to the expenditures required of the town, and all other matters proper to be considered in relation thereto, that the classification of said business as separate occupation is reasonable, proper, uniform and non-discriminatory and that the amount of fee hereby imposed is reasonable, proper, uniform and non-discriminatory.

14.1-5 Occupation Fee

There is hereby levied and assessed an annual occupation fee, in an amount to be determined by the town board, upon the business of selling 3.2% beer, malt, vinous or spirituous liquors, in the Town of Berthoud.

14.1-6 Payment of Fee

The occupation fee referenced in Subsection 14.1-5 is due and payable to the town clerk upon renewal of the annual liquor license. Upon receipt of such fee, it shall be the duty of the town clerk to execute and deliver to the operator paying the fee, a revenue receipt showing the name of the operator paying the fee, the date of payment, the annual period for which said fee is paid, and the place at which said operator conducts business. The operator shall, at all times during the year, keep the current receipt posted in a conspicuous place in his place of business.

14.1-6 Delinquency Not Ground for Revocation

No delinquency in payment of the occupation fee referenced in Subsection 14.1-5 shall be grounds for suspension or revocation of any license granted to any such operator by any licensing authority pursuant to the statutes by the general Assembly of Colorado, and in performance of any duties imposed upon the town board as a licensing authority by said statutes, the board shall exclude from consideration any delinquency in payment of the fee herein provided for.

14.1-8 Fee Recovered by Suit

The town shall have the right to recover all sums due by the terms of this code, by judgment and execution thereon in a civil action in any court of competent jurisdiction. Such remedy shall be cumulative with all other remedies provided herein for the enforcement of such payment.

14.1-9 Unlawful Acts

Failure to comply with the terms of this code by payment of fees, securing and posting a receipt therefore, and to otherwise comply with the terms of this Section, shall constitute an offense and violation of this Code. A violation for each calendar month shall constitute a separate offense. But no conviction for a violation of Subsection 14.1-5 shall be the basis for a revocation of the license of the defendant issued under the laws of the State of Colorado.

14.1-10 Alcohol Tasting Standards

Pursuant to Section 12-47-301 (10) of the *Colorado Revised Statutes*, the Town of Berthoud hereby establishes the following procedures and standards for conducting the tasting of alcoholic beverages:

- A. Applications for tastings may only be submitted by licensed retail liquor stores on an application provided by the Town of Berthoud. The application may be rejected if the application fails to establish that the applicant is able to conduct tastings without violating the provisions of this Section or that it may create a public safety risk to the neighborhood.
- B. The Town shall prepare an application form, with the application fee for the tastings to be \$150.00.
- C. Tastings shall be conducted only by a person who has completed a server training program that meets the standards established by the liquor enforcement division in the department of revenue and who is a retail liquor store licensee or an employee of a licensee, and only within a licensee's licensed premises.
- D. The alcohol used in tastings shall be purchased through a licensed wholesaler, licensed brew pub, or winery licensed pursuant to § 12-47-403 of the *Colorado Revised Statutes* at a cost that is not less than the laid-in cost of such alcohol.

- E. The size of an individual alcohol sample shall not exceed one (1) ounce of malt or vinous liquor or one-half (1/2) of one (1) ounce of spirituous liquor.
- F. Tastings shall not exceed a total of five (5) hours in duration per day, which need not be consecutive.
- G. Tastings shall be conducted only during the operating hours in which the licensee on whose premises the tastings occur is permitted to sell alcohol beverages, and in no case earlier than 1 :00 P.M. or later than 7:00 P.M. Tastings may occur on no more than four (4) of the six (6) days from a Monday to the following Saturday, not to exceed one hundred four (104) days per year.
- H. The licensee shall prohibit patrons from leaving the licensed premises with an unconsumed sample.
- I. The licensee shall promptly remove all open and unconsumed alcohol beverage samples from the licensed premises or shall destroy the samples immediately following the completion of the tasting.
- J. The licensee shall not serve a person who is under twenty-one (21) years of age or who is visibly intoxicated.
- K. The licensee shall not serve more than four (4) individual samples to a patron during a tasting.
- L. Alcohol samples shall be in open containers and shall be provided to a patron free of charge.
- M. No manufacturer of spirituous or vinous liquors shall induce a licensee through free goods or financial or in-kind assistance to favor the manufacturer's products being sampled at a tasting. The licensee shall bear the financial and all other responsibility for a tasting.

14.2 Auctions and Auctioneers

14.2-1 Auctioneer's License Required

It shall be unlawful for any person to sell any property, goods, wares or merchandise at public auction within the town without first having obtained an auctioneer's license as provided herein.

14.2-2 Auctioneer's License Fee

Each applicant for an auctioneer's license shall pay to the town a license fee in an amount set by resolution of the town board.

14.2-3 License for Auction Required

It shall be unlawful for any person to sell or offer for sale at public auction within the town, any property, goods, wares or merchandise, either new or secondhand, without the owner having first procured a license for the holding of such auction.

14.2-4 Auction License Fee

Each applicant for an auction license shall pay to the town a license fee in an amount set by resolution of the town board.

14.2-5 Sales Excluded From License Provisions

No provision in this Section shall be construed to apply to sales made at public auction under and by virtue of any legal process or processing through or from a court of law or equity, or to sales under any mortgage or trust deed, or to any tax sales, or to sales under any provisions of this Code by any town officer, or when the proceeds thereof are to be used for religious or charitable purpose.

14.3 Pawn Brokers

14.3-1 License Required

It shall be unlawful for any person to establish or conduct any business of a pawn broker in the city without first obtaining a license therefore. The term "pawn broker" shall include any person who engages in the business of receiving property in pledge or as security for money or other thing advanced to the pawner or pledger. (C.R.S. 12-56-101 et seq.)

14.3-2 License Fee

The license fee for conducting the business of pawn broker in this town shall be in an amount set by resolution of the town board and shall be submitted with any application for a new license.

14.3-3 Bond

Every person applying for a pawn broker's license shall give a surety bond in the sum of \$2,000.00, to be approved by the board, conditioned upon the faithful carrying out of the provisions of C.R.S. 12-56-101, et. seq., and the due observance of all provisions of this Code, and for the safe keeping and return of all articles held in pawn by such pawn broker.

14.4 Secondhand and Junk Dealers

14.4-1 License Required

No person shall engage in the business of keeping a secondhand store or a place for buying and selling secondhand goods, or engage in the business of a junk dealer or collector, without first obtaining a license therefore. This requirement shall not apply to dealers in automobiles or to any business primarily engaged in the sale of new merchandise where secondhand goods are obtained through trade-ins.

14.4-2 Application and License Fee

Any person desiring a license required by this Section shall apply to the town clerk therefore. Such application shall be in writing and shall set forth the full name of the applicant and the location at which such business is to be carried on. Each application for a license shall be accompanied by the payment of an annual fee for such license, in an amount set by resolution of the town Board of Trustees.

14.4-3 Record of Purchases Required

Every person licensed as a secondhand or junk dealer shall keep a record of the goods, article or thing purchased or traded, the time of the receipt of the same and the name, signature and address of the person selling or trading the same. Such book shall be open to inspection by the police department at all times.

14.4-4 Goods Retained For 72 Hours

No person licensed hereunder shall sell or remove from his place of business any goods or articles purchased or traded for by him until the same shall have been in his possession at least 72 hours.

14.4-5 Purchase From Certain Persons Prohibited

No person licensed hereunder shall purchase or trade any secondhand goods, article or thing from any person who, at the time is intoxicated, or from any person known by him to be a thief or a receiver of stolen property, or from any person whom he has a reason to suspect of being such, or from any person who is under the age of 21 without the written authorization of the parent or guardian of such person, and where such person is under the age of 12 years such person must be accompanied by his parent or guardian in addition to such written authorization.

14.4-6 Purchases Restricted to Certain Hours

No person licensed hereunder shall make any purchases in connection with the licensed business between the hours of 8:00 p.m. and 6:00 a.m.

14.5 Trailer Courts

14.5-1 Definitions

As used in the following Subsections, the following words and phrases shall have the following meanings:

- A. Trailer Court Board shall mean a board composed of the town building inspector, the town health officer, and one representative each from the departments of fire and police.
- B. License shall mean a written license issued by the town clerk permitting a trailer court to operate under this Section.
- C. Trailer court shall mean any plot of ground upon which two or more trailer coaches, occupied for dwelling or sleeping purposes, are located.
- D. Trailer coach shall mean any vehicle so constructed that it can be used for dwelling or sleeping purposes, it had or has wheels attached thereto for movement on any street or highway, and it was or is subject to registration as a motor vehicle under the laws of the State of Colorado.
- E. Trailer coach space shall mean a plot of ground within a trailer court designed for the accommodation of one trailer coach, said space to be known as a unit.
- F. Service building shall mean a building housing toilet facilities with slop water closet or other satisfactory facilities and laundry facilities and with separate bath or shower accommodations for each sex.

14.5-2 Licenses

No person shall construct, maintain or operate a trailer court within the town without first obtaining a trailer court license therefore. Such license shall be issued by the town clerk if the applicant fully complies with the provisions hereof and the building inspector approves its issuance. The annual license fee shall be in an amount set by resolution of the town Board of Trustees

14.5-3 Applications For License

- A. Applications for a license shall contain the following:
- B. The area and dimensions of the tract of land;
- C. The number, location and size of all trailer coach spaces;
- D. The location of service buildings and other proposed structures;
- E. The location of water and sewer; and
- F. Plans and specifications of all buildings and other improvements constructed or to be constructed within the trailer court.

14.5-4 When License Revoked or Refused

Whenever upon inspection of any trailer court the building inspector finds that conditions or practices exist which are in violation of any provision of this Code, the building inspector shall give notice in writing to the person to whom the license has been, or was to have been issued; and unless such conditions or practices are corrected within a reasonable period of time to be determined by the building inspector, but in no event less than 20 days, the license shall be revoked. At the end of such period, the building inspector shall re-inspect such trailer court, and if such conditions or practices have not been corrected, he shall give notice in writing to the person to whom the license is issued that the license has been revoked, or refused. Upon receipt of such notice, such person shall cease operation of such trailer court.

14.5-5 Appeals Concerning License

Any person whose application has been denied may request and shall be granted a hearing on the matter before the trailer court board. Any person whose license has been revoked, or who has received notice from the building inspector that his license will be revoked unless certain conditions or practices at the trailer court are corrected, may request and shall be granted a hearing on the matter before the trailer court board; provided, that petition for such hearing shall be filed within ten days following the day on which such license was revoked.

14.5-6 Inspection of Trailer Courts

The trailer court board is hereby authorized and directed to make inspections to determine the condition of trailer courts located within the town in order that it may perform its duty of safeguarding the health of occupants of such courts and of the general public. It shall have the power to enter at reasonable times upon any property for the purpose of inspecting and investigating conditions relating to the enforcement of this Code, and it may inspect the record kept of all trailer coaches and occupants using the court.

14.5-7 Notices, Hearings and Orders

- A. Whenever the trailer court board determines that there are reasonable grounds to believe that there has been a violation of any provision of this Code, it shall give notice of such alleged violation to the person responsible therefore as herein provided. Such notice shall:
 1. Be put in writing;
 2. Include a statement of the reasons for its issuance;
 3. Allow a reasonable time for the performance of any act it requires;
 4. Be served upon the owner or his agent, as the case may require, provided that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been sent by certified mail to the address stated upon the application for the permit, or when he has been served with such notice in the manner provided for service of summons in a civil action; and
 5. Contain an outline of remedial action, which if taken, will effect compliance with the provisions of this Code.
- B. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Section concerning trailer courts, may request and shall be granted a hearing on the matter before the trailer court board. Provided, that such person shall file with the building inspector a written petition requesting such hearing and setting forth a brief statement of the grounds therefore within 10 days after the day the notice was served. Upon receipt of such petition, the trailer court board shall set a time and place for such hearing and shall give the petitioner written notice thereof.

- C. After such hearing the trailer court board shall sustain, modify, or withdraw the notice. The proceedings at such hearing shall be reduced to writing and entered as a matter of public record in the office of the building inspector. Any person aggrieved by the decision of the trailer court board may seek relief from the town board.
- D. Whenever the trailer court board finds that an emergency exists which requires immediate action to protect the public health, it may without notice or hearing issue an order reciting the existence of such an emergency and requiring that action be taken as it may deem necessary to meet the emergency. Such order shall be effective immediately.

14.5-8 Trailer Court Plan

- A. The court shall be located on a well-drained site suitable for the purpose; shall have an entrance and exit well marked and easily controlled and supervised; shall have surfaced roads not less than 30 feet wide, well drained, plainly marked in the daytime, adequately lighted at night; and easily accessible to all trailer coaches, and walkways to the various building shall be surfaced and adequately lighted.
- B. Each trailer coach space shall contain a minimum of 2,300 square feet, shall have unobstructed access to a public street, and each space shall be clearly defined. No trailer shall be within 5 feet of the boundaries of the coach space nor within 15 feet of any other coach.

To provide for temporary accommodation of “campers,” “pickup campers” and trailer coaches less than 20 feet in length, the following exception is made: Two small coaches of the above classification will be permitted to park in one coach space for not more than one week, providing all other requirements are met.

- C. No trailer coach shall be allowed to remain in a trailer court unless a coach space is available to accommodate the same.
- D. Playground areas shall be provided and shall be restricted to such use. A minimum of 100 square feet per coach shall be made available in one or more places for such playground areas.
- E. Areas shall be provided for the parking of motor vehicles. These areas shall be provided for the parking of motor vehicles. These areas shall accommodate at least the number of vehicles as there are trailer coach spaces provided.
- F. Storage lockers for the benefit of coach space occupants, if provided, shall be provided in space in addition to the coach space.

14.5-9 Service Buildings

Each trailer court shall be provided with one or more service buildings which shall:

- A. Be located 15 feet or more from any trailer coach space;
- B. Be of permanent construction and be adequately lighted;
- C. Be of moisture resistant materials to permit frequent washing and cleaning;
- D. Have adequate heating facilities to maintain a temperature of 70° F. during cold weather, and an adequate hot water supply;
- E. Have all rooms well ventilated, with all openings screened;

- F. Have separate toilet facilities for males and females, plainly marked by signs, and shall be separate rooms if in the same building. Each water closet shall be placed in a separate compartment at least 3 feet wide, properly separated from other water closets;
- G. Be provided with water closets on the basis of one for every ten persons or less for all trailer coach space being occupied by trailer coaches using the service facilities. There shall be provided a minimum of one toilet for each sex if the trailer park is occupied only by trailer coaches using the service facilities and the space occupied by the trailer;
- H. All floors in toilet, shower, lavatory and laundry buildings shall be cleaned daily;
- I. All shower stalls shall be provided with an individual dressing compartment not less than 9 square feet in size;
- J. Storage lockers may be provided as a part of the service building(s), not less than 6 square feet at the base and containing not less than 48 cubic feet of storage space. These lockers may be built to open inside or outside of the service building(s) so long as they conform to the town building and fire prevention codes.

14.5-10 Sewage Disposal

All plumbing and sewer lines in the trailer court shall comply with the plumbing laws and health regulations of this town.

14.5-11 Refuse Disposal

The storage, collection and disposal of refuse in the trailer court shall be so managed as to create no health hazards, rodent harborage, insect breeding areas, accident hazards, or air pollution. All garbage and rubbish shall be collected as frequently as necessary to prevent it from overflowing the available containers. Incinerators shall be fired only when attended by some person specifically authorized by the owner or operator of the trailer court.

14.5-12 Alterations and Additions

- A. No additions of any kind shall be built onto, nor become a part of any trailer coach. Skirting of coaches is permissible, but such skirting shall not attach the coach permanently to the ground, and it shall be easily and quickly removable.
- B. The wheels on the coach shall not be removed except temporarily when necessary for repairs.
- C. Awnings are not considered additions.
- D. Any action toward attaching the trailer to the ground by means of posts, piers, or foundations, shall subject the trailer to the requirements of the building code as well as this Code.

14.5-13 Registration of Occupants – Diseases

- A. Every trailer court owner or operator shall maintain a register containing a record of all trailer coaches and occupants using the trailer court. Such register shall be available to any authorized person inspecting the court.
- B. It shall be the duty of every owner, operator or attendant of a trailer park to report promptly to the Town Administrator or his designee, the full name, age and address of every person who is afflicted or suspected of being afflicted with any contagious or communicable disease.

14.5-14 Parking Outside of Trailer Park

No trailer coach shall be maintained upon any private or public property in the town when the same is used for a sleeping or living purpose unless the property is licensed as a trailer park.

14.6 Vendors and Peddlers

14.6-1 License Required

The following practices, and each of them, are hereby declared to be unlawful if and when conducted or engaged in within the Town of Berthoud, Colorado, without first having procured a license therefore as hereinafter provided from the town clerk of the Town of Berthoud, Colorado, to-wit:

- A. The selling or offering for sale of any goods, wares, merchandise, commodities, magazines or other publications (except newspapers), or services, from or upon any street, alley, sidewalk, park, or property owned or controlled by the public or by the Town of Berthoud, except as may be authorized by the Town Board of said Town.
- B. The pursuit of the business of or engagement in the usual practices of a huckster, hawker, peddler, fortune teller, phrenologist, shooting gallery, sidewalk artist, or any similar business or practices by any person within the Town of Berthoud.
- C. The practice of going in and upon private residences and office buildings in the Town of Berthoud, Colorado, by solicitors, canvassers, peddlers, hawkers, itinerant merchants, and transient vendors of goods, wares, merchandise, books, pictures, periodicals, and photographs, not having been requested or invited to do so by the owner or owners, occupant or occupants, of said private residences or office buildings, for the purpose of soliciting orders for the sale of goods, wares, merchandise, books, pictures, periodicals, and photographs, or for the purpose of disposing of, peddling, or hawking the same; PROVIDED, HOWEVER, that the provisions of this Section shall not apply to the sale or soliciting of orders for the sale of milk, dairy products, poultry, eggs, so far as the sale of commodities named herein is now authorized by law.

14.6-2 Application for License

Any person, firm, or corporation desiring to engage in any of the vocations, occupations, or businesses set forth in 14.6-1 shall make an application in writing to the Town Clerk of the Town of Berthoud, Colorado, for a license, which application shall be filed with said Town Clerk not less than ten (10) days before such applicant shall be authorized to begin said vocation, occupation or business.

14.6-3 Necessary Information

Such application shall contain the name and residence of the applicant, the date, the name and address of the corporation, firm or company for which the applicant works, the nature of the product or services, the names and addresses of all persons who intend to engage in said vocation, occupation, or business, the names of three towns or cities in which said applicant, his employer and employees engaged in said business within thirty (30) days preceding the date of the application, the length of time for which the license is desired, and any other information which may be determined to be necessary by the Town Board or the Town Clerk.

14.6-4 Investigation

Upon receiving an application, as provided for herein, the Town Clerk, with the aid of the Police Department, shall conduct such investigation as is necessary to determine the truth of the facts set forth in the application and to ascertain whether the applicant, his employer and employees, are honest, reliable, and of good moral character; that if and when the Town Clerk determines from an investigation and other evidence that may be at his disposal that the applicant is honest, reliable, or of good moral character, and it will not be to the detriment of the Town of Berthoud or its inhabitants to have said vocations, occupation, or

business conducted within the limits of said town, the Clerk shall issue the license on the conditions as hereinafter set forth.

14.6-5 Bond

No such licenses shall issue until there is deposited with the Town Clerk a bond payable to the Town of Berthoud for the use and benefit of all persons residing therein, in the sum of Five Hundred Dollars (\$500.00) executed by a surety company which said bond shall be conditioned that all goods, wares, merchandise, books, pictures, periodicals, photographs, services, and other items for which orders are taken or solicited shall be delivered to the purchaser and shall be of the quality represented, and said bond is for the purpose of indemnifying and reimbursing any person dealing with the licensee, his employees or employer, for any damage such person, or persons, may have sustained by reason of non-delivery and/or misrepresentations as to the kind, character, and quality of the goods or services sold; any person so misled or aggrieved by the misrepresentations of any licensee hereunder, his employer or employees, shall have a right of action on the bond, whether for recovery of the amount of his or her payment, or payments, or damages suffered, or both.

14.6-6 Agent For Services.

Each applicant shall have a registered agent for service of process within Larimer, Weld or Boulder County, and shall provide to the Town Clerk proof of the same. In the event that an applicant does not have a registered agent for service of process within Larimer, Weld or Boulder County, no such license shall issue until there shall be filed with the Town Clerk an instrument in writing, signed by the applicant, nominating and appointing the Mayor of said Town his true and lawful agent, with full power and authority to acknowledge services of notice or process for and on behalf of said applicant, and service of Summons in any action brought upon said bond shall be deemed made when served upon the Mayor of the Town.

14.6-7 License Fee

Upon the filing of the application for license with the Town Clerk and upon the filing of a bond, and the approval by the Town Clerk, and upon the execution of a Power of Attorney to the Mayor of the Town, as provided, a license may be issued by the Town Clerk to such applicant upon the payment of a fee, which license shall be in full force and effect for the period designated in the application, but in no event for a period of more than one year from its date of issuance, and shall permit such licensee to carry on his or her vocation, occupation or business in accordance with this code and the ordinances of the Town of Berthoud.

14.6-8 Renewal of License

All such license fees shall be paid in advance, and if any such licensee desires to continue his vocation, occupation, or business after the expiration of such license, a new license shall be secured in the same manner and upon the same terms as the original license.

14.6-9 Written Orders Required

Every order or contract made by any licensee under the provisions of this Section shall be in writing and in duplicate, stating fully the terms thereof, together with the amount paid in advance and the balance remaining due, and one copy of such order or contract is taken.

14.6-10 Penalty

Any person, firm, or corporation violating any of the provisions of this code shall, upon conviction, be fined the amount of not more than three Hundred Dollars (\$300.00), or imprisoned for not more than ninety (90) days, provided also that each day during which any

such person, firm, or corporation engages in a vocation, occupation or business in violation of the provisions of this code shall be deemed and constitute a separate offense.

14.6-11 Cancellation of License

Any violation of any provision of this code shall be sufficient cause for cancellation of any license issued hereunder.

14.7 Trash Haulers

14.7-1 Definition of Trash

The word "trash" as used in this code shall mean and include ashes, rubbish, debris or other waste accumulations.

14.7-2 Trash Hauler's License Required

It shall be unlawful for any person to operate a vehicle used to haul or transport trash for hire within the town without first obtaining a license therefore.

14.7-3 Mandatory Recycling

Any company providing residential trash-hauling services within the town is required to include, at a minimum, every other week for recycling services for paper, cardboard, glass, plastic, aluminum and steel cans as part of their trash-hauling services, unlimited in volume for residential customers.

14.7-4 License Fee

The license fee to haul trash for hire shall be in an amount set by resolution of the town board.

14.7-5 Revocation of License

The town board may revoke any license issued hereunder upon the conviction of any licensee or his agent of a violation of any provisions of this code pertaining to trash and the hauling of the same.

14.8 Milk Distributors

14.8-1 License Required

It shall be unlawful for any person to sell, or offer for sale, or cause to be sold, or kept for sale or given away, any milk or cream for human food within the corporate limits of the Town of Berthoud, without first having obtained a license so to do as provided in this Code. It shall be unlawful for any person to ship or bring into the Town of Berthoud by freight, express or otherwise, any milk or cream for sale, without having obtained a license so to do as provided in this Code. Provided, however, that this Section shall not apply to hotels, restaurants or eating houses or other places of business that shall serve milk or cream to their customers obtained from regularly licensed milk distributors, nor to merchants who purchase milk or cream from regularly licensed milk distributors for the purpose of reselling the same.

14.8-2 Application for License

Application for a milk distributor's license shall be made to the town clerk in writing upon a form which shall be provided by the town clerk.

14.8-3 License Fee

The license fee shall be in an amount set by resolution of the town board.

