

ORDINANCE NO. 1104 (2019)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF CRAIG, COLORADO AMENDING A PORTION OF CHAPTER 3.16 OF THE CRAIG MUNICIPAL CODE TO EXCLUDE COLLECTION OF SALES TAX FOR LEASED VEHICLES, MOTOR VEHICLES AND OFF HIGHWAY VEHICLES

WHEREAS, since the voters approved a measure at the November 2017 election the City of Craig excludes the collection of City sales tax for all purchases of Vehicles, Motor Vehicles and Off Highway Vehicles (OHV) as defined by state statute within the City of Craig;

WHEREAS, the definition of "sale" as adopted by City to implement the voter-approved 2017 measure clearly states that vehicle leases are excluded from any City sales tax (see C.M.C. 3.04.020 (65));

WHEREAS, this ordinance shall clarify that the vehicle exclusion from City sales tax applies to the lease, and not just sale of vehicles, motor vehicles and OHVs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRAIG, COLORADO:

Section 1: Section 3.16.040 (F) of Chapter 3.16 (Sales Tax) is hereby amended and replaced in full to read as follows:

3.16.040 Exclusions

F. Vehicles, Motor Vehicle and Off-Highway Vehicle Exclusion: Sales and leases of vehicles as defined by Section 42-1-102(112) C.R.S., motor vehicles as defined by Section 42-1-102(58), C.R.S., and off-highway vehicles as defined by Section 42-6-102 (11.5), C.R.S. shall be excluded from all city sales tax.

Section 2. All ordinances heretofore passed and adopted by the City Council of the City of Craig, Colorado, are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

Section 3. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect, and shall be in no way affected, impaired, voided, or invalidated.

Section 4. The City Council hereby finds, determines and declares that this Ordinance is necessary for the preservation of the public peace, health and safety.

Section 5. The City Council deems it appropriate to publish the title of this Ordinance, together with a summary of the Ordinance and with the statement that the text is available for public inspection and acquisition in the office of the City Clerk.

Section 6. This Ordinance shall take effect immediately upon the expiration of ten (10) days from and after its publication following final passage, as provided in Article 2, Section 14 of the City of Craig Home Rule Charter.

READ, APPROVED AND ORDERED PUBLISHED ON FIRST READING THIS 26th DAY OF November, 2019 BY THE CITY COUNCIL OF THE CITY OF CRAIG, COLORADO.



Jarrod Ogden
Jarrod Ogden, Mayor

ATTEST:

Liz White
Liz White, City Clerk

PASSED, APPROVED AND ADOPTED AFTER PUBLIC HEARING ON SECOND READING THIS 10th DAY OF December, 2019 BY THE CITY COUNCIL OF THE CITY OF CRAIG, COLORADO.



Jarrod Ogden
Jarrod Ogden, Mayor

ATTEST:

Liz White
Liz White, City Clerk