



CITY OF LAKEWOOD

CHRISTMAS TREE LICENSE

Lakewood Civic Center

No application shall be accepted prior to the first of November or after the 15th of December.

DOCUMENTS REQUIRED WITH APPLICATION:

- A letter, contract, or lease from the property owner or lessee of the premises where the sales are to be conducted granting the use of the premises and permission to use the same.
- A diagram of the lot you intend to use, showing entrances and exits.
- A Fence and Electrical permit must be obtained from the Public Works Department and included with application.
- A Sales Tax License must be obtained.
- A certificate of zoning.
- Lawful Presence Affidavit.

Please Note: A retail nursery does not need a Christmas tree license.

FEES REQUIRED FOR INITIAL APPLICATION

\$50.00 nonrefundable application fee
\$50.00 license fee
\$15.00 nonrefundable Sales Tax License fee.
\$50.00 lot deposit fee (refundable). After you have completed your Christmas tree sales, and a Code Enforcement Officer has inspected your lot and given their approval, the \$50.00 deposit will be returned to you. The location must be cleaned before January 15th of the year succeeding the year in which sales are made.

CITY OF LAKEWOOD

**City Clerk's Office
Lakewood Civic Center
480 S. Allison Pkwy.
Lakewood, CO 80226-3127
Phone: 303-987-7080
Fax: 303-987-7088
TDD: 303-987-7057**

APPROVAL OF PERMIT

After completion of the application, it is routed to Code Enforcement for their approval. This routing process may take up to 10 days. You will be notified by this office of approval or denial.

TERM OF LICENSE

The license shall be issued to be effective the day following Thanksgiving and shall expire on December 31st of each year.

If you have any questions regarding a permit for a Christmas tree license, please call the City Clerk's Office at 303-987-7080.

**CITY OF LAKEWOOD
CHRISTMAS TREE LICENSE APPLICATION**

Applicant Name: _____

Address: _____

Phone: _____

Emergency Contact Name and Number: _____

Is applicant the on-site manager, if not, list name(s), address and phone number.

List officer or other person in organization who will be responsible for compliance with Chapter 5.08,
Christmas Tree Sales: _____

Name and address of owner/lessee of property: _____

Location where Christmas trees will be sold: _____

Sales will be from lot _____ or business location _____

Name, address, and phone number of suppliers from whom you will purchase Christmas trees: _____

Dates and hours when you will sell Christmas trees: _____

Names and addresses of all persons who will be in charge of the actual sale of Christmas trees: _____

Email address (if you wish to have permit emailed to you): _____

I hereby certify that I have received a copy and have read Chapter 5.08, Christmas Tree Sales, from the Lakewood Municipal Code, know the contents thereof; will abide by the provisions thereof; and know that if I do not, any permit issued may be summarily revoked and I and others who may be responsible may be subject to fine or imprisonment or both upon conviction or plea of guilty to charges of violating Chapter 5.08 of the Lakewood Municipal code. I am aware that the \$50.00 application fee is for the processing of this application and is not refundable, and that failure to properly clean up the site by noon, January 15, will result in forfeiture of my \$50 Deposit.

Applicant: _____ Date: _____

CITY OF LAKEWOOD

LAWFUL PRESENCE AFFIDAVIT

I, _____, swear or affirm under penalty of perjury under the laws of the State of Colorado that (check one):

_____ I am a United States citizen, or

_____ I am a Permanent Resident of the United States, or

_____ I am lawfully present in the United States pursuant to Federal law.

I understand that this sworn statement is required by law because I have applied for a public benefit or I am a sole proprietor entering into a contract or purchase order with the City of Lakewood, in the State of Colorado. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit or prior to entering into a contract with the City of Lakewood. I further acknowledge that making a false, fictitious, or fraudulent statement or representation in this sworn affidavit is punishable under the criminal laws of Colorado as perjury in the second degree under Colorado Revised Statute 18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.

Print Full Legal Name

Date

Signature

For office use only:

Type of identification presented

Initials of verifier _____

Chapter 5.08

CHRISTMAS TREE SALES

Sections:

- 5.08.010 Required.
- 5.08.020 Application-Fee-Contents.
- 5.08.030 Letter to accompany application.
- 5.08.040 Investigation upon receipt of application.
- 5.08.050 Issuance of license.
- 5.08.060 Separate license for each location.
- 5.08.070 Transfer prohibited.
- 5.08.080 Term of license.
- 5.08.090 Licensee's additional rights.
- 5.08.100 Electrical wiring.
- 5.08.110 Buildings to conform to building code.
- 5.08.120 Posting license.
- 5.08.130 Return of deposit.
- 5.08.140 Setback.
- 5.08.150 Time for application.
- 5.08.160 Revocation.
- 5.08.170 False statements in application.
- 5.08.180 Retail nursery defined.

5.08.010 Required.

It is unlawful for any person, firm or corporation, except one operating a retail nursery, as defined in Section 5.08.180, to sell or engage in the business of selling severed fir or evergreen trees (commonly called Christmas trees) at retail or wholesale, in the city without first obtaining a license therefor as provided in this chapter. (Ord. O-84-125 § 1, 1984: Ord. O-70-117 § 1, 1970).

5.08.020 Application-Fee-Contents.

Any person, firm or corporation desiring a license to sell severed fir or evergreen trees within the city shall make application therefor to the City Clerk upon an application form to be furnished by the Clerk, and each such application shall be accompanied by a nonrefundable application fee in the amount of fifty dollars. Each application shall contain the following information, as well as such additional information as may be required by the City Clerk:

- A. Applicant's name, address and telephone number;
- B. The location and description of the premises where the said trees are to be offered for sale;
- C. The name of the owner (or lessee) of the property where the trees are to be offered for sale;

D. Such other, further and additional information as may be required by the City Clerk. (Ord. O-81-19 § 2, 1981: Ord. O-70-117 § 2, 1970).

5.08.030

5.08.030 Letter to accompany application.

Each such application shall also be accompanied by a letter, contract or lease from the property owner or lessee of the premises where the sales are to be conducted, granting the use of the premises and permission to use the same. (Ord. O-70-117 § 3, 1970).

5.08.040 Investigation upon receipt of application.

The City Clerk shall refer the application to the Department of Planning, Permits and Public Works, which shall advise the Clerk as to whether the premises are properly zoned and have sufficient setback space for the sales proposed to be made. (Ord. O-91-59 § 4, 1991; Ord. O-70-117 § 4, 1970).

5.08.050 Issuance of license-Fee.

If the City Clerk receives a report from the Department of Planning, Permits and Public Works that the zoning and space available for setback on the premises is appropriate for the sale of Christmas trees, and if the application is otherwise in order and the application fee has been paid, the City Clerk shall issue a Christmas tree sales license to the applicant for sales to be made at the location described in the application upon the payment of an additional fifty dollars as a license fee, and the deposit of fifty dollars in cash, or by certified check, cashier's check or money order. (Ord. O-91-59 § 4 (part), 1991; Ord. O-81-19 § 3, 1981; Ord. O-70-117 § 5, 1970).

5.08.060 Separate license for each location.

A separate license shall be required for each location designated by the applicant where trees are to be offered for sale. (Ord. O-70-117 § 6, 1970).

5.08.070 Transfer prohibited.

No license issued under this chapter shall be transferred from one firm, person or corporation or location to another firm, person, corporation or location. (Ord. O-70-117 § 7, 1970).

5.08.080 Term of license.

The license shall be issued to be effective beginning the day following Thanksgiving and shall expire as of December 31st of each year. (Ord. O-93-64 § 1, 1993; Ord. O-70-117 § 8, 1970).

5.08.090 Licensee's additional rights.

Any person holding a license to sell trees as aforesaid shall also have the right to sell foliage therefrom or parts of fir or evergreen trees without securing a separate license. (Ord. O-70-117 § 9, 1970).

5.08.100 Electrical wiring.

All electrical wiring at each location shall conform with the requirements of the city building code (Chapters 14.02 and 14.06), and must be installed by a registered electrical contractor. The building official shall not issue a permit for electrical installation at a location for the sale of Christmas trees without a showing that a Christmas tree license has been issued for such location, where such license is required. (Ord. O-93-64 § 2, 1993; Ord. O-70-117 § 10, 1970).

5.08.030

5.08.110 Buildings to conform to building code.

All buildings moved onto or constructed upon any Christmas tree sales lot shall in all respects conform to the requirements of the building code of the city or such regulations as may be promulgated by the Building Official. (Ord. O-70-117 § 11, 1970).

5.08.120 Posting license.

The Christmas tree sales license for each location must be posted in a conspicuous place at each location at all times. (Ord. O-70-117 § 12, 1970).

5.08.130 Return of deposit.

The deposit of each applicant for each location will be returned in the event that all debris, trees, temporary buildings, and trash have been removed from the location and all sales taxes have been paid in full on or before January 15th of the year succeeding the year in which sales are made. In the event of failure to remove such debris, trees, temporary buildings, or trash, or to pay all sales taxes in full, the deposit will be forfeited. (Ord. O-93-64 § 3, 1993; Ord. O-70-117 § 13, 1970).

5.08.140 Setback.

No fence, wiring, Christmas trees, stands, tents or structures shall be located on any lot or premises unless there is at least a twenty-foot setback from the curb line of the street or streets facing the same. No license shall be issued for any location where such setback is physically impossible. (Ord. O-70-117 § 15, 1970).

5.08.150 Time for application.

No application shall be accepted in any year prior to the first of November, or after the fifteenth day of December. (Ord. O-70-117 § 16, 1970).

5.08.160 Revocation.

If it appears to the City Clerk during the existence of any license authorized in this chapter that a licensee or its agents, servants or representatives are in any way violating any of the ordinances of the city or the terms of the license, the City Clerk may issue a cease and desist order, and may summarily suspend the license of the licensee if there is not compliance with such cease and desist order within twenty-four hours after the service thereof. Notice and opportunity for hearing shall be afforded to such licensee within one business day following the date of suspension. The clerk may revoke any license following such hearing if it appears that there has been any such violation and failure to comply with a cease and desist order. (Ord. O-70-117 § 17, 1970).

5.08.170 False statements in application.

The making of any false statement in the application of any licensee is unlawful, and is good cause for the revocation of the license of such licensee. (Ord. O-70-117 § 18, 1970).

5.08.180 Retail nursery defined.

A "retail nursery" is any person, firm or corporation which sells nursery stock, not limited to the sale of fir or evergreen trees. (Ord. O-93-64 § 4, 1993; Ord. O-84-125 § 2, 1984).