



Financial Services
Sales Tax Division
215 North Mason Street, 2nd Floor
P.O. Box 580
Fort Collins, CO 80522
970.221.6780
970.221.6782 - fax
fcgov.com/salestax

ENGAGED IN BUSINESS

This tax guide is prepared and published for the information of the general public and all persons in business pursuits who would be required to make payment of Sales Tax or Use Tax under provisions of the City of Fort Collins Sales and Use Tax Code, as well as for the guidance of the City employees whose responsibility it is to collect the taxes imposed by the Tax Code and the enforcement thereof. The following guide is exactly as it says, a GUIDE, and not to be used in any case of law. Please refer to the City of Fort Collins Sales Tax Ordinance for any references to your particular business operation for the official laws imposed by the City.

Engaged in business in the City means performing or providing services or selling, leasing, renting, delivering or installing tangible personal property for storage, use or consumption within the city.

Engaged in business in the city includes, but is not limited to any one of the following activities:

1. Directly, indirectly, or by a subsidiary maintains a building, store, office, salesroom, warehouse or other place of business within the taxing jurisdiction;
2. Sends one or more employees, agents or commissioned sales persons into the taxing jurisdiction to solicit business or to install, assemble, repair, service, or assist in the use of its products, or for demonstration or other reasons;
3. Maintains one or more employees, agents, or commissioned sales persons on duty at a location within the taxing jurisdiction;
4. Owns, leases, rents, or otherwise exercises control over real or personal property within the taxing jurisdiction; or
5. Makes more than one delivery into the taxing jurisdiction within a twelve-month period.

Businesses that meet this definition are required to be licensed in the City of Fort Collins.

EXAMPLES

1. ABC Draperies is located outside of Fort Collins but has employees performing sales, installation, and delivery services in Fort Collins in connection with retail sales. ABC Draperies is engaged in business within Fort Collins and is required to be licensed to collect and remit Fort Collins sales tax.
2. Lana's of Beverly Hills, an out-of-state mail order catalog business selling women's apparel, sells and ships merchandise nation-wide, including Fort Collins. Lana's does not fit the definition of "engaged in business in the City." However, Lana's is planning to construct a showroom in Fort Collins where customers can attend fashion shows and place orders. The merchandise will continue to be shipped from its Beverly Hills store. Once the showroom is built, Lana's will fit the definition of "engaged in business in the City" and must become licensed to collect and remit Fort Collins sales tax on their deliveries into Fort Collins.

CITY OF FORT COLLINS SALES AND USE TAX ORDINANCE

Section 25-71	Definitions
Section 25-73	Imposition of the sales tax.
Section 25-74	Imposition of the use tax.
Section 25-91	Sales/use tax license required.

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