



## **Frequently Asked Sales Tax and Business Questions**

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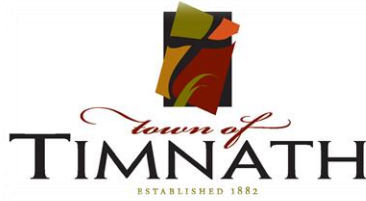
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## **Do I need a license to conduct business within the Town of Timnath?**

**Below are the business license requirements of our Town Code:**

### **Sec. 6-1-20. - License required**

Every person must obtain a license from the Town before operating, conducting, or carrying on any retail trade, profession, or business within the Town; provided, however, that nonprofit and charitable corporations and federal, state or municipal corporations are hereby exempt from the license requirements set forth in this Article.

**Below are the sales tax license requirements of our Town Code:**

### **Sec. 6-1-210. - License required**

(a) It is unlawful for any person to engage in any business requiring the collection of sales and/or use tax in the Town without first obtaining a sales tax license pursuant to this Article.

(b) A temporary license may be issued for temporary locations and/or special events for periods of seven consecutive days or less, not to exceed a total of 21 days per calendar year. The reporting period for temporary licenses shall end on the day the temporary location closes or special event concludes.

(c) A licensee obtaining a sales tax license pursuant to this Division shall also obtain a license to engage in business pursuant to Division 1 above.

## **Definition of Engaged in Business *Effective April 1, 2021:***

### **Sec. 4-3-20. - Definitions**

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

Engaged in business in the Town includes, but is not limited to, any one of the following activities by a person:

(a) Directly, indirectly, or by a subsidiary maintains a building, store, office, salesroom, warehouse, or other place of business within the taxing jurisdiction;

(b) 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;

(c) Maintains one or more employees, agents or commissioned sales persons on duty at a location within the taxing jurisdiction;

(d) Owns, leases, rents or otherwise exercises control over real or personal property within the taxing jurisdiction; or

(e) Retailer or Vendor in the State of Colorado that makes more than one delivery into the taxing jurisdiction within a twelve month period; or Makes retail sales sufficient to meet the definitional requirements of an Economic Nexus.



## What is the sales tax rate within the Town of Timnath?

### [Sec. 4-3-30. - Sales Tax Imposed \(Effective April 1, 2021\)](#)

(a) There is hereby imposed a sales tax equal to three percent in accordance with Section 39-26-104, C.R.S. Items classified as food for home consumption shall be charged at a sales tax rate equal to two and one-quarter percent of the gross sales.

(b) Retailers shall add the tax imposed, or the average equivalent thereof, to the purchase price, showing such tax as a separate and distinct item. Except as provided in this Subsection, no retailer shall advertise, hold out or state to the public or to any consumer, directly or indirectly, that the tax or any part thereof shall be assumed or absorbed by the retailer or that it will not be added to the price, or, if added, that it or any part thereof shall be refunded. Sales tax may be included in the price of any malt, vinous or spirituous liquor sold by the drink. Sales tax may be included in the price of vending machine sales. Sales tax may be included in the price of an admissions charge.

## Does the Town of Timnath have a reduced sales tax rate for food for home consumption?

Yes, our food for home consumption tax rate is 2.25%.

### [Sec. 4-3-30. - Sales Tax Imposed \(Effective April 1, 2021\)](#)

(a) There is hereby imposed a sales tax equal to three percent in accordance with Section 39-26-104, C.R.S. Items classified as food for home consumption shall be charged at a sales tax rate equal to two and one-quarter percent of the gross sales.

## What transactions are exempt from sales tax within the Town of Timnath?

### [Sec. 4-3-30\(e\) Exemptions](#)

(1) All sales of personal property on which a specific ownership tax has been paid or is payable shall be exempt from the sales tax when such sales meet both of the following conditions:

- a. The purchaser is a nonresident of, or has his or her principal place of business outside, the limits of the Town; and
- b. Such personal property is registered or required to be registered outside the limits of the Town under state law.

(2) The tax levied by [Section 4-3-30](#) shall not apply to the following:

- a. Automotive vehicles sold to nonresidents of the Town for registration outside the Town.
- b. Tangible personal property that is to be used, stored, or consumed outside the State by persons residing or doing business outside the State when the property is to be delivered to the purchaser outside the State by mail; by common, contract or commercial carrier that is employed to effect delivery by the vendor; or by the vendor's conveyance.
- c. Prosthetic devices and drugs dispensed in accordance with a prescription, but not including prescription drugs for animals.
- d. All sales of therapeutic devices, appliances, or related accessories.
- e. All sales of medical supplies.
- f. Cigarettes.
- g. All direct sales to charitable organizational functions and activities, when billed to and paid by the charitable organization.



- h. All individual sales of \$25.00 or less by charitable organizations in the conduct of events or sales to generate funds for charitable purposes, provided that the sales shall not be conducted for more than three consecutive days or more than nine total days in any calendar year.
- i. All direct sales to the United States government, the State, its departments or institutions, and the political subdivisions thereof in their governmental capacities only, when billed to and paid by the governmental entity.
- j. All sales which the Town is prohibited from taxing under the Constitution or laws of the United States or of the State.
- k. Tangible personal property sold to a public utility company or railroad doing business both inside and outside the Town, for use in its business operations outside the Town even though delivery thereof is made inside the Town.
- l. Motor fuel upon which there has been accrued or paid either the gasoline tax or a special fuel tax, required by Article 27 of Title 39, C.R.S., and which is not subject to refund.
- m. All wholesale sales.
- n. Tangible personal property sold to a person engaged in manufacturing or processing for sale when the product being manufactured or processed is transformed in fact by the addition of the property and such property becomes a constituent part of the finished product.
- o. Commercial packaging materials.
- p. Napkins, straws or eating utensils sold to a retailer when the following conditions are met:
  - 1. The property is used in the consumption of food purchased;
  - 2. The cost of the property is included in the price of an item which is sold separately, rather than included in the price of a service; and
  - 3. The property is not returnable or intended for reuse.
- q. Newsprint and printer's ink for use by publishers, newspapers, and commercial printers.
- r. Newspapers.
- s. Tangible personal property sold for rental or leasing inventory, including but not limited to coin-operated devices, provided that such property is not otherwise used except for customer demonstration or display.
- t. Labor sold with tangible personal property if such labor is stated separately on the invoice from the tangible personal property sold; except that manufacturing or fabricating or other processing labor shall not be exempt.
- u. Tangible personal property sold through coin-operated devices for a price of \$0.25 or less.
- v. Food purchased with federal food stamps or with funds provided by the special supplemental food program for women, infants, and children (42 U.S.C. § 1786), from retailers who qualify as:
  - 1. Retail food stores which primarily sell for home preparation and consumption and in which one or more staple food items make up more than 50 percent of eligible food sales. These stores shall include: full-line grocery stores; convenience stores; stores which sell meat, poultry or fish; stands which sell agricultural commodities; farmers' markets; milk routes; bread routes; day-old bread stores; bakeries which sell bread; and nonprofit cooperative food-purchasing ventures which are properly licensed to sell food in the State and locality in which they are operating.
  - 2. Firms whose primary business is not the sale of food for home preparation and consumption, but who have recognized grocery departments in which staple foods make up more than 50 percent of eligible food sales.
- w. Meals purchased with federal food stamps or with funds provided by the special supplemental food program for women, children, and infants (42 U.S.C. § 1786), in the following instances:



1. The meals are prepared for and served to residents of federally subsidized housing for the elderly; or are prepared for and served to persons who are 60 years of age or over or who receive supplemental security income benefits and their spouses, in senior citizen centers, apartment buildings occupied primarily by such persons, and public or private nonprofit establishments (eating or otherwise) that contract with the appropriate agency of the State to offer meals for such persons at concession prices.
  2. The meals are prepared for and delivered to persons 60 years of age or over and persons who are physically or mentally handicapped or otherwise so disabled that they are unable adequately to prepare all of their meals, when such meals are prepared for and delivered to them (and their spouses) at their home by a public or private nonprofit establishment that contracts with the appropriate state agency to perform such services at concession prices.
  3. The meals are prepared for and served to narcotics addicts or alcoholics as part of drug addiction or alcoholic treatment and rehabilitation programs.
  4. The meals are prepared for and served to disabled or blind recipients of federal financial benefits under the Social Security Act who are residents in a public or private nonprofit group living arrangement that is certified for no more than 16 residents by the appropriate state agency or agencies under regulations issued under the Social Security Act.
  5. The meals are prepared for and served to women and children temporarily residing in public or private nonprofit shelters for battered women and children.
- x. Garage sales or yard sales in a residential area, not exceeding a consecutive three-day period nor a total of nine days per calendar year, but not including sales conducted by a professional or compensated agent of the owner of the items sold.
- y. Sales by or on behalf of a youth group affiliated with or sponsored by a charitable organization, governmental entity or a school, other than a school held and conducted for private or corporate profit.
- z. Lodging services are exempt when they apply to:
1. All sales made directly to charitable organizations in the conduct of their regular religious or charitable functions and activities, provided that such sales are paid for directly to the seller by draft or warrant drawn on the funds of the exempt organization.
  2. All sales to the United States or the State, their departments, institutions or political subdivisions, which are acting in their governmental capacity, and all sales to the Town or its departments, provided that such sales are supported by requisition on official governmental purchase orders and paid for directly to the seller by draft or warrant drawn on the funds of that government entity.



## How do I register for a license?

Go to <https://timnath.munirevs.com>

**Registration Instructions for Online Sales Tax and Business Licensing**



**Go to**  
<https://timnath.munirevs.com>

**1. Click "Go" to Register**

New Users  
Register  


**Be sure to confirm your email!!**

**2. Create a User Profile**

- **Set Your Password**
- **Create a User Profile**

- **Continue to Business Profile**

**Continue to Business Profile**

**3. Link to Business**

**SELECT**

Select "I already have an existing business license"

I already have an existing business license.

**ENTER**

Enter license #, activation code (not case sensitive), then "Lookup"

License Number  
Four 8-digit License Number

AND

MUNIREV Activation Code  
Four 6-digit MIREV Activation Code

**CONNECT**

Select Role and choose "Connect"

The following business was found. To connect to this business, indicate your role, then click "Connect".

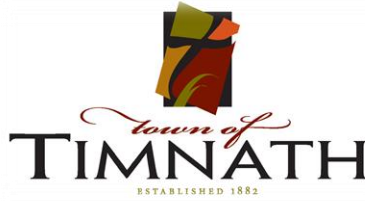
Found Business	Role	Assigned To	Date
140719221 Street Poles, LLC	<input checked="" type="radio"/> Business	John Jones	08/26/11 08:48:44

**NEW BUSINESS?**  
(Scroll to the bottom of the Business Profile page)

I have a new business

## How long does it take to obtain a Town of Timnath license?

The Town of Timnath requests 10 business day review window after the license application and payment has been made.



## **How do I file a sales tax return?**

Go to <https://timnath.munirevs.com> and log into your account, if you do not have an account please register for a license.

## **If have questions on the MuniRevs portal who do I contact?**

You can contact MuniRevs directly at [support@munirevs.com](mailto:support@munirevs.com) or you can contact Dezire Sanchez at [dsanchez@timnathgov.com](mailto:dsanchez@timnathgov.com).

## **Should I be collecting Timnath sales tax if I am an online retailer?**

*Effective April 1, 2021 Economic Nexus is defined as:*

### **Sec. 4-3-20. - Definitions**

*Economic Nexus* means the connection between the Town and a person not having a physical nexus in the State of Colorado, which connection is established when the person or Marketplace Facilitator makes retail sales into the Town, and:

- (a) In the previous calendar year, the person, which includes a Marketplace Facilitator, has made retail sales into the state exceeding the amount specified in C.R.S. § 39-26-102(3)(c), as amended; or
- (b) In the current calendar year, 90 days has passed following the month in which the person, which includes a Marketplace Facilitator, has made retail sales into the state exceeding the amount specified in C.R.S. § 39-26-102(3)(c), as amended.

This definition does not apply to any person who is doing business in this state but otherwise applies to any other person.

## **Have there been any changes to the Town of Timnath sales tax code?**

The Town of Timnath adopted [Ordinance No 1, Series 2021](#) on January 26, 2021. This ordinance included the change or addition of the following definitions: Economic Nexus, Engaged in Business in the Town, Marketplace, Marketplace Facilitator, Marketplace Seller, Multichannel Seller and Retailer or Vendor. This ordinance also updated the tax-imposed section of the sales tax and use tax code to include Marketplace sales.

## **What is the payment mailing address?**

The Town of Timnath uses the MuniRevs portal to collect payments for sales tax and license fees. If it is necessary to mail in a check, please send it to:

Town of Timnath  
Attention: Sales Tax  
4750 Signal Tree Drive  
Timnath, CO 80547



## **How do I close my Town of Timnath Business/Sales Tax account?**

To close your Town of Timnath business/sales tax account, please send a signed letter to [salestax@timnathgov.com](mailto:salestax@timnathgov.com).

## **How do I submit a tax return for a one-time sale?**

To submit a one-time sale tax return please create an account in [MuniRevs](#). When completing the application select seasonal vendor and in the business notes enter one-time sale and the period in which the sale occurred. You will not be charged a license fee. Please allow up to 14 business days for this account to be set-up. Once the account is set-up you will be able to log back into MuniRevs and there will be an outstanding task for the filing period in which the sale occurred.