

ORDINANCE NO. 2556

INTRODUCED BY: CHACON, DOUGLAS, DOUGLAS, DUKES, FORD, KIM, MADERA,  
NOBLE, TETER

AN ORDINANCE AMENDING SECTIONS 8-2203 (MARIJUANA HEARING NOTICES), 11-49 (NOTICE OF ABANDONED VEHICLES), AND 22-28 (MATTERS OF STATE INTEREST) OF THE COMMERCE CITY REVISED MUNICIPAL CODE (CCRMC) FOLLOWING THE PASSAGE OF A CHARTER AMENDMENT TO STANDARDIZE AND MODERNIZE OF PUBLICATION REQUIREMENTS FOR LEGAL NOTICES, ORDINANCES, DOCUMENTS, AND OTHER LEGAL PUBLICATIONS AT THE NOVEMBER 7, 2023 COORDINATED MAIL BALLOT ELECTION

WHEREAS, pursuant to the Charter of the City of Commerce City (“Charter”), the City Council of the City of Commerce City (“City”) has all legislative powers and functions of municipal government as reserved to it by the Colorado Constitution and the laws of the state of Colorado;

WHEREAS, at the November 7, 2023 coordinated mail ballot election, Question 3T, which asked Commerce City voters to consider amending the Charter to standardize and modernize the publication requirements for legal notices, ordinances, documents, and other legal publications, passed with 72.44% approval; and

WHEREAS, Sections 8-2203 (marijuana hearing notices), 11-49 (notice of abandoned vehicles), and 22-28 (matters of state interest) of the CCRMC must be updated to comply with the new Charter provisions on publications.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

**SECTION 1. Findings.** The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be supported and authorized by law and in the best interests of and necessary for the protection of the health, safety, and welfare of the public.

**SECTION 2. Amendments.** Sections 8-2203 (marijuana hearing notices), 11-49 (notice of abandoned vehicles), and 22-28 (matters of state interest) of the CCRMC are hereby amended as set forth in Exhibit A and changes to those sections are reflected in Exhibit B.

**SECTION 3. Repealer.** All ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof, are hereby repealed to the extent of such inconsistency.

**SECTION 4. Effective Date.** This ordinance shall be effective immediately upon passage.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED  
THIS 8TH DAY OF JANUARY 2024.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED  
THIS 5TH DAY OF FEBRUARY 2024.

CITY OF COMMERCE CITY, COLORADO

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Steven J. Douglas, Mayor

ATTEST

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Dylan A. Gibson, City Clerk

**EXHIBIT A TO ORDINANCE 2556**

**((...)) Denotes no change)**

**\*\*\*BEGIN\*\*\***

**CHAPTER 8 ALCOHOLIC BEVERAGES AND MEDICAL MARIJUANA**

(...)

**ARTICLE II MARIJUANA BUSINESSES**

(...)

**DIVISION 2.**

(...)

**Sec. 8-2203. Review—New license applications.**

(...)

- (b) *Hearing and notice.* Upon receipt of a complete application for a new license, the authority shall schedule the matter for hearing not less than thirty (30) days from the date that the application was received by the authority. The hearing shall be open to the public and notice of such hearing shall be posted on the property and published in accordance with Section 19.5 of the Charter not less than ten (10) days prior to the date of the hearing.

(...)

**CHAPTER 11 - MOTOR VEHICLES AND TRAFFIC**

(...)

**ARTICLE III – TOWING AND STORING OF ABANDONED AND ILLEGALLY PARKED VEHICLES**

(...)

**Sec. 11-49. Advertisement prior to public sale.**

Prior to any public sale conducted by the city manager or his designee to dispose of unclaimed abandoned vehicles, the designee of the city manager shall prepare a notice which shall be published in accordance with Section 19.5 of the Charter on two (2) different occasions, one (1) week apart, which notice shall be directed to the public and shall contain a statement of the following matters:

(...)

**CHAPTER 22 – MATTERS OF STATE INTEREST**

(...)

**ARTICLE III -- PERMITTING**

(...)

**Sec. 22-28. Notice of permit hearing.**

- (a) Not later than thirty (30) days after receipt of a completed application for a permit, the city council shall set and publish notice of a date, time and place for a hearing before the city council on the application.
- (1) The notice shall be published once in accordance with Section 19.5 of the Charter and state law, if applicable, not less than thirty (30) nor more than sixty (60) days before the date set for hearing.
  - (2) On or before the date of publication, the notice shall be mailed to the applicant and posted at the civic center and the city's website.

(...)

**\*\*\*END\*\*\***

**EXHIBIT B TO ORDINANCE 2556**

(Red strikethroughs indicate deletions; blue italics indicate additions; (...) indicate no changes)

**\*\*\*BEGIN\*\*\***

**CHAPTER 8 ALCOHOLIC BEVERAGES AND MEDICAL MARIJUANA**

(...)

**ARTICLE II MARIJUANA BUSINESSES**

(...)

**DIVISION 2.**

(...)

**Sec. 8-2203. Review—New license applications.**

(...)

- (b) *Hearing and notice.* Upon receipt of a complete application for a new license, the authority shall schedule the matter for hearing not less than thirty (30) days from the date that the application was received by the authority. The hearing shall be open to the public and notice of such hearing shall be posted on the property and published in ~~a newspaper of general circulation in the city~~ *accordance with Section 19.5 of the Charter* not less than ten (10) days prior to the date of the hearing.

(...)

**CHAPTER 11 - MOTOR VEHICLES AND TRAFFIC**

(...)

**ARTICLE III – TOWING AND STORING OF ABANDONED AND ILLEGALLY PARKED VEHICLES**

(...)

**Sec. 11-49. Advertisement prior to public sale.**

Prior to any public sale conducted by the city manager or his designee to dispose of unclaimed abandoned vehicles, the designee of the city manager shall prepare a notice which shall be published in ~~the official newspaper of the city~~ *accordance with Section 19.5 of the Charter* on two (2) different occasions, one (1) week apart, which notice shall be directed to the public and shall contain a statement of the following matters:

(...)

**CHAPTER 22 – MATTERS OF STATE INTEREST**

(...)

**ARTICLE III -- PERMITTING**

(...)

**Sec. 22-28. Notice of permit hearing.**

- (a) Not later than thirty (30) days after receipt of a completed application for a permit, the city council shall set and publish notice of a date, time and place for a hearing before the city council on the application.
- (1) The notice shall be published once in ~~a newspaper of general circulation in the city~~ *accordance with Section 19.5 of the Charter and state law, if applicable*, not less than thirty (30) nor more than sixty (60) days before the date set for hearing.
- (2) On or before the date of publication, the notice shall be mailed to the applicant and posted at the civic center and the city's website.

(...)

**\*\*\*END\*\*\***