

ORDINANCE NO. 2011

INTRODUCED BY: AMADOR, BENSON, BULLOCK, CARSON, DOUGLAS, ELLIOTT,
FORD, MCELDFOWNEY, TETER

**AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON THE
ESTABLISHMENT OF RECREATIONAL MARIJUANA BUSINESSES AND RELATED
INDUSTRY**

WHEREAS, on November 6, 2012, Colorado voters passed Amendment 64 which provides for persons 21 years of age or older to legally consume and possess one ounce or less of marijuana without a doctor's recommendation ("recreational marijuana") and for retail sales of this recreational marijuana to be taxed and licensed similar to alcohol; and

WHEREAS, Amendment 64 allows local governments to regulate or prohibit recreational marijuana businesses; and

WHEREAS, marijuana possession and use remain illegal under federal law; and

WHEREAS, the City imposed a temporary moratorium on the establishment of recreational marijuana businesses and related industry in 2013 in order to consider the State of Colorado's licensing program, the federal government's response to Amendment 64, and the impact on the community related to the licensing and regulating of such businesses; and

WHEREAS, the City has had an opportunity to review the State's regulations and the federal government has indicated that it would not challenge the validity of Amendment 64 but since the State of Colorado only recently began issuing licenses for recreational marijuana businesses, the impact that recreational marijuana businesses may have on licensing communities is not yet known; and

WHEREAS, the extension of the City-wide moratorium on the establishment of any recreational marijuana business and related industry will provide the City with the opportunity to better understand how the licensing of recreational marijuana businesses may affect the citizens of Commerce City.

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

SECTION 1. The City's 18-month moratorium, set to expire on September 25, 2014, is hereby extended for an additional 12 months. Therefore, the establishment in the City of Commerce City of any business related to recreational marijuana including, without limitation, the sale, consumption, cultivation or production of recreational marijuana or products made with recreational marijuana is hereby prohibited through September 25, 2015.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS 16th DAY OF JUNE, 2014.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS _____ DAY OF _____, 20____.

CITY OF COMMERCE CITY, COLORADO

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk