

ORDINANCE NO. 035, 2018
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING ARTICLE XVII OF CHAPTER 15 OF THE CODE OF THE CITY OF FORT
COLLINS REGULATING RETAIL MARIJUANA ESTABLISHMENTS TO ALIGN RETAIL
MARIJUANA CODE PROVISIONS TO STATE LAW, RULES AND REGULATIONS

WHEREAS, Article XVII of Chapter 15 of the City Code establishes regulations for retail marijuana establishments; and

WHEREAS, the state law, rules and regulations governing retail marijuana establishments are ever-evolving; and

WHEREAS staff recommends updating the City Code provisions governing retail marijuana establishments to include the new state approved ownership interests, and to add the newly created retail marijuana business operator license; and

WHEREAS, staff further recommends prohibiting retail marijuana transporter licenses and retail marijuana off-premises storage permits for public health and safety reasons related to potential criminal activity; and

WHEREAS, the City Council has determined that these proposed amendments to the City Code are in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Section 15-603 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-603. - Definitions.

(a) The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section:

Applicant shall mean any person or entity, having any financial or ownership interest as set forth in the Colorado Retail Marijuana Code, who has submitted an application for a license or renewal of a license issued pursuant to this Article. If the applicant is an entity and not a natural person, *applicant* shall include all persons who are the members, managers, officers, directors and, shareholders, of such entity.

Retail marijuana establishment operator (also known as retail marijuana business operator in the Colorado Retail Marijuana Code) shall mean an entity or person that is not an owner of a retail marijuana establishment and that is licensed to provide professional operational services to a retail marijuana establishment for direct remuneration from such establishment.

Section 3. That Section 15-607 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-607. License requirements.

No person may operate a retail marijuana establishment in the City without having obtained a license under the provisions of this Article. No person shall be a retail marijuana establishment operator without having obtained a license under the provisions of this Article.

Section 4. That Article XVI of Chapter 15 of the Code of the City of Fort Collins is hereby amended by the addition of new Section 15-611.2 which reads in its entirety as follows:

Sec. 15-611.2 Retail marijuana establishment operator license.

Any person who is not an owner of a retail marijuana establishment, and who meets the requirements of this Division, may be licensed as a retail marijuana establishment operator.

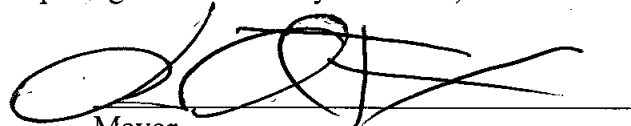
Section 5. That Article XVI of Chapter 15 of the Code of the City of Fort Collins is hereby amended by the addition of new Section 15-611.5 which reads in its entirety as follows:

Sec. 15-611.5. License and permit prohibited.

The following retail marijuana business license and permit shall be prohibited in the City:

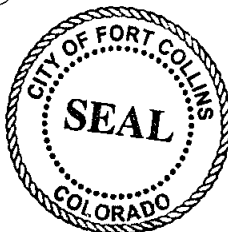
- (1) Retail Marijuana Transporter License; and
- (2) Retail Marijuana Off-premises Storage Permit.

Introduced, considered favorably on first reading, and ordered published this 20th day of February, A.D. 2018, and to be presented for final passage on the 6th day of March, A.D. 2018.


Mayor

ATTEST:


City Clerk

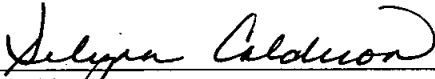


Passed and adopted on final reading on the 6th day of March, A.D. 2018.



Mayor

ATTEST:



Selena Calderon
City Clerk

