

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1809  
Series of 2013

\_\_\_\_\_  
Series of 2013

A BILL FOR AN ORDINANCE AMENDING ARTICLE 14 OF CHAPTER 18 OF THE NORTHGLENN MUNICIPAL CODE REGARDING MEDICAL MARIJUANA TO CONFORM TO THE CITY'S ADOPTION OF REGULATIONS AUTHORIZING RETAIL MARIJUANA ESTABLISHMENTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 18-14-5 of the City of Northglenn Municipal Code is amended by the addition thereto of a new definition to read as follows:

*Dual operation* means a business that operates as both a licensed medical marijuana business and a licensed retail marijuana establishment in accordance with Section 18-16-12 of this Code.

Section 2. Section 18-14-6 of the City of Northglenn Municipal Code is amended to read as follows:

**Section 18-14-6.** License required.

It shall be unlawful for any person to establish or operate a medical marijuana business in the City without first having obtained a license for such business from the local licensing authority AND FROM THE STATE LICENSING AUTHORITY. Such ~~license~~ LICENSES shall be kept current at all times, and the failure to maintain a current ~~license~~ LICENSES shall constitute a violation of this Section.

Section 3. Section 18-14-11 of the City of Northglenn Municipal Code is amended to read as follows:

**Section 18-14-11.** Location criteria.

Prior to the issuance of a license for a medical marijuana business, the local licensing authority shall determine whether the proposed location of the medical marijuana business complies with the requirements of this Section. Failure to comply with the requirements of this Section shall preclude issuance of a license.

(a) No medical marijuana business shall be located at the following locations:

(1) within 200 feet of any single or multi-family residential structure or unit, or parcel or lot;

- (2) within 500 feet of a licensed child care facility;
- (3) within 500 feet of any educational institution or school, college or university, either public or private;
- (4) within 500 feet of any public park, public pool, or public or private recreational facility;
- (5) within 1000 feet of any halfway house or correctional facility;
- (6) within 1000 feet of any other ~~medical~~ marijuana business, UNDER THIS ARTICLE 14, OR UNDER ARTICLE 16 OF THIS CHAPTER 18;
- (7) within any building or structure that contains a residential unit; or
- (8) upon any City of Northglenn owned property.

(b) The distances described in subsection (a) shall be computed by direct measurement from the nearest property line of the land used for the above purposes to the unit within a building or structure housing the medical marijuana business using a route of direct pedestrian access.

(c) Each medical marijuana business shall be operated from a permanent location. No medical marijuana business shall be permitted to operate from a moveable, mobile or transitory location.

(d) The suitability of a location for a medical marijuana business shall be determined at the time of the issuance of the first license for such business. The fact that changes in the neighborhood that occur after the issuance of the first license might render the site unsuitable for a medical marijuana business under this Section shall not be grounds to suspend, revoke or refuse to renew the license for such business so long as the license for the business remains in effect.

Section 4. The City of Northglenn Municipal Code is amended by the addition thereto of a new Section 18-14-44, to read as follows:

**Section 18-14-44. Dual operations.**

A licensed medical marijuana business may share its existing licensed premises with a retail marijuana establishment as a dual operation in accordance with the provisions of Section 18-16-12.

INTRODUCED, READ AND ORDERED POSTED this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
 JOYCE DOWNING  
 Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

PASSED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_,  
2013.

\_\_\_\_\_  
JOYCE DOWNING  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
COREY Y. HOFFMANN  
City Attorney