

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1726
Series of 2010

Series of 2010

A BILL FOR AN ORDINANCE REPEALING AND REENACTING SECTIONS 18-14-24 AND 18-14-30 OF THE NORTHGLENN MUNICIPAL CODE REGARDING MEDICAL MARIJUANA

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

Section 1. Section 18-14-24 of the Northglenn Municipal Code is hereby repealed and reenacted to read as follows:

Section 18-14-24. Prohibited Locations; Permanent Location Required. Prior to the issuance of a permit for a medical marijuana dispensary, the City Manager shall determine whether the proposed location of the medical marijuana dispensary complies with the requirements of this Section. Failure to comply with the requirements of this Section shall preclude issuance of a permit.

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

- (1) within 200 feet of any property used as a single or multi-family residential structure or unit;
- (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 dispensary;
- (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 dispensary using a route of direct pedestrian access.

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

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

Section 2. Section 18-14-30 of the Northglenn Municipal Code is hereby repealed and reenacted to read as follows:

Section 18-14-30. Cultivation.

(a) Subject to the limitations set forth in Section 18-14-24 and C.R.S. § 12-43.3-403 and other applicable laws, the growing, cultivation or processing of marijuana shall be allowed contiguous or not contiguous to the licensed premises of a medical marijuana dispensary that submitted an application to the City pursuant to Section 18-14-46 of this Northglenn Municipal Code. Provided, however, such growing, cultivation or processing shall be limited to agricultural and industrial zoned land, and may also be permitted in a commercially zoned district, but only if such growing, cultivation or processing in a commercially zoned district is contiguous to the existing licensed premises.

(b) Cultivation pursuant to C.R.S. § 12-43.3.103(2)(b). Prior to September 1, 2010, any medical marijuana dispensary with a permit issued in accordance with Ordinance No. 1550, Series of 2009, shall certify to the City Clerk that it is cultivating at least seventy percent (70%) of the medical marijuana necessary for its operation.

Section 3. The provisions of this Ordinance shall apply to any applications submitted to the City of Northglenn for a medical marijuana dispensary on or before June 30, 2010.

INTRODUCED, READ AND ORDERED POSTED this 12th day of August, 2010.


JOYCE DOWNING
Mayor

ATTEST:


JOHANNA SMALL, CMC
City Clerk


PASSED ON SECOND AND FINAL READING this ____ day of _____,
2010.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:



COREY Y. HOFMANN
City Attorney