

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-69
Series of 2015

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A RESOLUTION AUTHORIZING THE COMMENCEMENT OF LITIGATION TO SEEK TO PREVENT AND ENJOIN THE UNAUTHORIZED ATTEMPT BY ADAMS COUNTY TO IMPOSE A SALES TAX ON RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS

WHEREAS, in September of 2014, without the legal authority to do so, the Board of County Commissioners of Adams County, nonetheless determined to seek voter approval in November of 2014 from the registered electors of Adams County for a three percent (3%) sales tax on retail marijuana and retail marijuana products;

WHEREAS, after obtaining voter approval for the unauthorized three percent (3%) sales tax on retail marijuana and retail marijuana products, Adams County unsuccessfully sought during the 2015 legislative session to obtain the legal authority after the fact to impose such a sales tax on retail marijuana and retail marijuana products;

WHEREAS, even in the absence of specific legal authority to do so, Adams County is nonetheless proceeding forward in attempting to implement its unauthorized sales tax on retail marijuana and retail marijuana products throughout Adams County, effective July 1, 2015, including imposition of such a tax within the corporate limits of the City of Northglenn; and

WHEREAS, the City Council of the City of Northglenn, in order to prevent Adams County from imposing such an unauthorized special marijuana sales tax on retail marijuana and retail marijuana products within the City, by this Resolution authorizes the City Attorney of the City of Northglenn to seek to prevent and enjoin Adams County from imposing the unauthorized special marijuana sales tax by filing litigation in the Adams County District Court.

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

Section 1. The City Council hereby authorizes the commencement of litigation against Adams County to seek to prevent the unauthorized attempt by Adams County to impose a special sales tax on retail marijuana and retail marijuana products within the City of Northglenn.

DATED at Northglenn, Colorado, this ____ day of _____, 2015.

JOYCE DOWNING
Mayor

ATTEST:

LISA ANDREWS, CMC
Deputy City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney