

RESOLUTION NO. \_\_\_\_\_ - 24

A RESOLUTION SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF THE CITY OF COLORADO SPRINGS, COLORADO, AT THE SPECIAL MUNICIPAL ELECTION TO BE HELD AS PART OF THE GENERAL ELECTION ON TUESDAY, NOVEMBER 5, 2024, A BALLOT QUESTION ON AN INITIATED ORDINANCE AUTHORIZING THE REGULATION OF AND REPEALING THE PROHIBITION AGAINST RETAIL/RECREATIONAL MARIJUANA ESTABLISHMENTS

WHEREAS, on January 19, 2024, a statement of intent to circulate a petition for a proposed initiated ordinance was submitted to the City Clerk by qualified electors designated as the Petition Committee; and

WHEREAS, on January 24, 2024, the Initiative Review Committee (“IRC”) submitted questions and comments to the Petition Committee for their review and comment; and

WHEREAS, on January 29, 2024, the IRC met to provide comment on the original proposed initiated ordinance; and

WHEREAS, on January 31, 2024, in response to the IRC’s comments, the Petition Committee submitted a revision of the proposed initiated ordinance; and

WHEREAS, on February 1, 2024, the IRC indicated the item could proceed to the Title Board; and

WHEREAS, the Title Board of the City, met on February 9, 2024, and determined that, with respect to the Petition Committee’s revised proposed initiated ordinance, the requirements of City Code § 5.1.407 appeared to be satisfied and designated and fixed a title for the petition for the proposed initiated ordinance; and

WHEREAS, the petition was thereafter circulated and submitted to the City Clerk, and on July 10, 2024, the City Clerk determined the minimum required number of signatures had not been submitted and deemed the petition insufficient; and

WHEREAS, the petition committee requested to amend the insufficiency pursuant to City Code § 5.1.410 B; and

WHEREAS, the petition was thereafter circulated and additional signatures were submitted to the City Clerk, and on August 22, 2024, the City Clerk certified that a sufficient number of valid signatures had been submitted pursuant to Charter § 12-30(c)(3); and

WHEREAS, the City Council for the City of Colorado Springs is required by Charter to pass the initiated ordinance without amendment or call an election and set a ballot title for the proposed ballot issue pursuant to Charter § 12-60(2).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:**

Section 1. There shall be submitted to the registered qualified electors of the City a ballot question concerning the proposed initiated ordinance authorizing the regulation of and repealing the prohibition against retail/recreational marijuana establishments, which appears in full in Section 3 of this resolution.

Section 2. The Election shall be a Special Municipal Election held as part of the General Election conducted by mail ballot on November 5, 2024.

Section 3. The ballot title for the proposed ordinance shall be submitted to the qualified electors of the City in substantially the following form:

Shall the ordinances of the City of Colorado Springs be amended:

- To authorize only existing medical marijuana licensees to apply to become licensed as retail/recreational marijuana businesses, subject to all applicable taxes, including the existing 5% sales tax on retail/recreational marijuana to generate revenue for public safety programs, mental health services, and post-traumatic stress disorder treatment programs for veterans;
- To limit the number of retail/recreational marijuana licenses in Colorado Springs so that the number of licensed locations cannot exceed the number of existing medical marijuana licenses on November 5, 2024; and
- To codify violations and penalties for retail/recreational marijuana, which cannot be amended except by a vote of the people, in the Colorado Springs City Code including regulations that:

(1) prohibit any retail/recreational marijuana business within 1,000 feet of a public or private daycare, preschool or K-12 school,

(2) prohibit the sale or transfer of retail/recreational marijuana to any person under 21,

(3) prohibit the sale or transfer of retail/recreational marijuana acquired in another political subdivision to a person under 21, and

(4) prohibit possession of retail/recreational marijuana by any person at any public or private school, daycare, or preschool?

\_\_\_\_\_ For the Initiated Ordinance

\_\_\_\_\_ Against the Initiated Ordinance

Section 4. The City Clerk and officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution and to place this ballot question on the November 5, 2024 election.

Section 5. All actions heretofore taken by the Council, IRC, Title Board, and officers of the City, not inconsistent with the provisions of this resolution and for the special municipal election herein authorized, be and the same are hereby ratified, approved and confirmed.

Section 6. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 7. All resolutions, bylaws and regulations of the City in conflict with this resolution, are hereby repealed to the extent of any conflict. This repealer shall not be construed to revive any ordinance, resolution, bylaw or regulation, in whole or in part, previously repealed.

Section 8. This Resolution shall take effect immediately upon its passage.

Dated at Colorado Springs, Colorado this 27<sup>th</sup> day of August, 2024.

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Council President

ATTEST:

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Sarah B. Johnson, City Clerk