

RESOLUTION NO. ____ - 22

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 COORDINATED ELECTION ON TUESDAY, NOVEMBER 8, 2022, A BALLOT QUESTION ON AN INITIATED ORDINANCE AUTHORIZING THE REGULATION OF AND REPEALING THE PROHIBITION AGAINST RETAIL/RECREATIONAL MARIJUANA ESTABLISHMENTS

WHEREAS, on February 17, 2022, a statement of intent to circulate a petition to amend the City Charter of the City of Colorado Springs ("Charter") was submitted to the City Clerk by qualified electors designated as the Petition Committee; and

WHEREAS, on February 23, 2022, the Initiative Review Committee ("IRC") submitted questions and comments to the Petition Committee for their review and comment; and

WHEREAS, on February 28, 2022, the IRC met to provide comment on the original proposed Charter amendment; and

WHEREAS, on March 2, 2022, in response to the IRC's comments, the Petition Committee submitted a revision of the proposed Charter amendment, which included changing the proposed petition to an initiated ordinance, amending the Code of the City of Colorado Springs 2001, as amended ("City Code"); and

WHEREAS, on March 3, 2022, the IRC indicated the item could proceed to the Title Board; and

WHEREAS, the Title Board of the City, met on March 11, 2022, and again on March 17, 2022, 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 15, 2022, 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 Coordinated Election conducted by mail ballot on November 8, 2022.

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 the regulation of retail/recreational marijuana establishments in the same manner as medical marijuana;
- Repeal the prohibition against retail/recreational establishments; and
- Authorize medical marijuana establishments to also be licensed as retail/recreational marijuana establishments without raising the cap on the number of locations set forth in City Code §2.2.104?

_____ 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 8,

2022 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 10th day of August, 2022.

Council President

ATTEST:

Sarah B. Johnson, City Clerk