

D R A F T
September 1, 2014

CITY ATTY'S OFFICE
CODE CHANGE REVIEW
ATTY INIT _____
DATE ____/____/____

RESOLUTION NO. 14-_____

A RESOLUTION ALLOWING A VOTE OF THE CTIZENS
OF COLORADO SPRINGS ON RETAIL MARIJUANA
ESTABLISHMENTS WITHIN THE CITY OF COLORADO
SPRINGS AND PROVIDING FOR A ___% SALES AND
USE TAX THEREUPON.

WHEREAS, the City of Colorado Springs is a home rule municipal corporation created and organized pursuant to Article XX of the Colorado Constitution and the Charter of the City of Colorado Springs; and

WHEREAS, pursuant to Article XVIII, Section 16(5)(f) municipalities are permitted to adapt ordinances prohibiting "marijuana establishments" and retail sales of marijuana; and

WHEREAS, the citizens of the City of Colorado Springs have gained an increased understanding of the marijuana sales and their effects on the economy, society, and individual usage of marijuana; and

WHEREAS, in the event that retail marijuana establishment sales are approved by the citizens a sales and use tax of _____% should be imposed thereupon.

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

Section 1. On the General Municipal Election to be held on April 7, 2015, the City shall submit the following ballot questions to the registered electors of the City of Colorado Springs:

Ballot Question

Permitting Retail Marijuana Establishments

“Shall the City authorize, regulate, and license the lawful operation of marijuana establishments and marijuana-related facilities within the City, and if so, shall the City Council be required to repeal Ordinance No. 13-47 pertaining to the growing and selling of marijuana, and to pass an ordinance establishing a moratorium on the licensing of marijuana establishments until July 1, 2015, for the purpose of studying and passing one or more ordinances authorizing, regulating, and licensing the lawful operation of marijuana establishments and marijuana- related facilities within the City?”

Ballot Question

Imposing ___% Sales tax on Retail Marijuana Establishment Sales

SHALL CITY TAXES BE INCREASED \$_____ ANNUALLY COMMENCING 20___ AND THEREAFTER BY A _____% RETAIL MARIJUANA SALES TAX AS A VOTER-APPROVED REVENUE CHANGE AND EXCEPTION TO COLLECTION AND SPENDING LIMITS.

Section 2. If the citizens of the City of Colorado Springs determine that they support retail sales of marijuana, the City Council will establish a task force to determine how to regulate the sales and protect and preserve the public health, safety and welfare.

Section 3. The task force shall review, study, develop, evaluate, and review appropriate laws and regulations pertaining to retail marijuana businesses for presentation to the City Council including but not limited to location and taxing, licensing criteria, fees, advertising, and other time, place, manner, and number regulations.

- a) The task force shall be comprised of members, including, but not limited to at least one representative with the following qualifications:
 - 1) a representative of the Colorado Springs Medical Marijuana Local Licensing Authority;
 - 2) an attorney with significant experience in representing the marijuana industry;
 - 3) a representative of Colorado Springs law enforcement;
 - 4) a representative with local business experience;
 - 5) a representative of Colorado Springs marijuana businesses;
 - 6) a representative of the military community of Colorado Springs

- b) The retail marijuana establishments will be limited until January, 2018 to the current locations of approved medical marijuana locations.

c) That a task force will be formed within the first ninety days after passage of the ballot, and the task force shall be appointed and confirmed by the City Council of Colorado Springs,

d) The task force shall hold regular meetings with the purpose of proposing an ordinance establishing new regulations for retail marijuana establishments in Colorado Springs.

e) At the minimum, the task force must honor the restrictions that were in the ballot language that the citizens approved.

Section 4. The City Council will study the task force recommendations in considering ordinances for regulating retail marijuana establishments.

Section 5. The taxes imposed in the event of the adoption of the sales question above shall be used for code enforcement, legal and prosecutorial costs, and education expenses to discourage marijuana use.

DATED at Colorado Springs, Colorado, this _____ day of _____, 2014.

Keith King, Council President

ATTEST:

Sarah B. Johnson, City Clerk