

**TOWN OF SEDGWICK
ORDINANCE NO. 2-2020**

**AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 02-2016 and 10-2019
TO ADD A DEADLINE TO SUBMIT RETAIL MARIJUANA LICENSE
APPLICATIONS TO THE STATE**

WHEREAS, the Board of Trustees previously adopted Ordinance No. 02-2016, as amended by Ordinance No. 10-2019, which set forth application and licensing requirements for retail marijuana businesses; and

WHEREAS, one of the requirements is that after receiving State and local retail marijuana store licenses, the licensee shall have the retail marijuana store operational and open to the public within two (2) months except the Licensing Authority may, for good cause, as determined solely within the Licensing Authority's discretion, grant a licensee one extension not to exceed ninety (90) days; and

WHEREAS, the purpose of this requirement is to ensure that licenses are granted to applicants who are committed to timely opening retail marijuana stores and contributing to the Town's sales tax base; and

WHEREAS, to ensure that the intent behind this requirement is achieved, the Board of Trustees has determined that it also needs to impose a deadline for licensees to submit applications to the State; and

WHEREAS, the Board of Trustees hereby desires to amend its ordinances accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SEDGWICK, COLORADO:

Section 1. Section 6 of Town of Sedgwick Ordinance No. 02-2016, as amended by Ordinance No. 10-2019, is hereby amended by adding a new subsection H to read as follows:

6. Application for license.

H. The applicant shall submit a complete application for a retail marijuana business license to the State Licensing Authority no later than 30 days after the local license has been approved (if such application has not already been submitted to the State). If the applicant fails to submit its application to the State Licensing Authority within said timeframe then the local license shall become void and shall be automatically revoked by the Town Clerk and the license and application fee will not be refunded.

Section 2. If any portion of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 3. The repeal or modification of any provision of the Town of Sedgwick ordinances by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

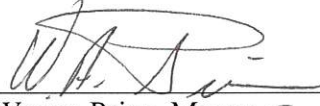
Section 4. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 5. The Board of Trustees herewith finds, determines, and declares that this Ordinance is necessary to the immediate preservation of public property, health, welfare, peace, or safety because there is an urgent need to clarify the application process before the initial deadline for submitting applications to the Town. Therefore, pursuant to C.R.S. § 31-16-105, the Board of Trustees herewith further finds, determines and declares that it is necessary for this Ordinance to take effect immediately upon adoption.

INTRODUCED, READ, PASSED AND ADOPTED AND ORDERED PUBLISHED BY
TITLE ONLY this 14th day of January, 2020.



TOWN OF SEDGWICK, COLORADO



Wayne Price, Mayor

ATTEST:



Heather Moore, Town Clerk