

ORDINANCE NO. 408

AN ORDINANCE REPEALING AND REVISING CERTAIN PROVISIONS OF THE CITY OF CREEDE, A COLORADO TOWN, MUNICIPAL CODE

WHEREAS, the Board of Trustees seeks to preserve and facilitate the safety, health and well-being of the community;

WHEREAS, certain provisions of the *Creede Municipal Code* conflict with Colorado State law as it pertains to the de-criminalization of personal use and possession of marijuana/cannabis;

WHEREAS, the Board of Trustees has, pursuant to Ordinance No. 407, removed incarceration as a penalty for violations of any and all Town ordinances.

NOW THEREFORE, be it ordained by the Board of Trustees of the City of Creede, Colorado, that the *Creede Municipal Code* shall be amended in the following manner:

Section 1. The penalty as contained in Section 5 of Ordinance No. 375 entitled “An Ordinance Prohibiting The Operation of Marijuana Cultivation Facilities, Marijuana Product Manufacturing Facilities, Marijuana Testing Facilities or Retail Marijuana Stores within the City of Creede, Colorado, is repealed in its entirety and readopted to read as follows:

Any person, corporation, company, partnership, business association or organization convicted of violating the terms of this ordinance shall be subject to a fine not exceeding one thousand dollars (\$1,000). Each day of continued violation shall be considered a separate offense.

Section 2. Section 10-8-100, entitled “Possession of cannabis” is repealed in its entirety.

Section 3. Recording and Authentication. This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the Town Book of Ordinances kept for that purpose, and published according to law.

Section 4. Publication and Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage.

Section 5. Declaration of Public Interest. This ordinance is necessary to preserve the peace, health, safety welfare, and to serve the best interests of the citizens of the City of Creede, Colorado.

Section 6: Codification Amendments. The codifier of the City’s Municipal Code is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Creede Municipal Code. The Town Clerk is authorized to correct, or approve the correction by the codifier, of any typographical error in the enacted regulations, provided that such correction shall not substantively change any provision

of the regulations adopted in this Ordinance. Such corrections may include spelling, reference, citation, enumeration, and grammatical errors.

INTRODUCED, APPROVED, PASSED ON FIRST AND FINAL READING, ON THIS 5TH DAY OF DECEMBER, 2017.



Jeffrey Larson, Mayor

ATTEST:



Randi Shead, City Clerk/Treasurer