

**ORDINANCE NO. 1294
SERIES 2022**

**AN ORDINANCE AMENDING THE CORTEZ MEDICAL AND RETAIL MARIJUANA
CODES TO PROVIDE FOR OUT OF STATE OWNERSHIP AND WALK-UP
WINDOWS**

WHEREAS, state law, rules and regulations have changed allowing for non-resident Colorado ownership of marijuana businesses, and to allow walk-up windows for marijuana sales locations; and,

WHEREAS, in order to better comply with state law, rules and regulations regarding the ownership of marijuana establishment and to allow for walk-up windows, the following ordinance should be enacted.

NOW THEREFORE, BE IT ORDAINED BY THE CORTEZ CITY COUNCIL THAT Section 4-105(a)(14), only, persons prohibited as licensees Chapter 4 Liquor and Marijuana Codes, Article II Cortez Medical Marijuana Code Cortez City Code is hereby repealed in its entirety; and,

Be it further ordained that Section 4-214(a)(12), only, persons prohibited as licensees Chapter 4 Liquor and Marijuana Codes, Article III Cortez Retail Marijuana Code, Cortez City Code is repealed in its entirety; and,

Be it further ordained that there is added to the Medical Marijuana Businesses Code Section 4-115 Walk-up Windows Allowed Chapter 4 Article II Cortez Medical Marijuana Businesses Code Division (2) General Requirements Cortez City Code which shall read as follows:

- a) Walk-up windows for the sale of medical marijuana and medical marijuana products are allowed in the City of Cortez.
- b) Walk-up windows for the sale of marijuana and marijuana product shall comply with applicable state and local, municipal laws, rules, regulation and codes, including but not limited to building, land use codes etc.

Be it further ordained that Article III of the Cortez Retail Marijuana Code Chapter 4 Liquor and Marijuana Code Cortez City Code is amended to add section 4-222 Walk-up Windows which amendment shall read as follows:

- a) Walk-up windows for the sale of retail marijuana and retail marijuana products are allowed in the City of Cortez.

b) Walk-up windows for the sale of marijuana and marijuana product shall comply with applicable state and local, municipal laws, rules, regulation and codes, including but not limited to building, land use codes etc.

Sec. 4-221. – Penalty.

A violation of this article shall be punishable as set forth in section 17-16A Cortez City Code now in effect or as may be amended from time to time.

REPEALER. All orders, bylaws, ordinances, and resolutions of the City, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

SEVERABILITY. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

RECORDING AND AUTHENTICATION. Upon adoption hereof, this Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and the City Clerk.

EFFECTIVE DATE. This ordinance shall be effective upon publication after final passage.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 25th day of January, 2022, at the hour of 7:30 p.m. in the City Council Chambers in City Hall, Cortez, Colorado, at which time and place all persons may appear and be heard concerning the same.

PASSED, ADOPTED AND APPROVED ON FIRST READING THIS 11TH DAY OF JANUARY, 2022.

CITY OF CORTEZ

ATTEST:



LINDA L. SMITH, CITY CLERK



MICHAEL J. LAVEY, MAYOR

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS
25TH DAY OF JANUARY, 2022.

CITY OF CORTEZ

ATTEST:

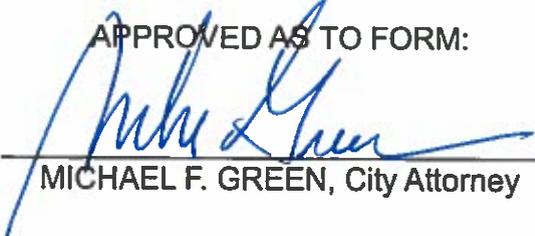


LINDA L. SMITH, CITY CLERK



MICHAEL J. LAVEY, MAYOR

APPROVED AS TO FORM:



MICHAEL F. GREEN, City Attorney