

ORDINANCE NO. 02-2025

AN ORDINANCE AMENDING ARTICLE 4 – MEDICAL MARIJUANA ESTABLISHMENTS, CHAPTER 16 – LAND USE AND DEVELOPMENT OF THE GARDEN CITY MUNICIPAL CODE REGARDING MODIFICATION OF PREMISES

WHEREAS, the Town of Garden City Board of Trustees recognizes that state law has changed concerning the modification of premises for marijuana businesses; and

WHEREAS, the state law no longer requires marijuana businesses to obtain approval from the state prior to modifying their licensed premises; and

WHEREAS, the state law now requires that a marijuana licensee follow any local processes or requirements to modify their premises and report that change, including any local approval, at their next approval; and

WHEREAS, the Garden City Licensing Authority may charge a processing and inspection fee as set for in the Town's Fee schedule to cover any processing or inspection costs for modification of premises applications; and

WHEREAS, the Board of Trustees believes it is in the best interest of the Town to require all licensees to seek local approval prior to any changes being made to the floor plan of the interior of any licensed premises.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GARDEN CITY, COLORADO AS FOLLOWS:

Section 1. Amendment of Article 4 – Medical Marijuana Establishments, Chapter 16 – Land Use and Development, Section 16-4-250. Fees and licenses. of the Garden City Municipal Code is hereby modified by adding the following subsection (f):

(f) The Authority may charge a processing and inspection fee as set forth in the Town's Fee Schedule to cover any processing or inspection costs for modification of premises applications. No change shall be made to the floor plan of the interior of any licensed premises unless such modification is approved by the Authority and all other appropriate Town departments prior to the time the change is made.

Section 2. Severability. Should any section, clause, sentence or part of this ordinance be adjudged by a court of competent jurisdiction to be unconstitutional, and or invalid, such adjudication shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 3. Effective Date. This Ordinance shall take effect thirty (30) days after publication as required by law.

PASSED, ADOPTED AND APPROVED THIS 4th, DAY OF FEBRUARY, 2025.

TOWN OF GARDEN CITY

By: _____
Mayor

ATTEST:

Town Clerk