



Town of Johnstown

TOWN COUNCIL WORKSESSION COMMUNICATION

AGENDA DATE: August 30, 2021

SUBJECT: Retail Marijuana Discussion

ATTACHMENTS: Correspondence

PRESENTED BY: Matt LeCerf, Town Manager

WORKSESSION ITEM DESCRIPTION:

Town Staff has recently received two inquiries regarding permissions to establish retail marijuana locations within the Town. Currently, our code prohibits this use in the community. The specific language in the Johnstown Municipal Code which addresses this topic is as follows and was most recently adopted through ordinance 2016-143:

Sec. 16-26. - Recreational marijuana prohibitions.

(a) *Intent, authority and applicability.*

(1) *Intent.* The intent of this Section is to prohibit business uses related to recreational marijuana in the Town.

(2) *Authority.* The Town Council has authority to prohibit business uses related to recreational marijuana in the Town, deriving from, among other sources, Article XX, Section 6, of the Colorado Constitution, State statutes, including but not limited to C.R.S. § 31-15-401, and Article XVIII, Section 16, of the Colorado Constitution.

(3) *Applicability.* This Section shall apply to all property in the Town.

(b) *Uses prohibited.*

(1) It shall be unlawful for any person to operate, cause to be operated or permit to be operated a recreational marijuana establishment in the Town.

(2) It shall be unlawful for any person to operate, cause to be operated or permit to be operated a marijuana consumption establishment in the Town.

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Based on the inquiries, Town Staff requested that those parties who desire to make this request provide information to be included in a future work session. That information (which you may have already received) is included with this communication. While there is a current policy regarding recreational marijuana in place, the inquiry has been made several times. Accordingly, Town Staff felt it was necessary to present the item to Council to either reaffirm the current policy in place or direct that an adjustment to the current policy be made.

Reviewed and Approved for Presentation,



Town Manager

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