

TOWN OF SUPERIOR
ORDINANCE NO. O-12
SERIES 2019

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR AMENDING ARTICLE VIII OF CHAPTER 10 OF THE SUPERIOR MUNICIPAL CODE BY THE ADDITION OF A NEW SECTION 10-8-80, ALLOWING THE DELIVERY OF MEDICAL AND RETAIL MARIJUANA TO LOCATIONS IN THE TOWN

WHEREAS, the Colorado General Assembly recently enacted House Bill 19-1234, which authorizes the Town to permit the delivery of marijuana to locations in the Town; and

WHEREAS, the Town wishes to allow delivery of medical marijuana, medical marijuana-infused products, retail marijuana and retail marijuana-infused products to locations in the Town, provided that such delivery complies with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. Article VIII of Chapter 10 of the Superior Municipal Code is hereby amended by the addition of a new Section 10-8-80, entitled "Marijuana Delivery", to read as follows:

Sec. 10-8-80. Marijuana delivery.

(a) A licensed medical marijuana center or a licensed medical marijuana transporter with a valid marijuana delivery permit may deliver medical marijuana and medical marijuana-infused products to private residences in Town, provided that such delivery complies with C.R.S. § 44-11-402(11).

(b) A licensed retail marijuana center or a licensed retail marijuana transporter with a valid marijuana delivery permit may deliver retail marijuana and retail marijuana-infused products to private residences in Town, provided that such delivery satisfies the requirements set forth in C.R.S. § 44-12-402(11).

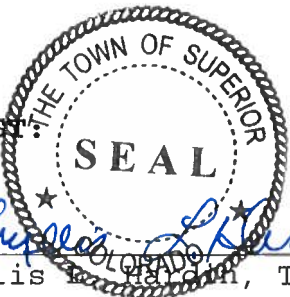
(c) All medical marijuana, medical marijuana-infused products, retail marijuana, and retail marijuana-infused products delivered to any location in Town are subject to Town sales tax.

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees

hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or part or parts be declared unconstitutional or invalid.

Section 3. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 14th day of October, 2019.

ATTEST:  Phyllis E. Hardin
Phyllis E. Hardin, Town Clerk-Treasurer

Clint Folsom
Clint Folsom, Mayor