ORDINANCE NO. 17
SERIES 2015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO AMENDING TITLE 8 BUSINESS REGULATION, CHAPTER 8.50 MARIJUANA BUSINESS LICENSING REGULATIONS, SECTION 8.50.020 APPLICATION AND LICENSE FEE REQUIRED, OF THE CITY OF GUNNISON MUNICIPAL CODE

WHEREAS, the City Council of the City of Gunnison, Colorado, passed Ordinance No. 5, Series 2015, establishing rules, standards and policies for licensing and regulating the use of land within the boundaries of the City of Gunnison for the retail sale, cultivation, manufacturing, and testing of marijuana and marijuana products; and

WHEREAS, Ordinance No. 5, Series 2015, became effective July 6, 2015, and the City has been accepting and processing applications for retail marijuana stores; and

WHEREAS, there has been confusion among applicants whether they must pay an application fee to the City above and beyond the application fee required by the State of Colorado, one-half of which is then remitted to the City; and

WHEREAS, Council wishes to clarify the issue by amending Section 8.50.020 of the Gunnison Municipal Code to make it clear that the City requires an application fee to be paid in addition to the fee collected by the State of Colorado, one-half of which is then remitted to the City.

NOW, THEFEFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO THAT:

Section 1. Title 8 Business Regulation, Chapter 8.50 Marijuana Business Licensing Regulations 8.50.020 Application And License Fee Required, is hereby amended to state:

An applicant shall pay the City application fee and license fee when the City application is filed. City Council shall set these fees by Resolution. The application fee paid by an applicant to the City is in addition to the application fee paid to the State of Colorado, one-half of which is then remitted to the City. If an application is later withdrawn, the City shall refund the license fee paid by the applicant. All application fees are nonrefundable.

Section 2. Severability. Should any section, clause, phrase, or provision of this ordinance be ruled invalid or unenforceable by any court of competent jurisdiction, it is hereby declared the intent of the City Council of the City of Gunnison, Colorado, that the remaining provisions of this ordinance shall be given full force and effect if it is possible to do so.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this 10th day of November, 2015, on first reading, and introduced, read, and adopted on second and final reading this 8th day of December, 2015.

Richard Hagan
Mayor

(SEAL)
ATTEST:

City Clerk

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