

**TOWN OF LYONS, COLORADO
ORDINANCE 1062**

**AN ORDINANCE OF THE TOWN OF LYONS, COLORADO AMENDING §6-4-230(A) OF THE
LYONS MUNICIPAL CODE RELATED TO UNLAWFUL ACTS FOR MARIJUANA
BUSINESSES.**

WHEREAS; pursuant to C.R.S. Section 13-15-103 the Town of Lyons ("the Town") has the authority to make and publish ordinances; and

WHEREAS, pursuant to that power the Board previously enacted Chapter 6, Article 4 of the Lyons Municipal Code ("LMC") entitled "Marijuana Businesses"; and

WHEREAS, the Municipal Prosecutor and County Sheriff's Office have determined that certain provisions of the LMC relating to Chapter 6, Article 4 require updating to increase enforcement ability and compliance; and

WHEREAS, C.R.S. § 18-13-122 that has made it unlawful for anyone under the age of 21 years old to procure the unlawful purchase of recreational or medicinal marijuana; and

WHEREAS, the LMC contains no similar restriction; and

WHEREAS, in the interest of the health, safety, and welfare of the citizens of the Town of Lyons, and visitors to the Town, the Board of Trustees determines there is the need to come into compliance with State Law C.R.S. § 18-13-122.

THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:

Section 1. The recitals set forth above are hereby incorporated by reference.

Section 2: Chapter 1, Article 6, Section 6-4-230(a) of the Lyons Municipal Code entitled "Unlawful Acts" is hereby amended in part to read as follows:

Sec. 6-4-230 (a). -

(a) It shall be unlawful for a person to:

(1) Consume or allow any other person to consume, inhale, or ingest any marijuana or product containing marijuana or any alcoholic beverages or any illegal controlled substance on, or within, the premises of a marijuana business; or

(2) With knowledge, to permit or fail to prevent the use of his or her registry identification by any other person for the unlawful purchasing of medical marijuana;

(3) obtain or attempt to obtain marijuana by misrepresentation of age or by any other method in any place where marijuana is sold when such person is under twenty-one (21) years of age. Any person under the age of twenty-one (21) years who is working directly with and under the supervision of a law enforcement officer in performing compliance checks shall be exempt from this provision. Any medical marijuana procured by a minor must be in

compliance with Colorado Constitution Article XVIII Section 14 and CRS 18-18-406.3.

Section 3. Chapter 6, Article 4 is hereby amended from the previous Chapter 6, Article 4 to renumber each of the sections as appropriate.

Section 4. Code Revisions. Because this Ordinance revises an entire Sections of the Lyons Municipal Code, minor changes such as the format, numbering, and other such changes may be necessary to unify the revised code. The Town Clerk is hereby authorized to make such changes provided that neither the intent of this Ordinance nor substantive content is altered.

Section 5. Severability. Should any one or more sections or provisions of this Ordinance enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

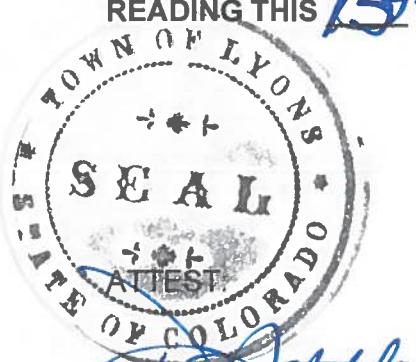
Section 6. Repeal. Any and all ordinances, resolutions, or codes, or parts thereof, which are in conflict or inconsistent with this ordinance are repealed, to the extent of such conflict or inconsistency exists. The repeal of any such ordinance, resolution, or code or part thereof, shall not revive any other section or part of any ordinance, resolution, or code provision. This repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to this ordinance taking effect.

Section 7. Codification of Amendments. The codifier of the Town's Municipal Code, Municipal Code Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of Section 2 of this Ordinance within the Lyons Municipal Code.

Section 8. Effective Date. This Ordinance shall become effective thirty (30) days after publication following final passage in accordance with Section 2-2-160 of the Lyons Municipal Code.

INTRODUCED AND PASSED ON FIRST READING THIS 1st DAY OF JULY 2019.

INTRODUCED, AMENDED, PASSED, ADOPTED AND ORDERED PUBLISHED ON SECOND READING THIS 15th DAY OF July 2019.



TOWN OF LYONS, COLORADO

Connie Sullivan, Mayor

Debra K. Anthony, Town Clerk