

ORDINANCE NO. 16-55

AN ORDINANCE CREATING A NEW SECTION 210 (PERSONAL CULTIVATION OF MEDICAL MARIJUANA) OF PART 2 (OTHER DANGEROUS WEAPONS AND SUBSTANCES) OF ARTICLE 7 (DANGEROUS WEAPONS AND SUBSTANCES) OF CHAPTER 9 (PUBLIC OFFENSES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO PERSONAL CULTIVATION OF MEDICAL MARIJUANA

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 210 (Personal Cultivation Of Medical Marijuana) Of Part 2 (Other Dangerous Weapons And Substances) Of Article 7 (Dangerous Weapons And Substances) Of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, is created to read as follows:

9.7.210 Personal Cultivation of Medical Marijuana:

- A. It shall be unlawful for any person to cultivate more than twelve (12) medical marijuana plants, with ½ or fewer being mature, flowering plants, in contravention of City Code section 7.3.105 (P).
- B. As used in this section, "Marijuana plant" means all parts of the plant of the genus cannabis whether growing or not, including, but not limited to, immature and mature plants, and any seeds, leaves, stalks, and flowers, without regard for cannabinoid concentration levels.
- C. Evidence: In addition to any other competent evidence identifying a substance as marijuana, results of the field test known as the "Duquenois-Levine Reagent System" shall be admissible in evidence and shall be prima facie evidence of whether or not the substance tested was marijuana.

Section 2. Any person convicted of violations of Section 210 (Personal Cultivation Of Medical Marijuana) of Part 2 (Other Dangerous Weapons and Substances) of Article 7 (Dangerous Weapons and Substances) Of Chapter 9

(Public Offenses) Of the Code of the City of Colorado Springs 2001, as amended, shall be punished as provided in Sections 201 (General Penalty) and 202 (Minor Offenders) of Part 2 (General Penalty) of Article 1 (Administration) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs, 2001, as amended.

Section 3. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 4. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

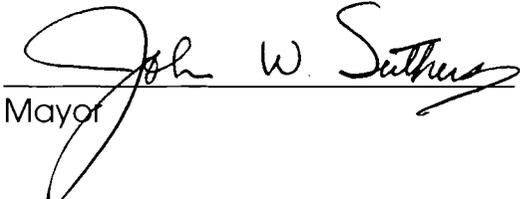
Introduced, read, passed on first reading and ordered published this 26th day of April, 2016.

Finally passed: May 10, 2016


Council President

Mayor's Action:

- Approved on May 13, 2016.
- Disapproved on _____, based on the following objections:


Mayor

Council Action After Disapproval:

Handwritten initials and date: 10/13/16

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

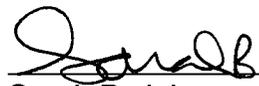
ATTEST:


Sarah B. Johnson, City Clerk



I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE CREATING A NEW SECTION 210 (PERSONAL CULTIVATION OF MEDICAL MARIJUANA) OF PART 2 (OTHER DANGEROUS WEAPONS AND SUBSTANCES) OF ARTICLE 7 (DANGEROUS WEAPONS AND SUBSTANCES) OF CHAPTER 9 (PUBLIC OFFENSES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO PERSONAL CULTIVATION OF MEDICAL MARIJUANA”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on April 26, 2016; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 10th day of May, 2016, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 13th day of May, 2016.


Sarah B. Johnson, City Clerk



1st Publication Date: April 29, 2016

2nd Publication Date: May 18, 2016

Effective Date: May 23, 2016

Initial: SBS
City Clerk