

ORDINANCE NO. 01-2020

AN ORDINANCE AMENDING ARTICLE 1 AND 2 OF CHAPTER 16, LAND USE AND DEVELOPMENT, OF THE GARDEN CITY MUNICIPAL CODE REGARDING CBD EXTRACTION FACILITIES

WHEREAS, the Town of Garden City has determined that there is an increase in popularity of Cannabidiol (CBD) extraction facilities, and

WHEREAS, the Board of Trustees has determined that the CBD extraction facilities may not be appropriate for certain properties and neighborhoods in the Town of Garden City, and

WHEREAS, the Board of Trustees has determined that it is in the best interest of the Town of Garden City to only authorize CBD extraction facilities in the commercial district as a use permitted subject to special review.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GARDEN CITY, COLORADO AS FOLLOWS:

Section 1. Amendment of Chapter 16, Article 1, Sec. 16-1-10, Definitions of the Garden City Municipal Code is hereby amended by the addition of the following definitions:

Cannabidiol, also known as CBD, means a Cannabinoid found in the Cannabis plant, which does not contain more than <0.3% THC, which is not of a level to make a person feel “high”.

CBD Extraction means the process used to extract Cannabidiol (CBD) from hemp.

CBD Extraction Facility means the building where Cannabidiol (CBD) is extracted from hemp.

Hemp, also known as industrial hemp, means a Cannabis plant, which does not contain more than <0.3% THC, which is not of a level to make a person feel “high”.

Section 2. Amendment of Chapter 16, Article 2, Division 5, Commercial District, Sec.16-2-430. Uses Permitted Subject to Special Review of the Garden City Municipal Code is hereby amended by the addition of the following:

12. CBD Extraction Facilities

All of the remainder of Article 2, Division 5, Commercial District shall remain unchanged.

Section 3. Penalties. Any person convicted of any violation of this ordinance may be punished by a fine of Two Thousand Six-Hundred Fifty Dollars (\$2,650.00). Each day that a violation of this Ordinance continues shall be considered a separate offense.

Section 4. Severability. Should any section, clause, sentence or part of this ordinance be adjudged by a court of competent jurisdiction to be unconstitutional, and or invalid, such adjudication shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 5. Effective Date. This Ordinance shall take effect thirty (30) days after publication as required by law.

PASSED, ADOPTED AND APPROVED THIS 3rd DAY OF MARCH, 2020.

TOWN OF GARDEN CITY

By: _____
Mayor

ATTEST:

Town Clerk