

ORDINANCE

**AN ORDINANCE AMENDING SECTIONS 5.88.070(G)(1) AND 5.91.180 OF THE MANITOU SPRINGS MUNICIPAL CODE CONCERNING HOURS OF OPERATION FOR MEDICAL MARIJUANA CENTERS AND RETAIL MARIJUANA STORES**

**WHEREAS**, pursuant to Sections 5.88.070(G)(1) and 5.91.180 of the Manitou Springs Municipal Code, medical marijuana centers and retail marijuana stores are currently permitted to operate no earlier than 8:00 a.m. and close no later than 7:00 p.m.;

**WHEREAS**, pursuant to 1 C.C.R. §§ 212-1:1.308 and 212-2.308, medical marijuana centers and retail marijuana stores may not operate at any time other than between the hours of 8:00 am and 12:00 a.m., Monday through Sunday, and a municipality is empowered to further restrict the hours of operation within its jurisdiction; and

**WHEREAS**, the City Council now wishes to extend the hours of operation of medical marijuana centers and retail marijuana stores from 8:00 a.m. to 9:00 p.m.

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

**Section 1:** Section 5.88.070(G)(1) is hereby amended to read as follows:

The business may only be open for the sale or distribution medical marijuana during the hours of 8:00 a.m. to 9:00 p.m.

**Section 2:** Section 5.91.180 is hereby amended to read as follows:

A retail marijuana store may open no earlier than 8:00 a.m. and shall close no later than 9:00 p.m., the same day. A retail marijuana business may be open seven days a week. There shall be no hourly restrictions on retail marijuana testing facilities.

**Section 3:** 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 4:** This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Passed on first reading and ordered published this 28th day of March, 2017.

/s/ Donna Kast  
City Clerk, Donna Kast

A Public Hearing on this ordinance will be held at the April 4, 2017 City Council meeting. The Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: March 28, 2017 (in full)  
*City's Official Website and City Hall*

Passed on second reading and adopted by City Council this 4th day of April, 2017.

/s/ Nicole Nicoletta  
Mayor, Nicole Nicoletta

Attest: /s/ Donna Kast  
City Clerk, Donna Kast

Published: April 6, 2017 (in full)  
*City's Official Website and City Hall*