

ORDINANCE NO. 28

Series 2016

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 3 OF TITLE 6 OF THE
BRECKENRIDGE TOWN CODE CONCERNING MUNICIPAL OFFENSES RELATED TO
MARIJUANA

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
COLORADO:

Section 1. Article I of Chapter 3 of Title 6 of the Breckenridge Town Code is amended by the addition of the following new Sections:

6-3I-13: UNLAWFUL SOLICITATION OF MARIJUANA BY UNDERAGE
PERSON:

It shall be unlawful for any person under the age of twenty one (21) years to engage or utilize the service of any other person, whether for remuneration or not, to purchase, procure or obtain for such underage person marijuana from any place where marijuana is sold. This offense is a strict liability offense.

6-3I-14: PERMITTING USE OF FALSE IDENTIFICATION BY UNDERAGE
PERSON:

It shall be unlawful for any person to intentionally or knowingly permit, or to fail to prevent, the use of such person's identification in connection with the purchase, or attempted purchase, of marijuana by a person under the age of twenty one (21) years.

6-3I-15: UNLAWFUL PURCHASING OF MARIJUANA FOR UNDERAGE
PERSON:

It shall be unlawful for any person to intentionally or knowingly purchase, procure or obtain marijuana for any person who is under the age of twenty one (21) years.

Section 2. Except as specifically amended by this ordinance, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 3. The Town Council finds, determines, and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

Section 4. The Town Council finds, determines and declares that it has the power to adopt this ordinance pursuant to: (i) the Colorado Medical Marijuana Code, Article 43.3 of Title 12, C.R.S.; (ii) Section 16 of Article XVIII to the Colorado Constitution; (iii) the Colorado Retail Marijuana Code, Article 43.4 of Title 12, C.R.S.; (iv) the applicable administrative regulations promulgated by the Marijuana Enforcement Division of the Colorado Department of Revenue under the Colorado Medical Marijuana Code and the Colorado Retail Marijuana Code; (v) Section 31-15-103, C.R.S. (concerning municipal police powers); (vi) Section 31-15-401, C.R.S. (concerning municipal police powers); (vii) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (viii) the powers contained in the Breckenridge Town Charter.

Section 5. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
PUBLISHED IN FULL this 11th day of October, 2016.

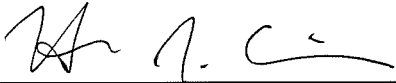
This ordinance was published in full on the Town of Breckenridge website on October 12, October 13, October 14, October 15 and October 16, 2016.

A public hearing on this ordinance was held on October 25, 2016.

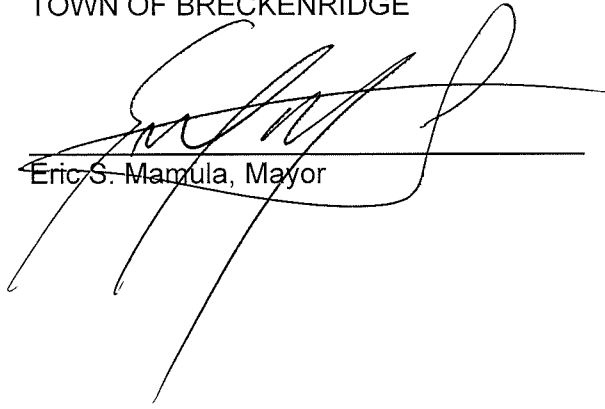
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 25th day of October, 2016. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE

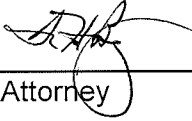


Helen Cospolich, Town Clerk



Eric S. Mamula, Mayor

APPROVED IN FORM



Town Attorney

10/25/16

Date

This Ordinance was published on the Town of Breckenridge website on October 26, October 27, October 28, October 29 and October 30, 2016. This ordinance shall become effective on November 29, 2016.