

1 **BY AUTHORITY**

2 ORDINANCE NO. _____

COUNCIL BILL NO. CB11-0181

3 SERIES OF 2011

COMMITTEE OF REFERENCE:

4 Health, Safety, Education & Services

5 Discussed: _____, 2011

6 **A BILL**

7 for an ordinance amending Section 24-157 “Qualified Needle Exchange and
8 Treatment Referral Programs” of Article V of Chapter 24 of the Revised Municipal
9 Code of the City and County of Denver to modify some of the program
10 requirements.
11

12 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

13 **Section 1. That Section 24-157, “DIVISION 4. - QUALIFIED NEEDLE EXCHANGE**
14 **AND TREATMENT REFERRAL PROGRAMS”, of the Revised Municipal Code is hereby**
15 **amended by adding language underlined and deleting language stricken as follows:**

16 **Sec. 24-157. - Registration of qualified needle exchange and treatment referral**
17 **programs.**
18

19 The manager may register up to three (3) needle exchanges and treatment referral
20 programs ~~locations~~ that the manager determines meet the requirements of state and
21 local laws and the rules and regulations adopted by the board of environmental
22 health to govern needle exchange and treatment referral programs. In order to
23 qualify for registration, the needle exchange and treatment referral programs shall:

24
25 (a) Be established in conformity with state law; operated by a nonprofit or
26 governmental organization which targets the injection drug using population;
27 provides ~~a one-for-one~~ exchange of a sterile syringes ~~for a used syringes~~;
28 encourages injection drug users to seek treatment for substance abuse; and
29 provides referrals for substance abuse treatment and other preventative health care
30 services to participants in the program;

31
32 (b) Issue an identification card certifying that the person identified is either an
33 employee or volunteer worker for the registered program ~~or is a participant in the~~
34 ~~program~~; and

35
36 (c) Operate at ~~a completely enclosed location at least one (1) mile from an existing~~
37 ~~needle exchange and treatment referral program in a nonresidential zoning district,~~
38 ~~at least fifty (50) feet from any hotel, or any dwelling unit as defined in section 59-~~
39 ~~2(44), and at least one thousand (1,000) feet from an elementary and/or secondary~~
40 ~~school meeting all the requirements of the compulsory education laws of the state~~ or
41 a licensed day care center; and
42

1 (d) Operate in compliance with the board of environmental health's rules and
2 regulations.
3

4 COMMITTEE APPROVAL DATE: March 8, 2011

5 MAYOR-COUNCIL DATE: March 15, 2011

6 PASSED BY THE COUNCIL: _____, 2011

7 _____ - PRESIDENT

8 APPROVED: _____ - MAYOR _____, 2011

9 ATTEST: _____ - CLERK AND RECORDER,
10 EX-OFFICIO CLERK OF THE
11 CITY AND COUNTY OF DENVER

12 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011

13 PREPARED BY: Debra R. Knapp - ASSISTANT CITY ATTORNEY – March 17, 2011

14 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
15 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
16 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
17 §3.2.6 of the Charter.

18 David R. Fine, City Attorney

19 BY: _____, _____ City Attorney DATE: _____, 2011