

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2020

COUNCIL BILL NO. CB20-0507

COMMITTEE OF REFERENCE:

4 Safety, Housing, Education & Homelessness

5  
6 **A BILL**

7 **For an ordinance amending the Revised Municipal Code of the City and County**  
8 **of Denver to alter the deadlines for retail tobacco store licenses.**  
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10 WHEREAS the emergence of the COVID 19 pandemic in Denver led to an emergency declaration for  
11 the City on March 12, 2020; and  
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13 WHEREAS due to the emergency declaration and relative risk associated with the COVID 19 pandemic  
14 all in-person outreach to tobacco retailers regarding the new Retail Tobacco License ceased on March  
15 12, 2020; and  
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17 WHEREAS most retail tobacco establishments closed or significantly modified their standard business  
18 operations as a result of the COVID 19 pandemic and subsequent public health orders; and  
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20 WHEREAS most City operations supporting the procurement of a retail tobacco license were delayed  
21 or significantly reduced.  
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23 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**  
24 **DENVER:**

25 **Section 1.** That Chapter 24, Article XI, Division 2, of the Denver Revised Municipal Code  
26 shall be to amended by adding the language underlined and deleting the language stricken to read  
27 as follows.  
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29 **“Sec. 24-420. - License required.**

30 (a) On and after ~~January~~July 1, 2021, it shall be unlawful for any person to operate a retail  
31 tobacco store without first having obtained a valid retail tobacco store license pursuant to this division

1 2; provided, however, that pre-existing retail tobacco stores that have submitted applications for  
2 licensing under this article as of ~~July 1, 2020~~July 1, 2021 may continue in operation until the director  
3 takes a final action on the retail tobacco store application.

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5 **Sec. 24-422. - Grounds for denial.**

6 (b) In addition to the grounds set forth in chapter 32 of this Code, an application for a retail  
7 tobacco store license shall be denied under this division 2 if:

8 (1) The applicant's proposed location is within one thousand (1,000) feet of any of the  
9 following locations:

10 a. Any school, with the distance computed by direct measurement in a straight line  
11 from the nearest property line of the land used for the school to the nearest portion of  
12 the building in which the retail tobacco store is proposed to be located;

13 b. Any city-owned recreation center or city-owned outdoor pool, with the distance  
14 computed by direct measurement in a straight line from the nearest property line of the  
15 land used for the recreation center or outdoor pool to the nearest portion of the building  
16 in which the retail tobacco store is proposed to be located.

17 (2) This subsection (b) shall not apply to any application for a retail tobacco store license  
18 submitted on or before ~~July 1, 2020~~January 1, 2021."

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1 COMMITTEE APPROVAL DATE: June 3, 2020 by Consent

2 MAYOR-COUNCIL DATE: June 9, 2020

3 PASSED BY THE COUNCIL: \_\_\_\_\_

4 \_\_\_\_\_ - PRESIDENT

5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_;

10 PREPARED BY: Anshul Bagga, Assistant City Attorney DATE: June 10, 2020

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

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16 Kristin M. Bronson, Denver City Attorney

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18 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_