

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.**
9

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
12

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
16

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
19

20 WHEREAS most City operations supporting the procurement of a retail tobacco license were delayed
21 or significantly reduced.
22

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 amended by adding the language underlined and deleting the language stricken to read
27 as follows.
28

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
32 2; provided, however, that pre-existing retail tobacco stores that have submitted applications for
33 licensing under this article as of ~~July 1, 2020~~July 1, 2021 may continue in operation until the director
34 takes a final action on the retail tobacco store application.
35

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

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

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

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

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

13 (2) This subsection (b) shall not apply to any application for a retail tobacco store license
14 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: _____ June 22, 2020
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____ Jun 23, 2020
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.
15
16 Kristin M. Bronson, Denver City Attorney
17
18 BY: _____, Assistant City Attorney DATE: Jun 10, 2020