

1 **BY AUTHORITY**

2 ORDINANCE NO. _____ COUNCIL BILL NO. CB***Bill Number with XX-XXXX format***
3 SERIES OF 2020 COMMITTEE OF REFERENCE:

4 ***Committee of Reference***

5 **A BILL**

6 **For an ordinance amending the Revised Municipal Code of the City and County**
7 **of Denver to alter the deadlines for retail tobacco store licenses.**
8

9 WHEREAS the emergence of the COVID 19 pandemic in Denver led to an emergency declaration for
10 the City on March 12, 2020; and

11
12 WHEREAS due to the emergency declaration and relative risk associated with the COVID 19 pandemic
13 all in-person outreach to tobacco retailers regarding the new Retail Tobacco License ceased on March
14 12, 2020; and

15
16 WHEREAS most retail tobacco establishments closed or significantly modified their standard business
17 operations as a result of the COVID 19 pandemic and subsequent public health orders; and

18
19 WHEREAS most City operations supporting the procurement of a retail tobacco license were delayed
20 or significantly reduced.

21
22 THEREFORE BE IT RESOLVED that the deadlines to receive an exemption from the proximity
23 restrictions shall be January 1, 2021 and the deadline for all establishments to apply and be licensed
24 by shall be altered to July 1, 2021.

25
26 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
27 **DENVER:**

28
29 **Section 1.** That Chapter 24, Article XI, Division 2, of the Denver Revised Municipal Code
30 shall be to amended by adding the language underlined and deleting the language stricken to read
31 as follows.

1 **“Sec. 24-420. - License required.**

2 (a) On and after ~~January~~July 1, 2021, it shall be unlawful for any person to operate a retail
3 tobacco store without first having obtained a valid retail tobacco store license pursuant to this division
4 2; provided, however, that pre-existing retail tobacco stores that have submitted applications for
5 licensing under this article as of ~~July 1, 2020~~July 1, 2021 may continue in operation until the director
6 takes a final action on the retail tobacco store application.

7
8 **Sec. 24-422. - Grounds for denial.**

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

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

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

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

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

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24 **[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]**
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DRAFT 5-12-20

1 COMMITTEE APPROVAL DATE:

2 **Consent?**

3 MAYOR-COUNCIL DATE:

4 PASSED BY THE COUNCIL: _____

5 _____ - PRESIDENT

6 APPROVED: _____ - MAYOR _____

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

10 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;

11 PREPARED BY: Anshul Bagga, Assistant City Attorney

12 DATE: ***Date of Bill Filing***

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

17
18 Kristin M. Bronson, Denver City Attorney

19
20 BY: _____, Assistant City Attorney DATE: _____

DRAFT 12/20