

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 5
SERIES OF 2020**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING
CHAPTER 10, ARTICLE VIII OF THE RIFLE MUNICIPAL CODE TO
PROHIBIT THE UNLAWFUL USE OF A CONTROLLED SUBSTANCE.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home-rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, Chapter 10 of the City of Rifle Municipal Code (the “Code”) sets forth the City’s municipal misdemeanor offenses; and

WHEREAS, the General Assembly for the State of Colorado lists controlled substances by schedule in Section 18-18-203, et seq, C.R.S.; and

WHEREAS, the City Council finds and determines that the following amendments to Chapter 10, Article VIII of the Code are in the best interest of the public health, safety and welfare of the citizens of Rifle.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. The foregoing recitals are incorporated by reference as findings and determinations of the City Council.

2. Chapter 10, Article VIII of the Code is hereby amended as follows, with underlined text added and ~~strike through language deleted~~:

Sec. 10-8-20. – Definitions.

* * *

Controlled substance means a drug or other substance or an immediate precursor ~~which is declared to be a controlled substance under this Article, and also includes~~ included in Schedules I through V of Article 18 of the Revised Statutes, including marijuana, marijuana concentrates, and cocaine, cathinones, any synthetic cannabinoid, and salvia divinorum.

3. Existing Section 10-8-140 of the Code is hereby renumbered and readopted in its entirety as Section 10-8-150.

4. Chapter 10, Article VIII of the Code is hereby amended as follows with the addition of a new Section 10-8-140.

Sec. 10-8-140. – Unlawful Use of a Controlled Substance.

Except as otherwise provided for offenses concerning marijuana and marijuana concentrates in this Article VIII of the Rifle Municipal Code, any person who uses any controlled substance, except when it is dispensed by or under the direction of a person licensed or authorized by law to prescribe, administer, or dispense the controlled substance for bona fide medical needs, commits a class A misdemeanor.

INTRODUCED on April 1, 2020 read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado held on April 15, 2020, passed without amendment, approved, and ordered published in full as required by the Charter.

DATED this ____ day of _____, 2020.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

City Clerk