



Legal Notice

Date: 08/23/2024

Subject: An ordinance of the City of Littleton, Colorado, submitting to the registered electors of the City of Littleton, Colorado a proposed additional increase of 4 percentage points to the City's existing special tax on the retail sale of marijuana and retail marijuana products

Passed/Failed: Passed on second reading and public hearing

CITY OF LITTLETON, COLORADO

**ORDINANCE 21
SERIES 2024**

CITY OF LITTLETON, COLORADO

ORDINANCE NO. 21

Series, 2024

AN ORDINANCE OF THE CITY OF LITTLETON, COLORADO, SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF LITTLETON, COLORADO A BALLOT ISSUE REGARDING A PROPOSED ADDITIONAL INCREASE OF 4 PERCENTAGE POINTS TO THE CITY'S EXISTING SPECIAL TAX ON THE RETAIL SALE OF MARIJUANA AND RETAIL MARIJUANA PRODUCTS

WHEREAS, the City of Littleton is a home rule municipality that has been vested with certain powers pursuant to Article XX, Section 6 of the Colorado Constitution; and

WHEREAS, Section 47 of the Littleton City Charter authorizes the City Council to submit any proposed or adopted ordinances or question to the electors of the City without receipt of a petition; and

WHEREAS, Article XVIII Section 16 of the Colorado Constitution created provisions for the sale of marijuana, and among other things, authorizing the taxation of retail sales of marijuana and marijuana products by the State of Colorado and by local government upon approval of the registered electors; and

WHEREAS, Section 20 of Article X of the Colorado Constitution (TABOR) requires voter approval of any tax increase or change in tax policy; and

WHEREAS, City Council wishes to refer a ballot issue to the registered electors of the City asking whether taxes should be raised by a rate of an additional four (4) percentage points on the purchase price paid or charged for retail marijuana and retail marijuana products as those terms are defined in state law and in the City Code which is in addition to the sales tax and other state tax imposed on sales of retail marijuana and retail marijuana products should be imposed; and

WHEREAS, it is anticipated that the tax would generate approximately \$646,000 in its first year; and

WHEREAS, City Council wishes to direct those revenues for the exclusive use of public safety through services such as, but not limited to, mental health crisis response, homelessness prevention, and other proactive safety programs in downtown Littleton and other areas of similar need.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1: The City Clerk is hereby authorized to submit the following question to

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50 the registered voters of the City of Littleton at the November 5, 2024 election:

51

52 SHALL THE CITY OF LITTLETON TAXES BE INCREASED \$646,000

53 ANNUALLY BEGINNING JANUARY 1, 2025, AND BY WHATEVER AMOUNTS ARE

54 RAISED THEREAFTER THROUGH THE ADOPTION OF AN ADDITIONAL FOUR

55 PERCENTAGE POINTS TO THE CITY’S EXISTING SPECIAL TAX ON THE SALE OF

56 RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITH SUCH REVENUES

57 SOLELY BEING USED TO SUPPORT PUBLIC SAFETY AND HOMELESSNESS

58 PREVENTION THROUGH SERVICES SUCH AS, BUT NOT LIMITED TO, MENTAL

59 HEALTH CRISIS RESPONSE AND OTHER PROACTIVE SAFETY PROGRAMS IN

60 DOWNTOWN LITTLETON AND OTHER AREAS OF SIMILAR NEED AND SHALL ALL

61 REVENUES FROM SUCH TAXES AND ANY EARNINGS THEREON BE COLLECTED,

62 RETAINED AND SPENT AS A VOTER-APPROVED REVENUE CHANGE WITHOUT

63 LIMITATION OR CONDITION, AND NOTWITHSTANDING ANY REVENUE OR

64 EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X SECTION 20 OF THE

65 COLORADO CONSTITUTION OR ANY OTHER LAW?

66

67 __ YES

68

69 __ NO.

70

71 **Section 2:** Subject to voter approval of the ballot issue set forth in Section 1.

72 Littleton City Code Title 3: Business Regulations, Chapter 22 Special Retail Marijuana Sales Tax,

73 subsection 2 will be amended to read as follows:

74

75 “3-22-2: IMPOSITION OF TAX:

76

77 In addition to the sales tax imposed by chapter 9 of this title, beginning January 1,

78 2025 there is imposed upon all sales of retail marijuana and retail marijuana products to a

79 consumer by a retail marijuana store a tax at the rate of seven percent (7.00%) of the amount

80 of the sale.

81

82 **Section 3:** Severability. If any part, section, subsection, sentence, clause or

83 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the

84 validity of the remaining sections of this ordinance. The City Council hereby declares that it would

85 have passed this ordinance, including each part, section, subsection, sentence, clause or phrase

86 hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or

87 phrases may be declared invalid.

88

89 **Section 4:** Repealer. All ordinances or resolutions, or parts thereof, in conflict

90 with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer

91 clauses of such ordinance nor revive any ordinance thereby.

92

93

94 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council

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95 of the City of Littleton on the 6th day of August, 2024, passed on first reading by a vote of 7
96 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library,
97 the Municipal Courthouse and on the City of Littleton Website.

98 PUBLIC HEARING on the Ordinance to take place on the 20th day of
99 August, 2024, in the Council Chamber, Littleton Center, 2255 West Berry Avenue,
100 Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

101 PASSED on second and final reading, following public hearing, by a vote of
102 7 FOR and 0 AGAINST on the 20th day of August, 2024 and ordered published by
103 posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of
104 Littleton Website.

105

106 ATTEST:

107 DocuSigned by:
108 *Calleen L. Norton*
109 Calleen L. Norton, City Clerk
110
111

DocuSigned by:
Kyle Schlachter
Kyle Schlachter, Mayor

112

113 APPROVED AS TO FORM:

114 DocuSigned by:
115 *Reid Betzing*
116 Reid Betzing, City Attorney

