

ORDINANCE NO. 2369  
INTRODUCED BY: Johnston

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING SECTION 9-28-40(C) OF THE BRIGHTON MUNICIPAL CODE REGARDING OFFENSES

WHEREAS, House Bill 21-1090 amended C.R.S. §18-13-122(3)(b) regarding the illegal consumption or possession of marijuana by an underage person; and

WHEREAS, House Bill 21-1090 amended the possession amount from one (1) ounce or less to two (2) ounces or less of marijuana; and

WHEREAS, House Bill 21-1090 was signed by Governor Jared Polis on May 20, 2021 and became effective 90 days after signature by the Governor; and

WHEREAS, Section 9-28-40(c) must now be amended to reflect this amendment to state statute.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. Section 9-28-40(c) of the Brighton Municipal Code is amended to read as follows:

Sec. 9-28-40(c). – Offenses.

(c) It shall be unlawful for any person twenty-one (21) years of age or older to possess more than ~~one (1) ounce~~ **two (2) ounces** of marijuana; provided, however, this Subsection 9-28-40(c) shall not apply to any person licensed or authorized to possess marijuana pursuant to the laws of Colorado or the United States while possessing same in accordance with the requirements and limitations of such license or authorization.

Section 2. The purpose of this Ordinance is to provide for the health, safety, and welfare of the people.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED  
THIS 17<sup>th</sup> DAY OF August, 2021.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY  
TITLE ONLY THIS 7<sup>th</sup> DAY OF September, 2021.

CITY OF BRIGHTON, COLORADO

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GREGORY MILLS, Mayor

ATTEST:

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NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

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ALICIA CALDERÓN, City Attorney