

ORDINANCE NO. 072, 2020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
RELATING TO THE EXTRACTION OF HEMP WITHIN DWELLINGS

WHEREAS, in 2019, the Colorado General Assembly adopted SB19-240 authorizing local governments to adopt ordinances regulating the storage, extraction, processing, or manufacturing of industrial hemp or industrial hemp products; and

WHEREAS, Ordinance No. 103, 2019, added a new Article XII to Chapter 12 of the City Code relating to the cultivation and extraction of hemp; and

WHEREAS, within that Ordinance, staff recommended locally prohibiting hemp extractions to protect the health, safety and welfare of the inhabitants of Fort Collins in a manner consistent with the laws of the State; and

WHEREAS, staff has recently received several requests for hemp extraction businesses to operate within the City; and

WHEREAS, as adopted, Article XII, Chapter 12 of the City Code prohibits the use of inherently hazardous substances in the extraction of hemp anywhere in the City; and

WHEREAS, these provisions were not intended to prohibit extractions in commercial businesses; and

WHEREAS, the provisions of Article XII, Chapter 12 are currently preventing commercial businesses from receiving necessary approval from the Poudre Fire Authority to operate; and

WHEREAS, staff recommends amending the Code so as to allow commercial hemp extractions while continuing to prohibit extractions using hazardous substances in residential dwelling units to protect the health, safety and welfare of the inhabitants of Fort Collins.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Section 12-223 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 12-223. Use of inherently hazardous substances, alcohol, including ethanol for hemp extractions prohibited.

It shall be unlawful for any person to knowingly use inherently hazardous substances, or alcohol, including ethanol, in the extraction of THC or other cannabinoids from hemp within any dwelling in the City.

Introduced, considered favorably on first reading, and ordered published this 19th day of May, A.D. 2020, and to be presented for final passage on the 2nd day of June, A.D. 2020.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 2nd day of June, A.D. 2020.

Mayor

ATTEST:

City Clerk