



**MEMORANDUM**

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator  
Randi Gallivan, Deputy Town Clerk

DATE: February 17, 2022

RE: Draft Ordinance Adding a New Article 6 of Chapter 6 Regarding Marijuana Delivery Within the Town

**DISCUSSION:**

Attached for Board discussion is a draft Ordinance to add a new Article 6 to Chapter 6 of the Foxfield Municipal Code regarding marijuana delivery within the Town of Foxfield.

This Ordinance is simply to allow the service within the Town. The State would collect any sales tax as with any other business. The Clerk will set up the permitting process and renewing the permits will be no more difficult than annual renewal of business licenses.

Deputy Town Clerk Gallivan and Trustee Cockrell have researched the permitting process. The State has an in-depth process for issuing delivery permits, as do many larger municipalities. Per Town Attorney Hoffmann, all Foxfield would need is a simple, one-page permit application. As long as the applicant has both a State and at least one other municipality delivery permit, we would not need to do any further research to issue a delivery permit specific to Foxfield.

The applicant would complete the one-page application and submit it to Foxfield along with the fee set by the Board of Trustees. Staff recommends an annual fee of \$100 for this permit.

**ATTACHMENT:**

Exhibit A: Draft Ordinance 2022-01

Trustee Bill No.  
Series of 2022  
Town of Foxfield

Introduced by

**A BILL FOR AN ORDINANCE ADDING A NEW ARTICLE 6 OF CHAPTER 6  
REGARDING MARIJUANA DELIVERY WITHIN THE TOWN**

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF  
FOXFIELD, COLORADO:

Section 1. The Town of Foxfield Municipal Code is amended by the addition thereto of a  
new Article 6 of Chapter 6 to read as follows:

**ARTICLE 6**

**Marijuana Delivery**

**Sec. 6-6-10. Delivery of Medical Marijuana.**

(a) The Board of Trustees hereby authorizes the Town Clerk to administratively approve the issuance of a medical marijuana delivery permit to any licensed medical marijuana business. The permitting procedure shall comply with C.R.S. § 44-10-501(11).

(b) All deliveries made within the Town shall comply with C.R.S. § 44-10-501(11) and 1 CCR 212-3.

(c) All medical marijuana and medical marijuana infused products delivered to an address within the Town are subject to Town sales tax.

**Sec. 6-6-20. Delivery of Retail Marijuana.**

(a) The Board of Trustees hereby authorizes the Town Clerk to administratively approve the issuance of a retail marijuana delivery permit to any licensed retail marijuana store and licensed retail marijuana transporter. The permitting procedure shall comply with C.R.S. § 44-10-601(13).

(b) All deliveries made within the Town shall comply with C.R.S. § 44-10-601(13) and 1 CCR 212-3.

(c) All retail marijuana and retail marijuana infused products delivered to an address within the Town are subject to Town sales tax.

Section 2. The Town Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police powers of the Town of Foxfield, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare.

Section 3. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This ordinance shall become effective thirty (30) days after final publication.

Adopted as Ordinance No. 02 Series of 2022, by the Board of Trustees of Foxfield, Colorado, and signed and approved by its Mayor or presiding officers this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Lisa Jones, Mayor

ATTEST:

\_\_\_\_\_  
Miranda Gallivan, Deputy Town Clerk

Town Seal

\_\_\_\_\_  
Corey Y. Hoffmann, Town Attorney  
(Approved as to Form)