

**TOWN OF BERTHOUD ORDINANCE  
NUMBER 1333  
(SERIES 2024)**

**AN ORDINANCE OF THE TOWN OF BERTHOUD, COLORADO AMENDING CHAPTERS 13  
AND 30 OF THE BERTHOUD MUNICIPAL CODE REGARDING MARIJUANA BUSINESSES**

**WHEREAS**, the Town of Berthoud is a municipal corporation possessing all powers granted to a statutory town by Title 31 of the Colorado Revised Statutes; and

**WHEREAS**, the Town wishes to amend sections of the Municipal Code to remain consistent with State regulations; and

**WHEREAS**, the Planning Commission, after proper notice, has held a public hearing on December 14, 2023 on this Ordinance providing for a recommendation of approval from the Town Board of Trustees; and

**WHEREAS**, the Municipal Code and amendments thereto have been submitted to the Board of Trustees in writing and the Board of Trustees has determined that such code and amendments thereto should be adopted as herein set forth;

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

Section 1. Chapter 13, Sections 13.13-5(a), 13.13-6(b), 13.13-6(e), 13.13.8, 13.13-10, 13-13.11, and 13.16-5 regarding marijuana businesses is amended as set forth in Exhibit A.

Section 2. Chapter 30, Sections 30-1-116, 30-3-113, 30-3-112, 30-1-117, 30-3-104, Table 3.10 of Chapter 30 regarding land use application processing requirements as set forth in Exhibit A, attached is hereby adopted;

Section 3. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance.

Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 5. The repeal or modification of any provision of the Municipal Code of the Town of Berthoud by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all property actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 6. The provisions of this ordinance shall take effect thirty days after publication as required by law and shall apply to all development and construction permitted after such date.

INTRODUCED, READ, ADOPTED, AND APPROVED on this 23<sup>rd</sup> day of January 2024.


**TOWN OF BERTHOUD**

By

  
**William Karspeck, Mayor**

**ATTEST:**

By:

  
**Christian Samora, Town Clerk**

