

**TOWN OF FREDERICK, COLORADO  
ORDINANCE NO. 1126**

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO,  
REVISING CHAPTER 10, ARTICLE VI, SECTION 10-113, OF THE  
FREDERICK MUNICIPAL CODE, ENTITLED "POSSESSION OF  
MARIJUANA."**

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF  
THE TOWN OF FREDERICK, AS FOLLOWS:**

WHEREAS, the Frederick Board of Trustees desires to prohibit the open and public consumption of marijuana within the Town; and

WHEREAS, the Frederick Board of Trustees finds that enactment of such provision is in the best interest of the best interest of the health, safety and welfare of the citizens of the Town of Frederick.

**Section 1:** Chapter 10, Article VI, Section 10-113 of the Frederick Municipal Code is hereby amended with the addition of paragraph (9), to read as follows:

**Sec. 10-113. Possession of marijuana.**

(9) It shall be unlawful for any person to openly and/or publicly consume marijuana, or in any manner that endangers others. Nothing in this Section or Code shall permit the consumption of marijuana that is conducted openly and publicly, or in a manner that endangers others, regardless of whether a person may lawfully possess or consume marijuana.

**Section 2:** Chapter 10, Article VI, Section 10-113 (b) and (c) are hereby repealed in their entirety.

**Section 3:** Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases be declared invalid.

**Section 4:** Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS  
22nd day of January, 2013.

TOWN OF FREDERICK

By: *Jim Wollack*  
~~Tony Carey, Mayor~~  
Jim Wollack, Mayor Pro Tem

ATTEST:

By *Meghan C. Martinez*  
Meghan C. Martinez, Town Clerk

