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## MEMORANDUM

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P.O. Box 4100 ♦ FRISCO, COLORADO 80443

**TO: MAYOR AND TOWN COUNCIL**  
**FROM: STACEY NELL, TOWN CLERK**  
**RE: NICOTINE LICENSING CODIFICATION (ORDINANCE 19-15)**  
**DATE: OCTOBER 24, 2023**

**Summary and Background:** On September 10, 2019, the Frisco Town Council adopted Ordinance 19-15 titled:

“AN ORDINANCE AMENDING CHAPTER 110 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING BUSINESS LICENSES AND REGULATIONS, BY THE ADDITION OF A NEW ARTICLE III, CONCERNING THE ESTABLISHMENT OF A REQUIREMENT FOR THE LICENSING OF TOBACCO PRODUCT RETAILERS, AND REQUIREMENTS AND LIMITATIONS CONCERNING THE SALE OF TOBACCO PRODUCTS BY SUCH RETAILERS, INCLUDING LIMITING THE SALE OF TOBACCO PRODUCTS TO PERSONS WHO ARE TWENTY-ONE (21) YEARS OF AGE OR OLDER; WHICH REQUIREMENTS ARE NECESSARY TO SAFEGUARD THE HEALTH OF INDIVIDUALS WHO ARE NOT OF LEGAL AGE TO PURCHASE TOBACCO PRODUCTS”.

Summit County Referred Measure 1A appeared on the 2019 Coordinated Election ballot, where all Towns and the County initiated parallel licensing programs for retailers within their respective jurisdictions, as well as required taxation by retailers to consumers.

**Analysis:** Town of Frisco Code, Chapter 1, Section 18 concerns the “Editorial duties of Town Clerk” and provides for the responsibility and authority for the Town Clerk to codify adopted ordinances, and ensure the Town Code’s organization and accuracy. Ordinance 19-15 was never codified after adoption, and Chapter 110, Article III has now been occupied by a different section of code. The purpose of this memo and action item is to, in accordance with Section 1-18 of the Town Code, obtain the Council’s consent to the codification of Ordinance 19-15 as the next available Article in Chapter 110, and to renumber the sections set forth in the Ordinance accordingly.

**Financial Impact:** There is no anticipated financial impact associated with codifying this ordinance. Our codification vendor, Granicus, through their MuniCode product that we utilize to host Town Code online, is ready to receive notice that this Ordinance will need to be codified ahead of their next supplement so that it is included and updated.

**Alignment with Strategic Plan:** As Council and Staff are acutely aware, the [Town's Strategic Plan](#) has four strategic objectives, one of which is "We provide progress-driven quality core services". Under 2023's project goals for this objective is to ""modernize and update the method of accessing the Town's municipal code". As the Town Clerk is made aware of corrections required for Town Code to maintain its accuracy, Council will be updated on its Consent agenda in order to provide transparent notification to Council, the community, and staff.

**Staff Recommendation:** It is the recommendation of the Town Clerk that this be approved as a part of the Consent Agenda as a part of this meeting's official record. A Council motion, second, and vote will be required as typical procedure calls for.

**Reviews and Approvals:**

This report has been reviewed and approved by:

- Tom Fisher, Town Manager
- Thad Renaud, Town Attorney

**Attachments:**

- Attachment 1 – Frisco Town Code § 1-18 "Editorial duties of the Town Clerk"
- Attachment 2 – Ordinance 19-15 Adopted by Town Council September 10, 2019