

RESOLUTION #004-2019

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE
TOWN OF CRESTONE RELATING TO PUBLIC CONSUMPTION
OF MARIJUANA AND/OR ALCOHOLIC BEVERAGES**

WHEREAS, it has come to the attention of the Board of Trustees that public consumption of alcoholic beverages and marijuana have been occurring at certain locations within the Town; and

WHEREAS, those sponsoring or permitting such public consumption appear to have the mistaken impression that such activities are legal and permissible as long as they are on private property whether owned by private persons or non-profit establishments, notwithstanding advice to the contrary provided by the Town Attorney and Town Clerk; and

WHEREAS, the provisions of C.R.S. 18-18-406 (5)(b)(I) make it unlawful for a person to openly and publicly display, consume, or use marijuana; and

WHEREAS, the provisions of C.R.S. 44-3-901 (L) (I) (Unlawful Acts) make it “unlawful for any person to consume any fermented malt beverage or malt vinous or spirituous liquors (A) in any public place...” and

WHEREAS, places to which the public are invited and/ or allowed to attend for social and like events are deemed to be “public places” whether or not they are upon public or private property; and

WHEREAS, the Town of Crestone has the duty of enforcing State statutes as a statutory town.

NOW, THEREFORE, be it resolved by the Board of Trustees of the Town of Crestone, Colorado that the Town Code Enforcement Officer is directed to strictly enforce the State and Town codes relating to public use and consumption of marijuana and alcohol and, where appropriate to issue citations to offenders and those who aid or abet in the commission of such offences.

DONE and SIGNED this 13th day of May, 2019.



ATTEST: Allyson Ransom
Allyson Ransom, Town Clerk

Kairina Danforth
Kairina Danforth, Mayor