

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2024
4

COUNCIL BILL NO. _____
COMMITTEE OF REFERENCE:

5 A BILL

6 **For an ordinance amending article V, chapter 24 of the code to remove certain**
7 **limitations applicable to needle exchange and treatment referral programs.**
8

9 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

10 **Section 1.** That article V, division 4, of Chapter 24 of the Revised Municipal Code shall be
11 amended by deleting the language stricken and adding the language underlined, to read as follows:
12

13 **Sec. 24-157. - Registration of qualified needle exchange and treatment referral programs.**

14 The manager may register ~~up to three (3)~~ needle exchange and treatment referral programs
15 that the manager determines meet the requirements of state and local laws and the rules and
16 regulations adopted by the board of public health and environment to govern needle exchange
17 and treatment referral programs. It shall be unlawful for any person to violate a rule or regulation
18 adopted by the board pursuant to this section. In order to qualify for registration, the needle
19 exchange and treatment referral programs shall:

20 (a) Be established in conformity with state law; operated by a nonprofit or governmental
21 organization which targets the injection drug using population; provides for exchange of sterile
22 syringes for used syringes; encourages injection drug users to seek treatment for substance
23 abuse; and provides referrals for substance abuse treatment and other preventative health care
24 services to participants in the program;

25 (b) Issue an identification card certifying that the person identified is either an employee
26 or volunteer worker for the registered program; and

27 ~~(c) Operate at least one thousand (1,000) feet from an elementary and/or secondary~~
28 ~~school meeting all the requirements of the compulsory education laws of the state or a licensed~~
29 ~~day care center, except for mobile outreach workers; and~~

30 ~~(d)~~c Operate in compliance with the board of public health and environment's rules and
31 regulations.
32

33 **Sec. 24-158.5. Neighborhood Agreement Process.**

34 The board of public health and environment shall establish, by regulation, a process for

1 surrounding residents to reach a voluntary agreement with the operators of any fixed-site needle
2 exchange and treatment referral program.

3
4 **Section 2. Effective Date.**

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6 COMMITTEE APPROVAL DATE: _____, 2024.

7 MAYOR-COUNCIL DATE: _____, 2024.

8 PASSED BY THE COUNCIL _____ 2024

9 _____ - PRESIDENT

10 APPROVED: _____ - MAYOR _____ 2024

11 ATTEST: _____ - CLERK AND RECORDER,
12 EX-OFFICIO CLERK OF THE
13 CITY AND COUNTY OF DENVER
14

15 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2024; _____ 2024

16
17 PREPARED BY: Anshul Bagga, Assistant City Attorney; DATE: December 11, 2024

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19 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
20 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
21 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
22 3.2.6 of the Charter.
23

24 Kerry Tipper, City Attorney

25
26 BY: _____, _____ City Attorney DATE: _____