

**TOWN OF KEYSTONE
Summit County, Colorado**

RESOLUTION 2024-36

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO
REQUESTING PARTICIPATION WITH SUMMIT COUNTY FOR THE SHARING AND
DISBURSEMENT OF REVENUES GENERATED FROM A COUNTY-WIDE SPECIAL
SALES TAX IMPOSED UPON AND COLLECTED FROM TOBACCO AND NICOTINE
PRODUCT RETAILERS WITHIN THE TOWN**

WHEREAS, on November 6 2019, Summit County voters approved Ballot Measure 1A, imposing a tax that effectively raised the sales tax on retail sales in the county of cigarettes to \$4 per pack, and a 40% increase in sales tax for all other retail sales in the county of nicotine and tobacco products — including e-cigarettes and other vaping devices (“County Nicotine Tax”); and

WHEREAS, in anticipation of voter approval of the County Nicotine Tax and pursuant to House Bill 19-1033, the Towns of Blue River, Breckenridge, Dillon, Frisco, Montezuma, and Silverthorne contracted with Summit County for the sharing and disbursement of revenues generated from the County Nicotine Tax collected and remitted from retailers within their respective jurisdictions (“Nicotine Tax IGA”); and

WHEREAS, in addition to the disbursement County Nicotine Tax revenues, the Nicotine Tax IGA also provided for: (a) the County administration and enforcement of the County Nicotine Tax; and (b) local authority to spend County Nicotine Tax revenues for improving health and lessening adverse public health consequences stemming from tobacco/nicotine product use, providing local enforcement of laws, rules, regulations and ordinances that prohibit the sale of cigarettes, tobacco products, and nicotine products, educational outreach efforts aimed at reducing teen nicotine use, including vaping and other flavored nicotine products, and other similar uses; and

WHEREAS, pursuant to the provisions of § 18 of Article XIV of the Colorado Constitution, § 29-1-203, C.R.S., as amended, the Town of Keystone and Summit County may cooperate or contract with one another to provide any function, service or facility lawfully authorized to each; and

WHEREAS, like the Towns of Blue River, Breckenridge, Dillon, Frisco, Montezuma, and Silverthorne, the Town of Keystone desires to collaborate with Summit County on the imposition, collection, administration and enforcement of the County Nicotine Tax within its jurisdiction, along with the sharing and disbursement of County Nicotine Tax revenues generated from within its boundaries; and

WHEREAS, Section 10 of the Nicotine Tax IGA contemplates and authorizes adding one or more additional incorporated municipalities as parties; and

WHEREAS, the Town Council finds that it is in the best interest of the Town to request to be added as a party to the Nicotine Tax IGA with Summit County.

Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado, that:

Section 1. The Town requests Summit County add the Town of Keystone as a party to the Nicotine Tax IGA, in accordance with Section 10 of the Nicotine Tax IGA.

Section 2. The Town Manager and the Town Attorney are authorized and directed to negotiate the terms of a proposed amendment to the Nicotine Tax IGA that would add the Town as a Party.

Section 3. Effective Date. This Resolution shall take effect upon its approval by the Town Council.

ADOPTED by a vote of 6 in favor and 0 against, this 23rd day of April, 2024.

By: Kenneth D. Riley
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: Madeline Sielev
Town Clerk

By: Janice Maebel
Town Attorney