

ORDINANCE NO. 14-10

**AN ORDINANCE OF THE TOWN OF ESTES PARK
EXTENDING A MORATORIUM ON THE ISSUANCE OF BUSINESS
LICENSES, BUILDING PERMITS AND OTHER
APPROVALS RELATED TO PERSONS AND LEGAL ENTITIES
ESTABLISHING AND/OR OPERATING MEDICAL MARIJUANA FACILITIES
IN THE TOWN**

WHEREAS, the Board of Trustees adopted Ordinance No. 10-09 on November 24, 2009, imposing a moratorium on the issuance by the Town of any Town business license, building permit, and any other approvals related to the establishment or operation of medical marijuana facilities in the Town including a moratorium on the engaging in the sale and/or production of any medical marijuana without first having obtained from the Town a validly issued business license under the provisions of Section 5.20 of the Municipal Code; and

WHEREAS, the recently enacted HB 10-1284 gives the state and local municipalities licensing authority over medical marijuana establishments, creates a state licensing authority, and directs the state authority to promulgate rules governing the licensing, conduct, and location of medical marijuana establishments; and

WHEREAS, HB 10-1284 also provides that the rules enacted by the state licensing authority shall be effective by July 1, 2011; and

WHEREAS, the Board of Trustees concludes that it is in the best interest of the citizens of the Town of Estes Park to extend the moratorium imposed in Ordinance No. 10-09 for an additional period to allow for a full evaluation of the provisions of HB 10-1284 and the rules promulgated by the state licensing authority pursuant to the provisions of HB 10-1284; and

WHEREAS, the extension of the moratorium imposed in Ordinance No. 10-09 will also provide the Town Board with an opportunity to review and evaluate citizen input with regard to the provisions of HB 10-1284 and the options available to the Board of Trustees and/or the electors of the Town with regard to the establishment, operation and/or prohibition of medical marijuana establishments.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ESTES PARK, COLORADO as follows:

Section 1. Section 5 of Ordinance No. 10-09 be amended as follows:

Section 5: During the term of this moratorium, the Town Board will seek input from the public regarding the options available to the Town Board

and the citizens of the Town with regard to the licensing, operation, location, and/or prohibition of medical marijuana establishments within the Town of Estes Park.

Section 2. Section 6 of Ordinance No. 10-09 shall be amended as follows:

Section 6. This moratorium shall continue in effect through the 30th day of June, 2011, or such earlier date as may be determined by the Board of Trustees.

Section 3. All the other provisions of Ordinance No. 10-09 not amended herein, shall remain in full force and effect.

WHEREAS, the immediate passage of this Ordinance is necessary for the preservation of the health, safety, and welfare of the citizens of the Town, and therefore this Ordinance shall take effect and be enforced immediately after its passage, adoption and signature of the Mayor.

PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF ESTES PARK, COLORADO, THIS 22ND **DAY OF** JUNE, 2010.

TOWN OF ESTES PARK, COLORADO

By: 
Mayor

ATTEST:


Town Clerk

I hereby certify that the above ordinance was introduced and read at a meeting of the Board of Trustees on the 22ND day of JUNE, 2010, and published in a newspaper of general publication in the Town of Estes Park, Colorado on the 25TH day of JUNE, 2010.


Town Clerk