

ORDINANCE NO. 2-2011

AN ORDINANCE OF THE TOWN OF CRAWFORD, COLORADO, CALLING FOR THE SUBMISSION OF A BALLOT QUESTION TO THE ELECTORS OF THE TOWN OF CRAWFORD TO DETERMINE WHETHER OR NOT THE CULTIVATION, SALE, MARKETING, AND MANUFACTURE OF MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS SHOULD BE ALLOWED, SUBJECT TO LICENSING AND REGULATION, WITHIN THE TOWN OF CRAWFORD, COLORADO, AT THE NEXT REGULAR ELECTION OF THE TOWN OF CRAWFORD TO BE CONDUCTED ON APRIL 3, 2012.

WHEREAS, in November of 2000, Colorado voters approved Amendment 20 adding Article XVIII, Section 14 to the Colorado Constitution, which Amendment authorizes the possession and use of limited quantities of marijuana by qualified patients and primary caregivers as part of medical therapies; and

WHEREAS, changes in federal drug enforcement policies with respect to the cultivation, sale, and distribution of marijuana for medical purposes which might be permissible under state law led to the operation of marijuana "dispensaries" engaging in activities in various communities in the State of Colorado, which activities are outside the scope of Amendment 20; and

WHEREAS, on or about December 2, 2009, the Board of Trustees of the Town of Crawford, Colorado, in an exercise of the town's police powers, adopted ordinance No. 1-2009 which declared a moratorium upon the licensing, permitting and operation of new businesses within the territorial limits of the Town of Crawford that deal in marijuana and products containing marijuana used for medical purposes, which moratorium was extended to July 1, 2011, by the adoption on June 2, 2010, of Ordinance No. 1-2010; and

WHEREAS, the Colorado General Assembly adopted House Bill 10-1284 known as the Colorado Medical Marijuana Code ("the Code"), codified as Colorado Revised Statutes, 12-43.3-101 *et seq.*, which authorizes local governments, including statutory towns, to prohibit certain activities involving the cultivation and sale of medical marijuana and the manufacturing of medical marijuana-infused products by the affirmative vote of the electors of the Town; and

WHEREAS, the Board of Trustees of the Town of Crawford has determined that the expansion of medical marijuana business operations beyond that which is contemplated and allowed by Amendment 20 to the Colorado Constitution could be adverse to the public health, safety and welfare; and

WHEREAS, the Board of Trustees of the Town of Crawford desires to submit a ballot question to the electors of the Town to determine whether or not such medical marijuana activities should be allowed, subject to licensing and regulations, within the limits of the Town of Crawford.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CRAWFORD, COLORADO, AS FOLLOWS:

Section 1. The following question shall be submitted as a ballot issue to a vote of the registered electors of the Town of Crawford, Colorado, at the regular municipal election to be conducted on April 3, 2012:

"MEDICAL MARIJUANA QUESTION

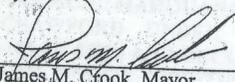
SHALL THE OPERATION AND LICENSING OF MEDICAL MARIJUANA CENTERS, MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS, AND OPTIONAL PREMISES CULTIVATION OPERATIONS BE ALLOWED, SUBJECT TO LICENSING AND REGULATION, IN THE TOWN OF CRAWFORD, COLORADO.

_____ Yes _____ NO"

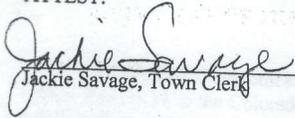
Section 2. If this question is answered in the affirmative by a majority of the votes cast on the question at such election, the action of the voters shall take effect sixty (60) days after the certification of the results of the election prior to which time the Board of Trustees of the Town of Crawford shall adopt an ordinance providing for the licensing and regulation of such medical marijuana businesses.

Section 3. This ordinance shall be authenticated by the signatures of the Mayor and the Town Clerk, shall be recorded in a book kept for that purpose and shall be published according to law.

APPROVED AND ADOPTED BY THE AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS OF THE BOARD OF TRUSTEES OF THE TOWN OF CRAWFORD, COLORADO, THIS 2nd DAY OF February, 2011.


James M. Crook, Mayor

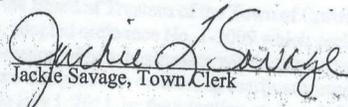
ATTEST:


Jackie Savage, Town Clerk

CERTIFICATION

The undersigned, Jackie Savage, as the Town Clerk of the Town of Crawford, Colorado, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2-2011 adopted by the Board of Trustees of the Town of Crawford, Colorado, at a regular meeting held on February 2, 2011, and that the same was duly published according to law on Feb 3, 2011.

Dated this 2 day of February, 2011.


Jackie Savage, Town Clerk

