

PALMER LAKE, COLORADO

ORDINANCE NO 8 OF 2017

**AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE
ISSUANCE OF ADDITIONAL LICENSES FOR ALL MARIJUANA FACILITIES
AND DECLARING AN EMERGENCY**

WHEREAS, THE TOWN OF PALMER LAKE HAS TWO OPERATING
MARIJUANA FACILITIES FOR A TOWN WITH A POPULATION OF SLIGHTLY OVER
2,500; AND

WHEREAS, THE TOWN OF PALMER LAKE NEEDS ADDITIONAL TIME TO
ADEQUATELY CLARIFY AND ADDRESS LICENSING AND LAND USE ISSUES
CONNECTED WITH THE EXPANSION OF ADDITIONAL MARIJUANA FACILITY
LICENSES; AND

WHEREAS, THE MORATORIUM IMPOSED BY THIS ORDINANCE IS INTENDED
TO PROHIBIT THE ISSUANCE OF ADDITIONAL MARIJUANA FACILITY LICENSES
DURING THE PERIOD OF THE MORATORIUM AND; TO ENSURE THAT
PROSPECTIVE OPERATORS AND OWNERS OF MARIJUANA FACILITIES ARE ABLE
TO MAKE BUSINESS AND INVESTMENT DECISIONS WITH SUFFICIENT
KNOWLEDGE OF LOCAL REGULATIONS; AND TO ENSURE THAT ANY LOCAL
REGULATIONS OR PROHIBITIONS CAN BE ENFORCED IN A FAIR AND EQUITABLE
MANNER; AND

WHEREAS, THE TOWN OF PALMER LAKE FINDS IT NECESSARY TO THE
PUBLIC HEALTH, SAFETY, AND WELFARE TO ADOPT THIS ORDINANCE IMPOSING
A TEMPORARY MORATORIUM ON THE ISSUANCE OF ADDITIONAL MARIJUANA
FACILITY LICENSES; AND

WHEREAS, THE TOWN OF PALMER LAKE DECLARES THAT PASSAGE OF
THIS ORDINANCE IS NECESSARY FOR THE HEALTH, SAFETY AND WELFARE OF
THE PEOPLE OF THE TOWN OF PALMER LAKE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. During the effective term of this ordinance no additional marijuana facility licenses shall be issued by the Town of Palmer Lake, Colorado. No Town Department shall accept or process any new application for the sales tax license, land use approval, building permit, business license or any other license or permit relating to the operation of a business that sells, cultivates, or produces marijuana or medical marijuana products.

Section 2. During the period of this ordinance the Town of Palmer Lake will endeavor to study the impact on the town of the issuance of additional medical marijuana licenses.

Section 3. All ordinances heretofore passed and adopted by the Town of Palmer Lake are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith. However, this ordinance shall not be interpreted to repeal or to apply in any way Town ordinances regarding the operation of medical marijuana center, medical marijuana cultivation facilities, or medical marijuana infused products manufacturers pursuant to HB 10-1284.

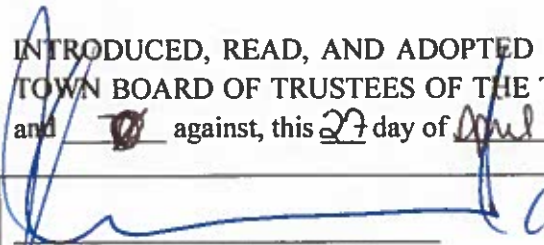

Section 4. This moratorium imposed by this ordinance shall expire three months from the date of enactment of this ordinance unless sooner repealed or amended.

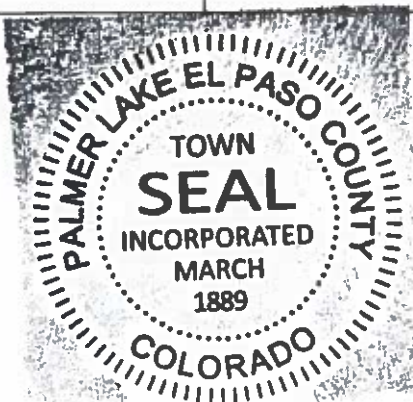
Section 5. The Town Board hereby finds and declares that an emergency exists which requires the immediate effectiveness of this Ordinance, in that the effective implementation of the policy of determining how and whether the implementation of responsible sales and use of marijuana in the Town of Palmer Lake would be frustrated and prevented without the protection which this Ordinance will give.

Section 6. Severability. It is hereby declared to be the intention of the Board of Trustees of the Town of Palmer Lake that the sentences, clauses and phrases of this ordinance are severable, and if any sentence, clause or phrase of this ordinance be declared unconstitutional or invalid by the valid judgment or decree of Court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining sentences, clauses or phrases of this ordinance since the same would have been enacted by the Board of Trustees without the incorporation of any unconstitutional or invalid sentence, clause or phrase.

Section 7. Publication. The Town Clerk shall certify to the passage of this ordinance and cause notice of its contents and passage to be published or posted. This Ordinance shall become effective upon adoption.

INTRODUCED, READ, AND ADOPTED AT A DULY NOTICED REGULAR MEETING OF THE TOWN BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE by a vote of 7 in favor and 0 against, this 27 day of April, 2017.

 _____ JOHN CRESSMAN, MAYOR	
ATTEST:  _____ TARA BERRETH, TOWN CLERK	Approved as to Form: _____ MAUREEN JURAN, TOWN ATTORNEY



AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF EL PASO

I, Mary Heifner, being first duly sworn, deposes and says that she is the Legal Sales Representative of THE COLORADO SPRINGS GAZETTE, LLC., a corporation, the publishers of a daily public newspaper, which is printed and published daily in whole at the city of Colorado Springs in the County of El Paso, and the State of Colorado, and which is called The Gazette; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper 1 time(s) to wit, May 1, 2017

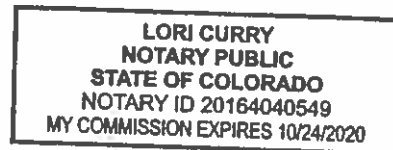


That said newspaper has been published continuously and uninterruptedly in said County of El Paso for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.

Mary Heifner
Legal Sales Representative

Subscribed and sworn to me this May 1, 2017, at said City of Colorado Springs, El Paso County, Colorado. My commission expires October 24, 2020.

Lori A. Curry
Notary Public



The Gazette