

TOWN OF PAGOSA SPRINGS, COLORADO

RESOLUTION NO. 2013-19

A RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON THE PROCESSING OF APPLICATIONS FOR MEDICAL MARIJUANA CENTERS, MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATIONS AND MEDICAL MARIJUANA INFUSED PRODUCT MANUFACTURING BUSINESSES AND SUSPENDING THE DELIVERY OF SUCH MEDICAL MARIJUANA BUSINESS PRODUCTS FROM OUTSIDE OF ARCHULETA COUNTY UNTIL AUGUST 30, 2013

WHEREAS, the Town of Pagosa Springs, Colorado (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003, amended April 3, 2012; and

WHEREAS, the voters of Colorado and voters of Archuleta County approved at the 2000 general election an amendment to the Colorado Constitution, codified as Section 14 of Article XVIII (“Amendment 20”), which authorizes the medical use of marijuana by persons in Colorado suffering debilitating medical conditions; and

WHEREAS, marijuana remains a controlled substance, the possession or use of which is illegal under Federal law; and

WHEREAS, the Town has received inquiries regarding licensing Medical Marijuana Dispensaries within the Town, which under the current Municipal Code Section 6.1.7 is prohibited because the sale and use of marijuana violates Federal law; and

WHEREAS, pursuant to Ordinance No. 779 (Series 2011), the Town Council suspended the processing of applications for medical marijuana centers, medical marijuana optional premises cultivation operations and medical marijuana infused product manufacturing businesses (collectively, “Medical Marijuana Dispensaries”) and suspended the delivery of such medical marijuana products from outside of Archuleta County until July 30, 2013; and

WHEREAS, on July 18, 2013, the Town Council approved on first reading Ordinance No. 794 (Series 2013) extending the suspension of the processing of applications for Medical Marijuana Dispensaries and the delivery of medical marijuana products from outside of Archuleta County until January 31, 2014; and

WHEREAS, Ordinance No. 794 (Series 2013) is set for second reading on August 6, 2013; and

WHEREAS, the Town Council finds it is in the best interest of the public peace, health and safety to place a moratorium on the process of applications for Medical Marijuana Businesses during the time that the Town Council is considering Ordinance No. 794 (Series 2013).

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Pagosa Springs, Colorado, as follows:

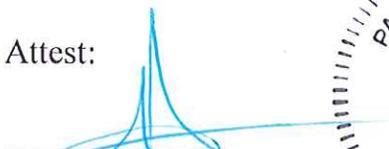
1. **Temporary Moratorium.** A temporary moratorium on the processing of applications for Medical Marijuana Dispensaries is established as of the effective date of this Resolution and continuing through the earlier of August 30, 2013, or the adoption of Ordinance No. 794 (Series 2013) on second reading.
2. **Public Inspection.** A copy of this Resolution is available for public inspection at the offices of the Town Clerk.
3. **Effective Date.** This Resolution shall become effective immediately upon adoption by the Town Council.
4. **Severability.** If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

MOVED, SECONDED AND ADOPTED by a vote of 6 for and 1 against, this 18th day of July, 2013.

TOWN OF PAGOSA SPRINGS

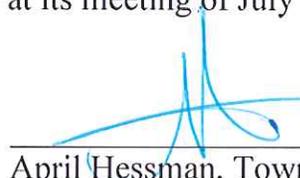
By: 
Ross Aragón, Mayor

Attest:


April Hessman, Town Clerk



I hereby certify that the above Resolution was introduced to and approved by the Town Council of the Town of Pagosa Springs at its meeting of July 18, 2013.

By: 
April Hessman, Town Clerk

