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Debra A Green
Park County Clerk

**PARK COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS
Resolution No. 2015 24**

A RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON THE PROCESSING AND APPROVAL OF ANY PARK COUNTY PERMIT OR LICENSE RELATED TO THE OPERATION OF A RETAIL MARIJUANA ESTABLISHMENT; AND DECLARING THE INTENTION OF THE BOARD OF COUNTY COMMISSIONERS TO STUDY AND CONSIDER THE ADOPTION OF APPROPRIATE AMENDMENTS TO THE COUNTY'S REGULATIONS WITH RESPECT TO SUCH BUSINESSES

WHEREAS, in the November 2012 general election, the voters of the State of Colorado adopted Amendment 64 to the Colorado Constitution ("Article XVIII Section 16") which authorizes and limits the sale, cultivation, possession and consumption of recreational marijuana; and

WHEREAS, the Colorado General Assembly subsequently adopted the Colorado Retail Marijuana Code, C.R.S. § 12-43.4-101 *et seq.*, and

WHEREAS, the Colorado Retail Marijuana Code, at C.R.S. § 12-43.4-301(2), states that a "local jurisdiction may impose a separate local licensing requirement as a part of its restrictions on time, place, manner and the number of marijuana businesses;" and

WHEREAS, the Board of County Commissioners of the County of Park (the "BOCC") has adopted Ordinance No. 2013-01 imposing such a licensing requirement and otherwise regulating the sale and cultivation of recreational marijuana; and

WHEREAS, after approximately one year of experience applying and enforcing Ordinance No. 2013-01, and having licensed a significant number of Retail Marijuana Establishments, the BOCC wishes to study the effect and impact of such licenses and to consider whether the adoption of additional or amended regulations on such establishments and the licensure thereof is necessary or desirable;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PARK COUNTY, COLORADO, THAT:

Section 1. Findings and Intent. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the BOCC.

Section 2. Imposition of Temporary Moratorium on Applications for Permits and Licenses Related to Retail Marijuana Establishments. Upon the adoption of this Resolution, a moratorium is imposed upon the processing and approval of all applications for permits and licenses by the County related to Retail Marijuana Establishments, as defined by C.R.S. § 12-43.4-103(17). County staff is directed to refuse to accept for filing, and not to process or review, any such applications for such businesses during the moratorium period. This moratorium shall not apply to substantially complete applications filed on or before July 1, 2015. This moratorium shall expire on March 1, 2016, unless extended by the BOCC.

Section 3. Staff to Investigate and Prepare Proposed Regulations. Before the expiration of the moratorium imposed by this Resolution, County staff, working with the County Attorney, shall prepare recommendations regarding appropriate additions and amendments to the Ordinance No. 2013-01 and other County regulations pertaining to Retail Marijuana Establishments for consideration by the BOCC.

Section 4. Police Power Finding. The BOCC hereby finds, determines and declares that this Resolution is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the County and the inhabitants thereof.

Section 5. Authority. The BOCC hereby finds, determines and declares that it has the power to adopt this Resolution pursuant to: (i) the Local Government Land Use Control Enabling Act, Article 20 of Title 29 C.R.S.; (ii) Part 1 of Article 28 of Title 30, C.R.S. (concerning county zoning powers); (iii) Article 15 of Title 30, C.R.S. (concerning county police powers); Article XIX, Section 16 of the Colorado Constitution (concerning personal use and regulation of marijuana); and the Colorado Retail Marijuana Code.

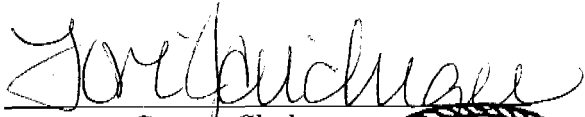
Moved, seconded, and approved this 1st day of July, 2015.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS



Mark Dowaliby, Chairperson

ATTEST:



County Clerk
Deputy

