

**TOWN OF RED CLIFF, COLORADO  
ORDINANCE 5, SERIES 2013**

**AN ORDINANCE SPECIFYING THE ENTITY WITHIN THE TOWN OF RED CLIFF RESPONSIBLE FOR PROCESSING APPLICATIONS SUBMITTED FOR A LICENSE TO OPERATE A MARIJUANA ESTABLISHMENT WITHIN THE BOUNDARIES OF THE TOWN OF RED CLIFF.**

WHEREAS, the Town of Red Cliff (“Town”) is a municipal corporation and body politic organized under the laws of the State of Colorado and possessing the maximum powers, authority and privileges to which it is entitled under Colorado law;

WHEREAS, on November 6, 2012, the voters of the State of Colorado approved the addition of Section 16 to Article VIII of the Colorado Constitution concerning personal use and regulation of marijuana; and,

WHEREAS, paragraph (5)(e) of Section 16 to Article VIII of the Colorado Constitution requires the Town to enact an ordinance or regulation specifying the entity within the Town that is responsible for processing applications submitted for a license to operate a marijuana establishment within the boundaries of the Town and for the issuance of such licenses should the issuance by the Town become necessary because of a failure by the State of Colorado’s department of revenue to adopt regulations pursuant to paragraph (5)(a) of Section 16 of Article VIII of the Colorado Constitution or because of a failure by the State of Colorado’s department of revenue to process and issue licenses as required by paragraph (5)(g) of Section 16 of Article VIII of the Colorado Constitution.

**NOW, THEREFORE, THE TOWN OF RED CLIFF ORDAINS:**

Section 1: Specification. The Board of Trustee of the Town shall be the entity within the Town responsible for processing applications submitted for a license to operate a marijuana establishment within the boundaries of the Town and for the issuance of such licenses should the issuance by the Town become necessary because of a failure by the State of Colorado’s department of revenue to adopt regulations pursuant to paragraph (5)(a) of Section 16 of Article VIII of the Colorado Constitution or because of a failure by the State of Colorado’s department of revenue to process and issue licenses as required by paragraph (5)(g) of Section 16 of Article VIII of the Colorado Constitution.


Section 2: Declaration. The Town’s Board of Trustees finds, determines and declares that this ordinance is necessary to protect the public health, safety and welfare of the Town and its inhabitants and pertains to a matter of local concern.

Section 3: Severability. If any section, paragraph, clause, provision or part of this ordinance is for any reason held to be invalid or unenforceable, the remainder of this ordinance shall continue in full force and effect, it being the legislative intent that this ordinance would have been adopted even if such invalid or unenforceable matter had not been included therein. It is further declared that if any section, provision or part of this ordinance, or the application thereof to any person or circumstance, is held invalid, the remainder of the ordinance and the application thereof to other persons shall not be affected thereby.

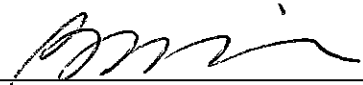
Section 4: Effective Date. This ordinance shall become effective thirty (30) days after publication thereof.

INTRODUCED, TITLE READ IN FULL, APPROVED ON THE FIRST READING, APPROVED AND ORDERED POSTED IN FULL THIS 20th DAY OF AUGUST, 2013. A public hearing on the SECOND READING of this Ordinance shall be held at the regular meeting of the Board of Trustees of the Town of Red Cliff, Colorado, on the 3<sup>rd</sup> day of September, 2013 at 7:00 p.m. in the Town Hall of the Town of Red Cliff, Colorado.

TOWN OF RED CLIFF, COLORADO

  
\_\_\_\_\_  
Scott Burgess, Mayor

ATTEST:

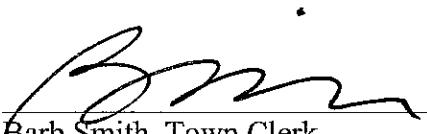
  
\_\_\_\_\_  
Barb Smith, Town Clerk/Administrator

ADOPTED AND ORDERED PUBLISHED on this 3<sup>rd</sup> day of September 2013.

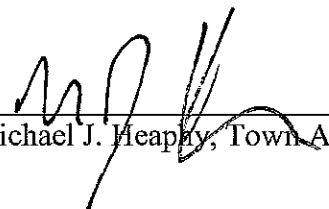
TOWN OF RED CLIFF, COLORADO

  
\_\_\_\_\_  
Scott Burgess, Mayor

ATTEST:

  
\_\_\_\_\_  
Barb Smith, Town Clerk

APPROVED AS TO FORM:

  
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Michael J. Heaphy, Town Attorney