

**RESOLUTION NO. 8-17**

**A RESOLUTION OF THE TOWN OF BERTHOUD,  
COLORADO, SUBMITTING TO THE REGISTERED  
ELECTORS VOTING IN THE GENERAL COORDINATED  
ELECTION TO BE HELD NOVEMBER 7, 2017, A BALLOT  
ISSUE CONCERNING WHETHER THE TOWN OF  
BERTHOUD SHOULD IMPOSE AN EXCISE TAX ON THE  
SALE OF MARIJUANA AND MARIJUANA PRODUCTS SOLD  
AT RETAIL WITHIN THE LIMITS OF THE TOWN:**

**WHEREAS**, the Town of Berthoud, Colorado ("Town"), is a statutory town; and

**WHEREAS**, the Town is considering the possibility of allowing the retail sale of Marijuana and Cannabis products within the confines of the Town; and

**WHEREAS**, the Town will incur costs associated with such retail sales, if it is approved, and the contribution of such a business to the revenues if the Town is one important consideration in determining if it should be allowed; and

**WHEREAS**, regular sales taxes are inadequate to address both the additional law enforcement, regulatory, and administrative burdens which might arise from retail sales and to provide general revenue to the Town; and

**WHEREAS**, Article X, Section 20, of the Colorado Constitution ("TABOR Amendment") limits the ability of the Town to impose such a sales and excise tax without a vote of the electorate; and

**WHEREAS**, the Board of Trustees of the Town of Berthoud desires to capture sales taxes for recreational marijuana sales which have been and will continue flowing to surrounding jurisdictions; and

**WHEREAS**, the TABOR Amendment permits electors of the Town to approve the imposition of such taxes and to authorize the expenditure of revenues from such taxes; and

**WHEREAS**, the Board finds and determines that it is necessary and desirable to submit to the electors of the Town voting at the General Coordinated Election to be held on November 7, 2017, the question of enacting a sales and excise tax on the sale of marijuana and marijuana products.

**THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO, AS FOLLOWS:**

Clerk on or before 5:00 PM, on September 22, 2017, and that a summary of such comments will be distributed to registered voters in accordance with law.

Section 5. The officers and employees of the Town are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 6. Upon approval of the above Ballot Issue by the majority of the registered electors voting thereon, the Board shall enact an implementing ordinance consistent with all of the terms and conditions contained in the above Ballot Issue.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 22<sup>TH</sup> DAY OF AUGUST, 2017.

TOWN OF BERTHOUD

BY: Chris Binkley  
Mayor Pro-Tem

ATTEST:

Acting Town Clerk

