

RESOLUTION NO. 10-12

**A RESOLUTION PROHIBITING MEDICAL MARIJUANA BUSINESSES WITHIN THE TOWN OF BERTHOUD, COLORADO**

WHEREAS, the Town of Berthoud (hereinafter, "Town") is a Colorado statutory Town with all powers and authority provided by Colorado law; and

WHEREAS, the Town's citizens have brought to the Board of Trustees a petition under Colorado Revised Statutes 31-11-104 requesting the adoption of an ordinance prohibiting Medical Marijuana businesses within the Town of Berthoud; and

WHEREAS, such petition has been declared valid by the Town Clerk and no challenges to such petition have been filed; and

WHEREAS, the Board of Trustees of the Town of Berthoud has voted to refer the issue to the voters in the general election to be held in November, 2012,

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

1. The initiated petition to prohibit medical marijuana businesses within the Town limits of the Town of Berthoud is hereby referred to the voters of the Town in the next general election to be held in November, 2012, and the Clerk is directed to publish such ordinance in the manner required by law and place the issue of its adoption on the ballot for the next general election;
2. The ballot issue shall include the operative language of the ordinance as set forth in the initiated petition as follows:

"Shall the Town of Berthoud adopt an ordinance providing:

**Section 1. Pursuant to Article 43.3 of Title 12 of the Colorado Revised Statutes, the Town of Berthoud, Larimer and Weld Counties, hereby prohibits the operation of Medical Marijuana Centers, Optional Premises Cultivation Operations and Medical Marijuana Infused Products Manufacturing Businesses, effective ten (10) days following publication of this Ordinance. With respect to any such centers, operations, facilities or businesses of any kind in operation upon such effective date, each and every such center, operation, facility and business shall cease operations within ninety (90) days of said date.**

**Section 2. If passed by the voters at the November, 2012 regular election, this Initiated ordinance shall take effect immediately upon certification by the designated election official that a majority of registered electors voted in favor of this Initiated Ordinance at such regular election. In such event, each and every Medical Marijuana Center, Optional Premises Cultivation Operation and Medical Marijuana Infused Products Manufacturer in operation on such effective date shall cease operations within ninety (90) days of the effective date specified in this Section 2.**

PASSED, ADOPTED AND APPROVED THIS 14<sup>th</sup> day of August 2012.

TOWN OF BERTHOUD

BY:   
David Gregg, Mayor

ATTEST:

  
Mary Cowdin, Town Clerk