

TOWN OF PALMER LAKE, COLORADO

ORDINANCE NO. ____

AN ORDINANCE APPROVING A BALLOT QUESTION TO BE SUBMITTED TO THE VOTERS OF THE TOWN OF PALMER LAKE, COLORADO RELATED TO PERMITTING THE SALE OF RETAIL MARIJUANA FOR THE NOVEMBER 8, 2022 COORDINATED ELECTION

WHEREAS, on November 6, 2012 the voters of the State of Colorado approved Amendment 64 adding Section 16 to Article XVIII of the Colorado Constitution a limited exemption from criminal liability under Colorado law for people 21 and over to possess and cultivate marijuana for recreational use, and to establish the licensing and regulation of marijuana establishments in a manner similar to alcohol as described in Amendment 64; and,

WHEREAS, the Palmer Lake Board of Trustees (the “Board of Trustees”) subsequently passed Regulations in Title 5 of the Town Code relating to the licensing and regulation of marijuana establishments pursuant to the authority granted by Article XVIII, Section 16 of the Colorado Constitution, allowing for medical marijuana facilities but not retail marijuana facilities; and,

WHEREAS, the Board of Trustees has determined that a question should be placed on the ballot at its November 8, 2022 coordinated election, asking the voters of the Town whether they want to permit retail marijuana facilities.

NOW THEREFORE BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:

1. The Town Board of Trustees hereby approves the form of and refers the following ballot question for submission to the registered electors to appear on the Town of Palmer Lake Coordinated Election, November 8, 2022:

RETAIL MARIJUANA STORES

SHALL THE TOWN OF PALMER LAKE, COLORADO ALLOW THE OPERATION OF RETAIL MARIJUANA BUSINESSES IN THE TOWN AND AMEND THE MUNICIPAL CODE BY THE ADDITION OF NEW SECTIONS PERMITTING, SUBJECT TO REGULATIONS TO BE ADOPTED BY ORDINANCES OF THE TOWN, CERTAIN ACTIVITIES RELATING TO MARIJUANA, AND BY SO DOING REPEAL AND AMEND PARTS OF TITLE 5, OR OTHER PORTIONS OF THE PALMER LAKE MUNICIPAL CODE, TO THE EXTENT THEY ARE INCONSISTENT WITH SUCH AUTHORIZATION, ALLOWANCE OF SUCH OPERATION BEING SUBJECT TO AND EXPRESSLY CONTINGENT UPON AND ONLY EFFECTIVE UPON ENACTMENT OF APPROPRIATE REGULATIONS BY THE PALMER LAKE BOARD OF TRUSTEES?

YES _____

NO _____

2. For purposes of C.R.S. § 31-11-111, this Ordinance shall serve to set the title and context for the ballot questions set forth herein and the ballot title for each such question shall be the text of the questions themselves.

3. The Town Clerk is authorized to correct typographical errors and omissions and to cause to be entered into any blanks of the ballot question the appropriate ballot question number or letter upon designation of the ballot number or letter by the appropriate election official.

4. The Mayor, the Town Attorney, and the Town Clerk are hereby authorized and directed to take all necessary and appropriate action to effectuate the provisions of this Ordinance including the taking of all reasonable and necessary action to cause such approved form of ballot questions to be printed and placed on the ballot for the Palmer Lake Coordinated Election, November 8, 2022.

5. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Board of Trustees hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

6. Repeal. Existing ordinances or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE TOWN BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 11th DAY OF AUGUST, 2022.

ATTEST:

TOWN OF PALMER LAKE, COLORADO