

Commissioner Griffin moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF JEFFERSON  
STATE OF COLORADO  
RESOLUTION NO. CC13-216

RE: Ordinance Adopting Policy Part 3, Chapter 3, Section 4  
Regarding Prohibition of the Operation of Marijuana  
Establishments - First Reading

WHEREAS, Article XVIII of the Constitution of the State of Colorado, Section 16, Subsection 5(f), approved by voters on November 6, 2012, and effective December 10, 2012, provides that counties may prohibit the operation of marijuana cultivation facilities, marijuana testing facilities, marijuana product manufacturing facilities, and retail marijuana stores through the enactment of an ordinance; and

WHEREAS, the County Attorney's Office recommends, in order to allow time for consideration of regulations to be developed by the Department of Revenue and for further consideration of the advisability of marijuana establishments in Jefferson County, that the Board of County Commissioners determine at this time whether to institute a prohibition until February 1, 2015, on the operation of marijuana cultivation facilities, marijuana testing facilities, marijuana product manufacturing facilities, and retail marijuana stores within unincorporated Jefferson County is necessary to the preservation and furtherance of the health, safety and welfare of the citizens of the County of Jefferson.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners hereby introduces and reads by title the Ordinance entitled "3.3.4 Prohibition of Marijuana Establishments."

FURTHER RESOLVED, that a public hearing for consideration of the adoption of this Ordinance is hereby set for June 18, 2013.

FURTHER RESOLVED, that the Clerk to the Board shall have the ordinance published in full in the Golden Transcript at least 10 days before the public hearing.

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Commissioner Tighe seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Faye Griffin	Aye
Commissioner Casey Tighe	Aye
Commissioner Donald Rosier, Chairman	Aye

The Resolution was adopted by unanimous vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

Dated: May 28, 2013

ORDINANCE

**An Ordinance Adopting Policy Part 3, Chapter 3, Section 4 Prohibition of the Operation of Marijuana Establishments.**

BE IT ORDAINED by the Board of County Commissioners of Jefferson County, Colorado that the Policy 3.3.4 regarding Prohibition of the Operation of Marijuana Establishments is hereby adopted with the following:

<b>Title:</b> Regulatory Policy Prohibition of the Operation of Marijuana Establishments	<b>Policy No.</b> Part 3, Regulations Chapter 3, Business Section 4, Marijuana Establishments
	<b>Effective Date</b>
<b>Policy Custodian</b> Board of County Commissioners	<b>Adoption/Revision Date</b>

**Adopting Ordinance:**

**References (Statutes/Resos/Policies):** Section 16(5)(f) of Article XVIII of the Colorado Constitution.

**Purpose:** An Ordinance, pursuant to the authority granted by Section 16(5)(f) of Article XVIII of the Colorado Constitution, prohibiting the operation of marijuana establishments within unincorporated Jefferson County.

**Policy:** Marijuana Establishments

- A. Definitions. Unless otherwise specified or the context otherwise requires, any terms used herein shall have the same meanings as provided in Article XVIII, Section 16 of the Colorado Constitution. These definitions include, but are not limited to, the following:
1. "Marijuana" or "marihuana" means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marihuana concentrate. "marijuana" or "marihuana" does not include industrial hemp, nor does it include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.
  2. "Marijuana cultivation facility" means an entity licensed to cultivate, prepare, and package marijuana and sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.

3. "Marijuana establishment" means a marijuana cultivation facility, a marijuana testing facility, a marijuana product manufacturing facility, or a retail marijuana store.
4. "Marijuana product manufacturing facility" means an entity licensed to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.
5. "Marijuana products" means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.
6. "Marijuana testing facility" means an entity licensed to analyze and certify the safety and potency of marijuana.
7. "Medical marijuana center" means an entity licensed by a state agency to sell marijuana and marijuana products pursuant to section 14 of this article and the Colorado Medical Marijuana Code.
8. "Retail marijuana store" means an entity licensed to purchase marijuana from marijuana cultivation facilities and marijuana and marijuana products from marijuana product manufacturing facilities and to sell marijuana and marijuana products to consumers.

B. Prohibition

Pursuant to the authority granted by Section 16(5)(f) of Article XVIII of the Colorado Constitution, the Board of County Commissioners of the County of Jefferson prohibits the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores within unincorporated Jefferson County, Colorado.

C. Effective Dates

This ordinance shall cease to be effective on February 1, 2015, unless further action is taken to extend the effective date of this ordinance.