

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. CC13-243

RE: Board of County Commissioners - Ordinance Adopting Policy Part 3, Chapter 3, Section 4 Regarding Prohibition of the Operation of Marijuana Establishments

The Board of County Commissioners (BCC) of Jefferson County hereby finds that the ordinance regarding Prohibition of the Operation of Marijuana Establishments is necessary for protecting the public health, safety and welfare of the citizens of Jefferson County.

Be It Ordained by the BCC of Jefferson County that the ordinance attached hereto is hereby adopted subject to the conditions set forth below and the Chairman of the BCC is authorized to authenticate the ordinance by his/her signature on the face thereof.

Be It Further Resolved that a public hearing for consideration of the adoption of this ordinance was held on June 18, 2013 at 8:00 a.m.

Be It Further Resolved that the Clerk and Recorder shall authenticate the ordinance by the Clerk's signature and shall have the ordinance published by title only, or entirely if any sections were amended after the first publication, in the Golden Transcript.

Be It Further Resolved that the Clerk and Recorder shall record this Ordinance in a book kept for that purpose.

Be It Further Resolved that this Ordinance, shall take effect on July 28, 2013 or 30 days after publication of the title of the ordinance, whichever date occurs last.

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: June 18, 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> July 28, 2013
<b>Policy Custodian</b> Board of County Commissioners	<b>Adoption/Revision Date</b> June 18, 2013

**Adopting Ordinance:** CC13-243

**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.