

RESOLUTION NO. _____
(Series of 2010)

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF DE BEQUE, COLORADO, SUBMITTING A BALLOT QUESTION TO THE REGISTERED ELECTORS OF THE TOWN OF DE BEQUE, COLORADO, AT THE COORDINATED GENERAL ELECTION ON NOVEMBER 2, 2010, WHETHER THE OPERATION AND LICENSING OF MEDICAL MARIJUANA CENTERS, OPTIONAL PREMISES CULTIVATION OPERATIONS, AND MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS SHALL BE PERMITTED IN THE TOWN OF DE BEQUE, COLORADO.

WHEREAS, in the November 2000 election, the voters of the State of Colorado adopted Amendment 20 to the Colorado Constitution (Article XVIII, Section 14) which authorizes and limits the sale of medical marijuana for use in the treatment of debilitating medical conditions; and

WHEREAS, the Colorado General Assembly adopted House Bill 10-1284, codified as the Colorado Medical Marijuana Code, Sections 12-43.3-101, *et. seq.*, C.R.S., which authorizes municipalities to adopt and enforce an ordinance licensing, regulating, or prohibiting the cultivation or sale of medical marijuana; and

WHEREAS, House Bill 10-1284 further authorizes a municipality by either a majority of registered electors of the municipality voting at a regular election or a majority of the members of the governing body of the municipality to vote to prohibit the operation of medical marijuana centers, optional premises cultivation operations, and medical marijuana-infused products manufacturers; and

WHEREAS, the Board of Trustees wishes to take advantage of the local option provided for in House Bill 10-1284 by presenting to the registered electors of the Town of De Beque at the coordinated general election on November 2, 2010, the question of whether to permit the operation of medical marijuana centers, optional premises cultivation operations, and medical marijuana-infused products manufacturers' licenses.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF DE BEQUE, COLORADO:

Section 1. The following ballot question shall be submitted to a vote of the registered electors of the Town of De Beque at the coordinated general election to be held on November 2, 2010:

"MEDICAL MARIJUANA QUESTION:

SHALL THE OPERATION AND LICENSING OF MEDICAL MARIJUANA CENTERS (ALSO KNOWN AS MEDICAL MARIJUANA DISPENSARIES), OPTIONAL PREMISES CULTIVATION OPERATIONS, AND MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS BE PERMITTED IN THE TOWN OF DE BEQUE, COLORADO IN ACCORDANCE WITH THE REQUIREMENTS OF COLORADO LAW?

YES _____ NO _____"

Section 2. The Mesa County Clerk and Recorder shall be the coordinated election official and shall conduct the election including the above ballot question on behalf of the Town of De Beque. The Town of De Beque shall enter into an agreement with the Mesa County Clerk and Recorder concerning the conduct and cost of the coordinated election, which shall be signed no later than seventy (70) days prior to the scheduled election. The De Beque Town Clerk is hereby designated as the local election official who shall assist the coordinated election official in the manner provided by law.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Board of Trustees of the Town of De Beque, Colorado held on _____, 2010.

TOWN OF DE BEQUE, COLORADO

By: _____
T.D. Hansen, Mayor

ATTEST:

Shirley J. Nichols, Town Clerk