AN ORDINANCE AMENDING TITLE 9 OF THE TOWN CODE OF THE TOWN OF HOT SULPHUR SPRINGS, COLORADO, CONCERNING ZONING REGULATIONS AND PROHIBITING THE OPERATION OF MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, OR RETAIL MARIJUANA STORES WITHIN THE TOWN.

WHEREAS, on November 6, 2012, the voters of Colorado approved the adoption of Amendment 64, Personal Use and Regulation of Marijuana, which became effective upon the approval of Article V, of the Colorado Constitution; and

WHEREAS, Amendment 64 added a new Section 16 to Article XVIII of the Colo.

Constitution, and

WHEREAS, Part 5(e) of Section 16 provides that a locality may prohibit the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, or retail marijuana stores through the enactment of a local ordinance or through an initiated or referred measure; and

WHEREAS, Amendment 64 defines a "locality" in part in Section 16(e) of Section 16 to include a municipality; and

WHEREAS, it is the intent of the Board of Trustees of the Town to refer a measure to the voters of the Town at the next even numbered year general election to determine whether the voters desire to allow or prohibit the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, or retail marijuana stores within the Town; and

WHEREAS, in the interim, consistent with the authority granted to the Board in the Ordinance, the Board desires to adopt this Ordinance prohibiting the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, or retail marijuana stores within the Town, and

WHEREAS, nothing in this Ordinance shall require the Board of Trustees to refer a question to the voters of the Town at such election that reads substantially in conformity with the following language:

"Shall the Town prohibit the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, or retail marijuana stores within the Town?"
Section 2. Amendment to Zone District Use Schedule. Section 9-6-3, Zone District, shall have the meaning assigned to it by the terms herein. The words "retail marijuana stores" shall mean the same as the meaning as set forth in Section 16 to Article X111 of the Retail Marijuana Stores Ordinance. The words "manufacturing" shall mean the same as the meaning as set forth in Section 16 of Article X111 of the General Ordinance. The words "manufacturing facilities" shall mean the same as the meaning as set forth in Section 16 of Article X111 of the General Ordinance.

Section 1. New Definitions. Section 9-3-1, Definitions, is hereby amended by the following:

TOWN OF HOT SPRINGS, COLORADO, TAH: NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HOT SPRINGS, COLORADO, TAH:

WHEREAS, in accordance with Section 9-4-6(c) of the Town Code, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community, it is appropriate to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, the Board of Trustees desires to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.

WHEREAS, it is the intent of the Board of Trustees of the Town of Hot Springs, Colorado, to adopt this ordinance to codify such laws and regulations as are or may be deemed necessary to ensure the health, safety, and welfare of the inhabitants of the Town of Hot Springs, Colorado, and to promote the general welfare of the community.
Section 3. **Home Occupations Amendment**

<p>| | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>d</td>
<td>d</td>
<td>d</td>
<td>d</td>
<td>d</td>
</tr>
<tr>
<td></td>
<td>29</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d</td>
<td>d</td>
<td>d</td>
<td>d</td>
<td>d</td>
</tr>
<tr>
<td></td>
<td>28</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d</td>
<td>d</td>
<td>d</td>
<td>d</td>
<td>d</td>
</tr>
<tr>
<td></td>
<td>27</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d</td>
<td>d</td>
<td>d</td>
<td>d</td>
<td>d</td>
</tr>
<tr>
<td></td>
<td>26</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>USE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The above table shall read as follows: Retail (recreational) marijuana stores shall be appropriately remunerated. New rows 26, 27, 28, 29 and 29 shall be renumbered 26, "Medical marijuana business", shall be remunerated 26 and all existing rows numbered 26 shall be appropriately remunerated. New rows 26, 27, 28 and 29 shall be renumbered 26 and all existing rows numbered 26 shall be appropriately remunerated.

---

Section 6. **Effective Date**

This Ordinance shall become effective thirty days after publication following final passage.

Section 5. **Severability**

If any provision of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining provisions of this Ordinance will remain in full force and effect.

Section 4. **Repealer**

All ordinances, resolutions, or parts thereof in conflict with this Ordinance are hereby repealed.

Section 2. **Termination**

This Ordinance terminates all existing occupational licenses and permits issued under any ordinance or resolution of the Town of Hot Sulfur Springs.

Section 1. **Purpose**

The purpose of this Ordinance is to regulate the cultivation, manufacturing, possession, and sale of marijuana within the Town of Hot Sulfur Springs.

---

Robert Meyers, Mayor
I certify that the above Ordinance was introduced and adopted by the Town Board

Attested:

Sandy White, Town Clerk
My commission expires November 1, 2015

Fernando A. Schuler, County Public

PUBLISHER

The County of Eagle, State of Colorado this day 07/17/2013

Subscribed and sworn to before me, a notary public in and for

Notary Public

In witness whereof, I have hereunto set my hand this day,

07/17/2013

The above legal notice was published in the issue of said newspaper listed below and the last publication of said newspaper was in the issue of said newspaper for the period of 1 consecutive insertion; and

The above said notice of advertisement was published in the legal notice of said legal notice of advertisement was published in the laws of the State of Colorado for publishing legal notices and advertisements within the said Eagle County, a weekly newspaper daily published at the seat of said county, 1879, on any amendment thereof and in the County of and within the City of Eagle County of Colorado, and as a General Newspaper printed in which is hereof, Publisher of the Middle Park Times, the same is published in the volume of the issue of said newspaper.

I, Alan Schuler, do solemnly swear that I am the owner or lessee of the premises referred to in the above notice of advertisement.

MIDDLE PARK TIMES
Published in the Middle Park Times April 4, 2013.

CLARIFYING AN EMERGENCY
MARJUVANA PRODUCTS ON SITE: AND DE-
SONS TO USE OR CONSUME MARJUVANA OR
BY FOR THE PURPOSE OF INITIATING PER-
OPERATES AS A PLACE OF PRIVILEGE ASSENM-
NON-RESIDENTIAL ZONED PROPERTY THAT
URS ON COMMERCIAL, INDUSTRIAL OR
ATION OF MARJUVANA OR MARJUVANA PROD-
ATORIUM ON THE USE OR CONSUMP
AN ORDINANCE IMPOSING A TEMPORARY

ORDINANCE NO. 2013-3-2-289

WITHIN THE TOWN
CULTIVE OR RETAIL MARJUVANA STORES
PLANT FACILITIES, MARJUVANA TREATMENT FA-
CULTIVE, MARJUVANA PRODUCT MANUFACT
ATION OF MARJUVANA CULTIVATION FA-
ZONING REGULATIONS AND PROHIBITING THE
PURS PURSUITS. COLORADO CONCEIVING
TOWN CODE OF THE TOWN OF HOT SUL
AN ORDINANCE AMENDING TITLE 9 OF THE

ORDINANCE NO. 2013-3-1-288
Ad shown is not actual print size

Published in The Middle Park Times April 4, 2013.

CLARIFYING AN EMERGENCY

ORDER OF NON-RESIDENTIAL ZONED PROPERTIES THAT
OPERATES AS A PLACE OF PRIVATE ASSEMBLY FOR
THE USE OF MARULANA OR MARULANA PRODUCTS
ON THE USE OF MARULANA PRODUCTS
AN ORDINANCE IMPOSING A TEMPORARY
AN ORDINANCE NO. 2013-3-1-298

WITHIN THE TOWN
CLARIFY AN EMERGENCY

ORDINANCE NO. 2013-3-1-298

Rep: Pam Schulte
Issue: 1
Stop: 04/04/13
Class: 0990
Original Id: 0

State: CO
City: Hot Sulphur Springs, Tow
ZIP: 80451

Address: 186
Hot Sulphur Springs, Tow

CALLER: Sandy White
E-Mail: (970) 725-3933
Phone: 1095219

AD TICKET #5

9055861
MO: MY-01, 2013

Payment
0.00

Total: 11.34

Tax: 0.00

Net: 0.00

Commission: 0.00

Discount: 0.00

Columns: 2.26

Depth: 22

Lines: 0

Copyright: ORDINANCE NO. 2013-3-1-298 MAR
Color: Start: 04/04/13
Edition: 8MP/7
Ad Name: 9055861A

Receive: 04/04/13