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CHAPTER 7: POLICE REGULATIONS

ARTICLE 5: MEDICAL MARIJUANA

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CHAPTER 7: POLICE REGULATIONS

ARTICLE 5: MEDICAL MARIJUANA

7-5-1 Authority and Applicability

(A) Authority

The Town's authority to adopt this Section is found in: The Colorado Medical Marijuana Code, C.R.S. § 12-43.3-101, *et seq.*; the Local Government Land Use Control Enabling Act, C.R.S. 29-20-101, *et seq.*; C.R.S. 31-23-101, *et seq.* (municipal zoning powers); C.R.S. §§ 31-15-103, 31-15-401. (municipal police powers); C.R.S. § 31-15-501 (municipal authority to regulate businesses); and Chapter 12-2 of the Grand Lake Town Code.

(B) Applicability

This Article shall apply to all property within the Town.

7-5-2 Uses prohibited

It is unlawful for any person to operate, cause to be operated or permit to be operated a medical marijuana center, an optional premises cultivation operation, or a medical marijuana-infused products manufacturing facility in the Town.

7-5-3 Definitions

For purposes of this Section, the following terms shall have the following meanings:

Medical marijuana means marijuana that is grown and sold for a purpose authorized by Article XVIII, § 14 of the Colorado Constitution.

Medical marijuana center means a person licensed to operate a business as described in the Colorado Medical Marijuana Code that sells medical marijuana and medical marijuana-infused products, and which a municipality is authorized to prohibit as a matter of law.

Medical marijuana-infused products manufacturer means a person licensed pursuant to the Colorado Medical Marijuana Code to operate a business manufacturing medical marijuana-infused products, and which a municipality is authorized to prohibit as a matter of law.

Optional premises cultivation operation means a person licensed pursuant to the Colorado Medical Marijuana Code to grow and cultivate marijuana for a purpose authorized by Article XVIII, § 14 of the Colorado Constitution, and which a municipality is authorized to prohibit as matter of law.

Patient has the meaning set forth in Article XVIII, § 14(1)(c) of the Colorado Constitution.

Primary caregiver has the meaning set forth in Article XVIII, § 14(1)(f) of the Colorado Constitution.



7-5-4 Patients and Primary Caregivers

Nothing in this Article 5 shall be construed to prohibit, regulate or otherwise impair the use of medical marijuana by patients as defined by the Colorado Constitution, or the provision of medical marijuana by a primary caregiver to a patient in accordance with the Colorado Constitution, and consistent with C.R.S. § 25-1.5-106, and rules promulgated thereunder, as the same statute and rules may be amended from time to time.

7-5-5 Penalty

A violation of the provisions of this Article shall be punishable as follows:

- (A) By a fine of not more than Three Hundred Dollars (\$300.00), or imprisonment in the county jail for not more than one (1) year, or both such fine and imprisonment;
- (B) Each and every day a violation of the provisions of this Article is committed, exists or continues shall be deemed a separate offense;
- (C) The Town is specifically authorized to seek an injunction, abatement, restitution or any other remedy necessary to prevent, enjoin, abate, or remove the violation; and
- (D) Any remedies provided for herein shall be cumulative and not exclusive, and shall be in addition to any other remedies provided by law or in equity.