

**TOWN OF LAKE CITY, COLORADO
ORDINANCE NO. 2015-01**

AN ORDINANCE OF THE TOWN OF LAKE CITY AMENDING CHAPTER 15, ZONING REGULATIONS, OF THE TOWN OF LAKE CITY MUNICIPAL CODE, SPECIFICALLY SECTION 15.8-13, SUPPLEMENTARY REGULATIONS, TO PROHIBT RETAIL MARIJUANA FACILITIES.

WHEREAS, on November 6, 2012, the voters of the State of Colorado approved Amendment 64, which allows in part for the retail sale and cultivation of marijuana in the State of Colorado;

WHEREAS, Amendment 64 authorizes the Board of Trustees of the Town of Lake City (Board of Trustees) to refer to the registered electors of the Town ballot questions regarding whether retail marijuana facilities should be permitted within the Town;

WHEREAS, the Board of Trustees referred four questions concerning retail marijuana facilities to the registered electors of the Town at the November 4, 2014 election pursuant to Ordinance No. 2014-02;

WHEREAS, the registered electors of the Town of Lake City voted 168 to 108 against permitting retail marijuana stores in the Town;

WHEREAS, the registered electors of the Town of Lake City voted 172 to 108 against permitting retail marijuana cultivation in the Town;

WHEREAS, the registered electors of the Town of Lake City voted 173 to 107 against permitting retail marijuana testing businesses in the Town;

WHEREAS, the registered electors of the Town of Lake City voted 176 to 104 against permitting retail marijuana products manufacturing businesses in the Town;

WHEREAS, the Town desires to codify the votes of its registered electors through this ordinance and amend its Code accordingly.

NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Lake City, Colorado, as follows:

SECTION 1. INCORPORATION OF RECITALS

The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the Board of Trustees.

SECTION 2. AMENDMENTS TO THE CODE

Section 15.8-13 is amended to add the following subsection:

E. CERTAIN RETAIL MARIJUANA FACILITIES PROHIBITED

It is unlawful for any person to operate, cause to be operated, or permit to be operated, any retail marijuana store, retail marijuana cultivation facility, retail marijuana testing facility, or retail marijuana product manufacturing facility within the Town limits, or within any area hereinafter annexed to the Town.

SECTION 3. SAVINGS CLAUSE

The amendment of the Town of Lake City Code by this ordinance shall not affect any offense or act committed, any penalty incurred, any contract, right or duty established or accruing before the effective date of this ordinance.

SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

SECTION 5. EFFECTIVE DATE

This ordinance shall become effective on the thirty-first day following publication, pursuant to COLO. REVISED STATUTES § 31-16-105.

INTRODUCED AND ADOPTED by the Board of Trustees of the Town of Lake City, Colorado, this 7th day of January, 2015.

TOWN OF LAKE CITY, COLORADO

By Bruce Vierheller
Bruce Vierheller, Mayor

ATTEST:

Deborah Bendinelli
Deborah Bendinelli, Town Clerk

I, Deborah Bendinelli, certify and attest that Ordinance 2015-01 was introduced and adopted by the Board of Trustees for the Town of Lake City at the regular meeting on the 7th day of January, 2015. Said ordinance ordered to be published in *The Silver World* on January 9, 2015.