

**TOWN OF PARACHUTE
ORDINANCE NO. 730-2017**

AN EMERGENCY ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, IMPOSING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR THE ISSUANCE OF LICENSES PERTAINING TO THE ESTABLISHMENT, LOCATION, AND OPERATION OF ANY RETAIL MARIJUANA STORES FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC HEALTH, SAFETY, AND WELFARE.

WHEREAS, on November 6, 2012, the voters of the State of Colorado approved Amendment 20 that add Section 14 of Article XVIII to the Colorado Constitution and created a limited exception from criminal liability under Colorado law for personal consumption of marijuana for adults 21 and over, as well as for the commercial cultivation, manufacture, and sale thereof;

WHEREAS, the Colorado legislature has adopted legislation that enacted Article 43.4 to Title 12 of the Colorado Revised Statutes, known as the Colorado Retail Marijuana Code;

WHEREAS, Chapter 6.11 of the Parachute Municipal Code governs the licensing of Retail Marijuana Establishments and Medical Marijuana Establishments;

WHEREAS, the Town may enact ordinances which govern the time, place, manner, and number of Retail and Medical Marijuana Establishments;

WHEREAS, since enacting Chapter 6.11 of the Parachute Municipal Code, the Town has received and approved retail marijuana businesses throughout limited zoning districts of the Town;

WHEREAS, the Parachute Board of Trustees desires to impose a moratorium on the acceptance and processing of applications for retail marijuana stores to allow additional review of laws and policies of Chapter 6.11 of the Parachute Municipal Code and the future direction of the Town as pertains to retail marijuana establishments within the Town's boundaries; and

WHEREAS, the Board of Trustees declares the subject matter of this ordinance to be an emergency due to the proliferation of retail marijuana stores in the Town and in light of recent developments at the federal enforcement level.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The foregoing recitals are incorporated herein as findings of the Board of Trustees.

Section 2. There is hereby imposed a moratorium on the acceptance, processing, and approval of applications for business licenses pursuant to Chapter 6.11 of the Parachute Municipal

Code for retail marijuana stores. During the moratorium, no new retail marijuana stores shall be permitted to locate within the Town. This moratorium shall not apply to applications for such marijuana related business licenses that have been filed on or before the effective date of this Ordinance No. 730; further the moratorium shall not apply to prospective applicants for a marijuana related business license if the applicant has a pending land use or building permit application pursuant to the Parachute Municipal Code for a business that has been explicitly described in the land use or building permit application as a marijuana related business.

Section 3. Pursuant to the Town of Parachute Home Rule Charter, Section 1-12, it is hereby declared that, in the opinion of the Parachute Board of Trustees, an emergency exists; that there is need for the immediate preservation of the public peace, health, and safety of the Town; and, this moratorium provides the time necessary to consider and revise the Town's regulations of retail marijuana stores.

Section 4. This ordinance shall become effective immediately upon passage and shall be terminated only by subsequent ordinance of the Parachute Board of Trustees or initiative of the Town's voting electors.


Section 5. If any provision of this Ordinance is found to be unconstitutional or unlawful, such finding shall only invalidate that part of portion found to violate the law. All other provisions shall be deemed severable and shall continue in full force and effect.

INTRODUCED AS AN EMERGENCY ORDINANCE, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of 4 to 0 of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 20th day of July, 2017 and approved by the Mayor on the 20th day of July, 2017.



By:

**BOARD OF TRUSTEES OF THE TOWN
OF PARACHUTE, COLORADO**



Roy McClung, Mayor

ATTEST:



Lucy Cordova, Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

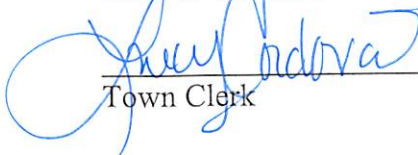
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was introduced before the Board of Trustees on July 20th, 2017; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on July 20th, 2017, and approved by the Mayor on July 20th, 2017.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this 20th day of July, 2017.

TOWN OF PARACHUTE



Town Clerk