

# **ALAMOSA CITY COUNCIL**

## **Work Session**

Council Chambers

300 Hunt Avenue, Alamosa, CO

May 31, 2017

***As a full service municipal government, our mission is to enhance the quality of life for our residents, visitors, and businesses. We strive to provide balanced business, employment, recreational, and residential opportunities.***

Any person needing reasonable accommodation to attend or participate in a public meeting, please contact the Alamosa City Clerk's office by telephone (719) 589-2593, by email [cityclerk@ci.alamosa.co.us](mailto:cityclerk@ci.alamosa.co.us), in person at 300 Hunt Avenue, or by mail at POB 419, Alamosa, CO 81101.

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### **6:00 PM - Work Session: Marijuana**

- A. Petition Update
- B. Review Petition Strategies
- C. General Marijuana Discussion - Pros & Cons
- D. Sample Election Questions
- E. Local Control Considerations (Zoning, Moratorium, Licensing, Limits)

**ALAMOSA CITY COUNCIL  
COUNCIL COMMUNICATION**

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**Subject/Title:**

Petition Update

**ATTACHMENTS:**

Description		Type
▣	Medical Marijuana Petition	Backup Material
	Retail Marijuana Petition	Backup Material

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**AN ORDINANCE PROPOSAL FROM THE VOTERS OF THE CITY OF ALAMOSA COLORADO:**

The City of Alamosa shall allow the establishment and operation of  
Medical Marijuana Stores within the City limits.

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Diane Dunlap PO Box 155 Crestone Co 81131 .... Tom Christian 515 ½ Ross Ave Alamosa Co 81101

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## Affidavit of Circulator

I do solemnly affirm under penalty of perjury that:

- I have read and understand the laws governing the circulation of petitions;
- I was a citizen of the United States, and at least 18 years of age at the time this section of the petition was circulated and signed by the listed electors;
- I circulated this section of the petition;
- Each signature on this petition was affixed in my presence;
- Each signature on this petition is the signature of the person whose name it purports to be;
- To the best of my knowledge and belief each of the persons signing this petition section was, at the time of signing, a registered elector;
- I have not paid or will not in the future pay and I believe that no other person has paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing such signer to affix his or her signature to the petition;
- I understand that I can be prosecuted for violating the laws governing the circulation of petitions, including the requirement that a circulator truthfully completed the affidavit and that each signature on the petition was affixed in the circulator's presence;
- I understand that failing to make myself available to be deposed and to provide testimony in the event of a protest shall invalidate the petition section if it is challenged on the grounds of circulator fraud;
- I understand that the entire petition section may be rejected if any portion of the circulator affidavit is incomplete; and
- I understand that I am required to provide my permanent residence address and the temporary street address where I am staying in Colorado if I am not a Colorado resident.
- I am a registered elector of the City of Alamosa

**Circulator Name (please print)**

\_\_\_\_\_  
name First name Last

**Permanent Residence Address (or location if homeless)**

\_\_\_\_\_  
Street name and number City/Town County State ZIP Code **Temporary**  
**Colorado Address (if you are not a Colorado resident)**

\_\_\_\_\_  
Street name and number City/Town County State ZIP Code **Sign and Date**

\_\_\_\_\_  
Signature of Circulator Date of Signing

STATE OF COLORADO COUNTY OF \_\_\_\_\_ Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_

Printed name of Circulator above \_\_\_\_\_

Signature (and title) of Notary / Official Administering Oath \_\_\_\_\_

My commission expires: \_\_\_\_\_

Type of ID provided by circulator: \_\_\_\_\_

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for anyone to sign any initiative or referendum petition with any name other than his or her own or to knowingly sign his or her name more than once for the same measure or to knowingly sign a petition when not a registered elector who is eligible to vote on the measure

DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR AND ELIGIBLE TO VOTE ON THIS MEASURE.  
TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND THE CITY OF ALAMOSA  
AND REGISTERED TO VOTE IN THE CITY OF ALAMOSA. Do not sign this unless you have read or had read to you the proposed initiative or the summary in its entirety and understand its meaning.

**AN ORDINANCE PROPOSAL FROM THE VOTERS OF THE CITY OF ALAMOSA COLORADO:**

The City of Alamosa shall allow the establishment and operation of  
Retail Marijuana Stores within the City limits and limit the adoption of any rules and regulations  
about marijuana sales to those enacted for the sale of alcohol as Amendment 64 stipulates.

**ALAMOSA COLORADO REGISTERED VOTERS ONLY**

36.		
Signature		
	Address	
Print Name		Date

37.		
Signature		
	Address	
Print Name		Date

38.		
Signature		
	Address	
Print Name		Date

39.		
Signature		
	Address	
Print Name		Date

40.		
Signature		
	Address	
Print Name		Date

Notices or information may be obtained in writing from: Shanna Hobbs 6551 County Road 10 South Alamosa CO .... Diane Dunlap PO Box 155 Crestone Co 81131 ....

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**ALAMOSA COLORADO REGISTERED VOTERS ONLY**

41.		
Signature		
	Address	
Print Name		Date

42.		
Signature		
	Address	
Print Name		Date

43.		
Signature		
	Address	
Print Name		Date

44.		
Signature		
	Address	
Print Name		Date

45.		
Signature		
	Address	
Print Name		Date

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46.		
Signature		
	Address	
Print Name		Date

47.		
Signature		
	Address	
Print Name		Date

48.		
Signature		
	Address	
Print Name		Date

49.		
Signature		
	Address	
Print Name		Date

50.		
Signature		
	Address	
Print Name		Date

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## Affidavit of Circulator

I do solemnly affirm under penalty of perjury that:

- I have read and understand the laws governing the circulation of petitions;
- I was a citizen of the United States, and at least 18 years of age at the time this section of the petition was circulated and signed by the listed electors;
- I circulated this section of the petition;
- Each signature on this petition was affixed in my presence;
- Each signature on this petition is the signature of the person whose name it purports to be;
- To the best of my knowledge and belief each of the persons signing this petition section was, at the time of signing, a registered elector;
- I have not paid or will not in the future pay and I believe that no other person has paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing such signer to affix his or her signature to the petition;
- I understand that I can be prosecuted for violating the laws governing the circulation of petitions, including the requirement that a circulator truthfully completed the affidavit and that each signature on the petition was affixed in the circulator's presence;
- I understand that failing to make myself available to be deposed and to provide testimony in the event of a protest shall invalidate the petition section if it is challenged on the grounds of circulator fraud;
- I understand that the entire petition section may be rejected if any portion of the circulator affidavit is incomplete; and
- I understand that I am required to provide my permanent residence address and the temporary street address where I am staying in Colorado if I am not a Colorado resident.
- I am a registered elector of the City of Alamosa.

**Circulator Name (please print)**

\_\_\_\_\_  
name First name Last

**Permanent Residence Address (or location if homeless)**

\_\_\_\_\_  
Street name and number City/Town County State ZIP Code **Temporary**  
**Colorado Address (if you are not a Colorado resident)**

\_\_\_\_\_  
Street name and number City/Town County State ZIP Code **Sign and Date**

\_\_\_\_\_  
Signature of Circulator

\_\_\_\_\_  
Date of Signing

STATE OF COLORADO COUNTY OF \_\_\_\_\_ Subscribed and sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_

Printed name of Circulator above \_\_\_\_\_

Signature (and title) of Notary / Official Administering Oath \_\_\_\_\_

My commission expires: \_\_\_\_\_

Type of ID provided by circulator: \_\_\_\_\_



**ALAMOSA CITY COUNCIL  
COUNCIL COMMUNICATION**

---

**Subject/Title:**

General Marijuana Discussion - Pros & Cons

**ATTACHMENTS:**

Description	Type
 Compiled List of Information	Backup Material

## Municipal Retail Marijuana Status

Prohibit (Moratorium if thru date)

Permit (Tax rate, if any)

*Recreational Marijuana Prohibition, Licensing and Taxation: thru April 2016*

Akron	
Alamosa	
Alma	
Arriba	
Arvada	
Aspen	
Ault	
Aurora (5%; up to 10%)	
Avon	
Basalt (5%)	
Bayfield	
Bennett	
Berthoud	
Bethune	
Black Hawk (5%)	
Blanca (5% excise)	
Blue River	
Boulder (3.5%)	
Breckenridge (5%)	
Brighton	
Brookside	
Broomfield	
Brush (thru 7/1/2016)	
Buena Vista	
Burlington	
Calhan	
Canon City	
Carbondale (5%)	
Castle Pines	
Castle Rock	
Cedaredge	
Centennial	
Central City	
Cherry Hills Village	
Coal Creek	
Cokedale	
Collbran (thru 7/15/2015)	
Colorado Springs	
Columbine Valley	
Commerce City (5% excise)	
Cortez	
Craig	
Crawford	
Creede	
Crested Butte	
Crestone (5%)	
Cripple Creek	
Crowley	
Dacono	
De Beque (5%)	
Del Norte	
Delta	

## Municipal Retail Marijuana Status

Prohibit (Moratorium if thru date)

Permit (Tax rate, if any)

*Recreational Marijuana Prohibition, Licensing and Taxation: thru April 2016*

Denver (3.5%; up to 15% authorized)

Dillon

Dinosaur

Dove Creek

Durango

Eads

Eagle (\$5 / transaction)

Eaton

Eckley

Edgewater

Elizabeth

Empire (\$5 / transaction)

Englewood

Erie

Estes Park

Evans

Fairplay

Federal Heights

Firestone

Fleming (thru 1/1/2015)

Florence (permanent)

Fort Collins

Fort Lupton

Fort Morgan

Fountain

Fowler

Foxfield

Fraser (5%)

Frederick

Frisco (5%)

Fruita

Garden City

Georgetown (\$5/transaction)

Gilcrest

Glendale

Glenwood Springs (Thru 8/25/15)

Golden

Granada

Granby

Grand Junction

Grand Lake

Greeley

Green Mountain Falls

Greenwood Village

Gunnison (5%)

Gypsum

Haxtun

Hayden (7.5% excise tax)

Hillrose

Holly

Holyoke

Hooper

## Municipal Retail Marijuana Status

Prohibit (Moratorium if thru date)

Permit (Tax rate, if any)

*Recreational Marijuana Prohibition, Licensing and Taxation: thru April 2016*

Hot Sulphur Springs	
Hotchkiss	
Hudson	
Hugo	
Idaho Springs	
Ignacio	
Iliff	
Jamestown (permanent)	
Johnstown	
Julesburg	
Keenesburg	
Kersey	
Kim	
Kiowa	
Kremmling	
La Jara	
La Junta	
La Salle	
La Veta	
Lafayette (5%; up to 10%)	
Lake City	
Lakewood	
Lamar	
Larkspur	
Las Animas	
Leadville (5% excise tax; up to 10%)	
Limon	
Littleton	
Lochbuie	
Log Lane Village (1.5% excise tax)	
Lone Tree	
Longmont	
Louisville	
Loveland	
Lyons (3.5%; 5% excise tax; up to 10%)	
Mancos (up to \$10 / transaction)	
Manitou Springs (5%)	
Manzanola	
Mead	
Meeker	
Milliken	
Minturn	
Monte Vista	
Montrose	
Monument	
Morrison	
Mountain View (5%)	
Mountain Village	
Mt. Crested Butte	
Naturita (thru 12/31/2014)	
Nederland	
New Castle	

## Municipal Retail Marijuana Status

Prohibit (Moratorium if thru date)

Permit (Tax rate, if any)

*Recreational Marijuana Prohibition, Licensing and Taxation: thru April 2016*

### Northglenn (2%)

Norwood

Nucla

Nunn

Oak Creek

Olathe

Olney Springs

Orchard City

Ordway (thru 6/29/2017)

Otis

Ouray

Ovid

Pagosa Springs

Palisade

Palmer Lake

Paonia

### Parachute (5% excise tax)

Parker

Peetz

Pierce

Poncha Springs

Pritchett

Pueblo (8% excise tax up to 15%)

Ramah

Rangley

Raymer

Red Cliff (up to 5% retail; up to 15% wholesale)

Rico

Ridgway

Rifle (5%)

Rockvale

Rocky Ford

Romeo

Rye

Saguache

Salida

Sanford

Sedgwick (\$5 retail; \$100 wholesale; 2% excise)

Seibert

Severance

Sheridan

Silt

Silver Cliff

Silver Plume (no greater than 8%)

Silverthorne (5%)

Silverton (1% retail; 3% wholesale)

Simla

# Municipal Retail Marijuana Status

Prohibit (Moritorium if thru date)	Permit (Tax rate, if any)
------------------------------------	---------------------------

Recreational Marijuana Prohibition, Licensing and Taxation: thru April 2016

Snowmass Village (thru 3/15/2017)
South Fork
Springfield
Steamboat Springs
Sterling
Stratton
Sugar City
Superior
Swink
Telluride
Thornton
Timnath
Trinidad (5%)
Vail
Victor
Vona
Walden
Walsenburg
Walsh
Wellington
Westcliffe
Westminster
Wheat Ridge
Wiggins
Williamsburg
Windsor
Winter Park
Woodland Park
Wray
Yampa
Yuma

## TOTALS

Total Opt out: 168	71.79% prohibit
Moratoria: 8	3.42% have moratoria
Licensing: 58	24.79% allow
Taxes: 36	15.38% tax

Total Action Taken: 234

86.35% of Colorado municipalities have taken action to address retail marijuana establishments in their community



# 1-year old State info

Local Authorities Allowing Retail Marijuana Facilities	
Municipalities	Counties
ALMA	ADAMS
ANTONITO	ARCHULETA
ASPEN	BOULDER
AURORA	CHAFFEE
BASALT	CLEAR CREEK
BLACK HAWK	COSTILLA
BOULDER (City of)	DENVER (City and County of)
BRECKENRIDGE	EAGLE
CARBONDALE	GILPIN
CENTRAL CITY	GRAND
COMMERCE CITY	GUNNISON (County of)
CORTEZ	HUERFANO
CRESTED BUTTE	LA PLATA
DEBEQUE	LAKE
DENVER (City and County of)	LARIMER
DILLON	OURAY
DURANGO	PITKIN
EAGLE (Town of)	PUEBLO
EDGEWATER	SAGUACHE (County of)
EMPIRE	SAN JUAN
FORT COLLINS	SAN MIGUEL
FRASER	SUMMIT
FRISCO	
GARDEN CITY	
GEORGETOWN	
GLENDALE	
GLENWOOD SPRINGS	
GUNNISON (City of)	
IDAHO SPRINGS	
LA VETA	
LAFAYETTE	
LEADVILLE	
LOG LANE VILLAGE	
LOUISVILLE	
LYONS	
MANCOS	
MANITOU SPRINGS	
MOFFAT	
MOUNTAIN VIEW	
NEDERLAND	
NORTHGLENN	
OAK CREEK	
OPHIR	
PAGOSA SPRINGS	
PALMER LAKE	
PARACHUTE	
PUEBLO (City of)	
RED CLIFF	
RIDGWAY	
RIFLE	
SALIDA	
SAN LUIS	
SEDGWICK TOWN OF	
SILT	
SILVER PLUME	
SILVERTHORNE	
SILVERTON	
STEAMBOAT SPRINGS	
TELLURIDE	
TRINIDAD	
WALSENBURG	
WHEAT RIDGE	

Updated 02/17/2016



**State of Colorado**  
**Retail Marijuana Special Sales Tax (10%)**  
**Actual Revenue for January 2016 Sales, Remitted in February 2016**

<b>Distributed to Local Jurisdictions</b>		
<b>Local Jurisdiction</b>	<b>15% of Total Special Sales Tax</b>	<b>Percent</b>
Aspen	\$10,791	1.39%
Aurora	68,542	8.80%
Boulder	42,169	5.41%
Boulder County	14,276	1.83%
Breckenridge	10,492	1.35%
Carbondale	1,570	0.20%
Central City	1,056	0.14%
Cortez	6,993	0.90%
Crested Butte	4,038	0.52%
Denver	273,924	35.17%
Durango	16,859	2.16%
Eagle County	16,475	2.12%
Edgewater	18,908	2.43%
Fort Collins	29,497	3.79%
Garden City	26,903	3.45%
Glendale	15,414	1.98%
Glenwood Springs	4,233	0.54%
Gunnison	2,515	0.32%
Idaho Springs	5,108	0.66%
Northglenn	6,646	0.85%
Salida	5,113	0.66%
Pueblo County	24,521	3.15%
Steamboat Springs	11,446	1.47%
Telluride	4,148	0.53%
Trinidad	13,289	1.71%
Wheat Ridge	9,396	1.21%
Combined Local Governments 1/	134,494	17.27%
<b>Total *</b>	<b>\$778,816</b>	<b>100.00%</b>

1/ Combined Local Governments include:

Alma, Antonito, Basalt, Black Hawk, Commerce City, De Beque, Dillon, Eagle, Empire, Fraser, Frisco, Georgetown, Lafayette, Leadville, Log Lane Village, Louisville, Lyons, Mancos, Manitou Springs, Moffat, Mountain View, Nederland, Oak Creek, Pagosa Springs, Parachute, Ridgway, San Luis, Sedgwick, Silt, Silverthorne, Walsenberg, Adams County, Archuleta County, Clear Creek County, Costilla County, Grand County, Larimer County and Park County.

<b>Retained by the State</b>	
<b>County</b>	<b>85% of Total Special Sales Tax</b>
Adams	\$98,584
Arapahoe	448,027
Archuleta	33,961
Boulder	408,297
Chaffee	28,975
Clear Creek	38,747
Denver	1,552,241
Eagle	103,245
Garfield	61,645
Gilpin	7,721
Grand	24,464
Gunnison	37,134
Jefferson	201,038
La Plata	95,537
Larimer	234,676
Las Animas	75,303
Montezuma	45,285
Park	15,896
Pitkin	64,551
Pueblo	138,955
Routt	67,355
San Miguel	23,504
Summit	165,578
Weld	152,451
Remainder of State 2/	290,139
<b>Totals*</b>	<b>\$4,413,310</b>

2/ Remainder of State is comprised of the following counties:

Conejos, Costilla, El Paso, Huerfano, Lake, Mesa, Morgan, Ouray, Saguache and Sedgwick.

Total Distributed to Local Jurisdictions	\$778,816
Total Retained by the State	4,413,310
Unallocated	21,237
<b>Total Retail Special Sales Tax (10%) Collections</b>	<b>\$5,213,363</b>

\* May not sum to total due to rounding.

Per §39-21-113(4), C.R.S., data from these local governments must be combined in order to protect the confidentiality of the individual taxpayers. It is the Department's practice to release aggregated data only when there are at least three taxpayers in a given category and none of them represents more than 80% of the total.

**State of Colorado**

**Marijuana Taxes, Licenses, and Fees Transfers and Distribution**

**January 2016 Sales Remitted in February 2016**

Line		February 2016		February 2015		Change		Year-to-Date		Year-to-Date		Change	
		Remitted		Remitted		\$	%	FY2016-16		FY2014-15		\$	%
TAXES													
1	Sales Tax Transfer to Marijuana Tax Cash Fund (2.9% rate) (2+3)	\$ 2,482,086	\$	1,808,419	\$	673,667	37.3%	\$ 20,412,227	\$	14,028,297	\$	6,383,929	45.5%
2	Medical Marijuana	897,973		785,792		112,181	14.3%	8,044,068		6,889,851		1,154,218	16.8%
3	Retail Marijuana	1,584,113		1,022,627		561,486	54.9%	12,368,158		7,138,447		5,229,712	73.3%
4	Retail Marijuana Sales Tax (10% rate) (5+6+7)	\$ 5,213,363	\$	3,547,864	\$	1,665,499	46.9%	\$ 42,119,843	\$	24,889,308	\$	17,230,535	69.2%
5	Local Government Distribution (15% of Total)	778,816		524,468		254,348	48.5%	6,332,934		3,724,019		2,608,915	70.1%
6	Marijuana Tax Cash Fund Transfer (85% of Total)	4,413,310		2,971,998		1,441,312	48.5%	35,886,452		21,102,887		14,783,565	70.1%
7	Collections Not Yet Allocated*	21,237		51,398		(30,161)	-58.7%	(99,543)		62,403		(161,946)	-259.5%
8	Retail Marijuana Excise Tax (15% rate) (9+10+11)	\$ 3,671,875	\$	2,349,219	\$	1,322,656	56.3%	\$ 25,062,850	\$	12,675,380	\$	12,387,470	97.7%
9	Public School Capital Construction Assistance Fund Transfer	3,682,750		2,332,843		1,349,907	57.9%	25,050,760		12,623,379		12,427,381	98.3%
10	Marijuana Tax Cash Fund Transfer												
11	Collections Not Yet Allocated*	(10,874)		16,376		(27,250)	-166.4%	12,090		52,001		(39,911)	-76.8%
12	Total Marijuana Tax Transfers and Distributions (1+7+8)	\$ 11,367,325	\$	7,705,502	\$	3,661,822	47.5%	\$ 87,594,919	\$	51,592,985	\$	36,001,934	69.8%
LICENSES AND FEES													
13	License and Application Fees Transfer to Marijuana License Cash Fund (14+15)	\$ 1,099,292	\$	1,096,793	\$	2,500	0.2%	\$ 10,147,069	\$	9,779,391	\$	367,677	3.8%
14	Medical Marijuana	716,819		738,723		(21,904)	-3.0%	6,436,459		6,236,541		199,917	3.2%
15	Retail Marijuana	382,120		358,070		24,050	6.7%	3,710,256		3,542,850		167,406	4.7%
16	Permitted Economic Interest (PEI) Application Fee	354		-		-	N/A	354		-		-	N/A
TAXES, LICENSES, AND FEES TOTALS													
16	Total Marijuana Tax and License Cash Fund Transfers (1+6+10+13)**	\$ 7,994,688	\$	5,877,210	\$	2,117,478	36.0%	\$ 66,445,747	\$	44,910,575	\$	21,535,172	48.0%
17	Total All Marijuana Taxes, Licenses, and Fees (12+13)**	\$ 12,466,617	\$	8,802,295	\$	3,664,322	41.6%	\$ 97,741,988	\$	61,372,376	\$	61,372,376	41.6%

\* Indicates those receipts that have posted to the accounting system but have not yet been reconciled to the relevant sales/excise tax return. These receipts may affect the precision of the calculations to transfer or distribute the sales/excise taxes to their proper disposition.

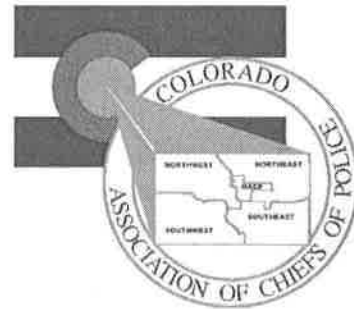
\*\* May not sum to total due to rounding.

Source: Colorado Department of Revenue

Prepared by: Office of Research and Analysis, dor\_ora@state.co.us

Publish date: March 2016





May 5, 2016

Dear Members of Legislative Leadership,

The Colorado Association of Chiefs of Police, the County Sheriffs of Colorado and the Colorado District Attorneys' Council are aware of how difficult it has been to bring into being a new set of laws on regulation of medical and recreational marijuana. We appreciate that creating a newly regulated industry takes time and effort. However, we are writing to say that local law enforcement both cannot keep up with the quantity and speed of constantly-changing marijuana law, as well as are experiencing other problems caused by lack of legal bright lines we need to enforce the law.

We are experiencing community impacts that include criminal psychotic episodes resulting from enhanced marijuana potency, a lack of resources and tools to address unlicensed home-grows, and numerous criminals are exploiting the unregulated system. Lastly, many communities have no marijuana revenue as they have banned dispensaries. However, because of our state constitutional and statutory framework allowing home-grows, these communities do indeed have community and law enforcement impacts and they don't have the resources to address them.

We understand that an interim committee on marijuana has been approved by legislative council. We implore this committee or further committees of the General Assembly to consider the following:

- 1) The constant change, and attempt to change, the laws and regulatory scheme for marijuana
- 2) The increase in scope of home growing operations
- 3) The edibles and their potency as it relates to overconsumption and hospitalizations
- 4) The doctors who continue to dole out irresponsible extended plant counts

We also make the following requests:

- 1.) A two-year moratorium on any changes to current law with regard to marijuana legalization, unless a strong public safety nexus is established. In the last two years, we have begun to gather data, train Colorado law enforcement, and create department

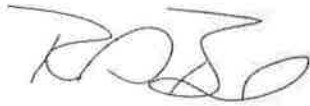
operational policies for agencies to handle legalized marijuana. The constant change will create inconsistencies with any trending data collection and makes it virtually impossible to have any training continuity for the more than 15,000 certified peace officers in the State of Colorado. It seems that regulation seems to change on a daily basis and this process must be slowed down.

- 2.) During the two-year moratorium, either the current Marijuana Interim Committee or some further taskforce should take a reflective look on both where we have come and the impacts that it has had on State, County and Local Municipality entities. This group should be asked to create a list of comprehensive recommended changes in marijuana law. We now have some structured and historical impact data which we can use to help guide us through a much more comprehensive decision making process.
- 3.) Law enforcement needs support for its current coordination efforts on marijuana. With the rapidly changing marijuana environment – 81 bills have been introduced in the last 4 years. In order to stay abreast the ever changing landscape, law enforcement has created two groups to assist us in responding to the new marijuana statewide legalization - the Law Enforcement Training Group and the Public Health and Safety Impacts Group. Both of these groups are currently staffed by the Colorado Association of Chiefs of Police, with no resources from the state. These two groups have become focal points for the sharing of information and coordination of actions with regard to the impacts from the state level legalization of marijuana. We believe, in order to fulfill the potential positive impacts that can arise from this two groups, that these groups should be funded by the state.
- 4.) Given the ever changing legal landscape, law enforcement is requesting funding for a position that would serve as a liaison to local government as a marijuana expert to work specifically with us on training, data gathering, following legislation, and helping to create the bright lines needed for adequate enforcement and fulfillment of the priorities of the Cole Memorandum.

As the professionals who are tasked by our communities to keep young people away from substances that can be abused, who are tasked with protecting our communities from organized crime, and keeping our roads and highways safe, we are concerned about the industry forces which are working to constantly to chip away at regulations put in place to protect public health and safety. In the last year we have seen efforts to stymie regulatory efforts to address high levels of marijuana potency. We have seen introductions of legislation to advance unconstitutional public consumption both in special events and in pot clubs. We have yet to adequately address and give law enforcement the tools necessary to deal with illegal home grows.

Law enforcement cannot quantify the financial impacts of legalization on our associations and our members, but we do believe that a vigilant and focused effort in the 2016 interim, could bring about a positive change to assist law enforcement in addressing the concerns of our communities, who are begging for action related to some of issue areas listed above. We do believe, however, that the limited number of meetings and lack of state resources being devoted to this issue could very well leave us no better off headed into the 2017 legislative session. If the issue areas detailed in this letter are not addressed, we believe our state will continue to spiral toward further commercialization and the eradication of the bright lines we need to do our job. The voters approved a regulated industry and we are committed to working with you to ensure that we create an environment that balances the needs of all Colorado, but public safety and health issues must come first.

Thank you,



Rick Brandt, President  
Colorado Association of Chiefs of Police



Chris Johnson, Executive Director  
County Sheriffs of Colorado



Tom Raynes, Executive Director  
Colorado District Attorneys' Council





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## Legalized marijuana turns Colorado resort town into homeless magnet

By Joseph J. Kolb

Published May 17, 2017

FoxNews.com

From his sidewalk vantage point in front of an outdoor equipment store in downtown Durango, Colo., Matthew Marinseck has seen a transformation in this mountain resort town.

The picturesque town near the New Mexico border, once a vibrant, upscale community dotted with luxury hotels, is being overrun by panhandlers – thanks, in part, to the legalization of marijuana.

The town suddenly became a haven for recreational pot users, drawing in transients, panhandlers and a large number of homeless drug addicts, according to officials and business owners. Many are coming from New Mexico, Arizona and even New York.

"Legalized marijuana has drawn a lot of kids here from other states and the impact has not all been good," said Marinseck, 58, while holding a cardboard sign asking for "help."

### COLORADO BOOKS 9TH MONTH OF \$100M-PLUS POT SALES AMID THREAT OF TRUMP ADMIN. CRACKDOWN

Related Image



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A homeless man in Downtown Durango. (Joe Kolb/Fox News)

Several people holding cardboard signs could be seen along the streets of Durango now. Some just ask for marijuana, or imply that's what they want with a photo of a green pot leaf. But it's not just pot users being drawn to Durango.

"[The] city really started freaking out when they started seeing needles in the streets" said Marinseck, a self-avowed former hippie.

Caleb Preston, a store manager in a gift shop and a former "street entertainer," said the homeless and panhandling issue in Durango has gotten out of hand since the state legalized marijuana.

"Just this year there has been a major influx of people between 20 to 30 who are just hanging out on the streets," Preston said.

"The problem is while many are pretty mellow, there are many more who are violent."

Preston said he's become accustomed to kicking out vagrants who perch themselves in front of his store.

### DENVER MARIJUANA INDUSTRY IS EATING INTO AREA'S RESTAURANT JOBS

"Most of the kids here are from out of state, and I would say it has a lot to do with the legalized pot," said Preston.



He said he's also noticed an uptick in crime in the area. Shoplifting, he said, has become a major problem in Durango and business owners are becoming fed up.

The city's Business Improvement District held a meeting May 12 to review the results of a survey completed by local businesses on how to address the panhandling issue, which has become an urgent matter as the city enters its busy summer tourist season.

Among the suggestions were stricter laws for panhandling and loitering, strategic placement of obstacles such as bistro tables and flower boxes to discourage sitting and lying on sidewalks. They also proposed launching a campaign discouraging tourists to give money to the pan handlers. A rudimentary effort is already in place with handwritten signs encouraging donations be made to charities that help the homeless rather than handing panhandlers' money directly.

#### Related Image



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A hand-scrawled sign asking people to donate to homeless groups rather than to panhandlers directly. (Joe Kolb/Fox News)

Tim Walsworth, executive director of Durango Business Improvement District, said he is frustrated. He said he has to walk a tightrope between the civil liberties of the homeless population and the reputation and attractiveness of the downtown area, which for years has been a hot tourist destination.

"We're hoping to discourage the transient and professional panhandlers that are impacting the perceived safety and cleanliness of our downtown, as well as help those who are truly in need," Walsworth said in a statement.

Conspicuously absent from the busy downtown: The presence of police patrols.

Durango Police Chief Kamran Afzal said he has only been on the job for a month and is still assessing where the needs are in the town. With a department of 50 officers and only five per shift who cover 20 square miles, the challenge is daunting, he said. He said the property crime rate is 12 percent higher than the national average.

#### FEDERAL CRACKDOWN ON LEGAL WEED COMING?

"At this point, since I'm new here, I can't definitively say this number is related to our homeless population," Afzal said.

But he would not go so far as to say that the rise in panhandlers is directly attributed to the legalization of marijuana.

#### Related Image





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Durango, Colo. is a vibrant, mountain resort town. (Joe Kolb/Fox News)

"We are going to look at the behavior of individuals who cause discomfort for residents and visitors," he said, through a Community Engagement Team. But, he said, the tricky part is figuring out when panhandlers cross the line to criminals.

Panhandlers like Marinseck may not exactly pose a threat to pedestrians shopping at the boutiques, souvenir stores or microbreweries in downtown Durango. But they don't exactly evoke the wholesome image the business district wants to project.

Still, the city recently settled a lawsuit with the American Civil Liberties Union allowing the homeless population to panhandle.

A clerk at a local hotel who declined to give her name told Fox News that since marijuana has become legal in Colorado, the quality of life in Durango has worsened.

She said she's frequently harassed when she goes to the supermarket or local WalMart. Some of the local parks, she said, have been taken over by the homeless.

"I've lived here my entire life and don't feel safe here anymore," the clerk said. "If it wasn't so beautiful here, I would probably move."

*Joseph J. Kolb is a regular contributor to Fox News.*

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Letters from H.H.S. Karen B. DeSalvo, MD,MPH,MSc, Acting Assistant Secretary for Health

The full study is available at this link:

[https://www.deadiversion.usdoj.gov/schedules/marijuana/Incoming\\_Letter\\_Department%20 HHS.pdf](https://www.deadiversion.usdoj.gov/schedules/marijuana/Incoming_Letter_Department%20HHS.pdf)

To: The Honorable Chuch Rosenberg, Acting Administrator of Drug Enforcement Administration

Dated: June 25, 2015 and June 3, 2015

Marijuana meets the three criteria for placing a substance in Schedule I of the CSA under 21 U.S.C 812(b)(1).

Discussed in the enclosed analyses, marijuana has a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision.

#### BASIS FOR THE RECOMMENDATION FOR MAINTAINING MARIJUANA IN SCHEDULE I OF THE CONTROLLED SUBSTANCE ACT

Consideration of Eight Factors:

1. Its Actual or Relative Potential For Abuse
2. Scientific Evidence of its Pharmacological Effects, if Known
3. The State of Current Scientific Knowledge Regarding the Drug or Other Substance
4. Its History and Current Pattern of Abuse
5. The Scope, Duration, and Significance of Abuse
6. What, if Any, Risk There is to the Public Health
7. Its Psychic or Physiologic Dependence Liability
8. Whether the Substance is an Immediate Precursor of a Substance Already Controlled under this Article.

RECOMMENDATIONS: After consideration of the eight factors discussed above, FDA recommends that marijuana remain in Schedule I of the CSA. NIDA concurs with this scheduling recommendation. Marijuana meets the three criteria for placing a substance in Schedule I of the CSA under 21 U.S.C.812(b)(1)

1. Marijuana has a high potential for abuse:
2. Marijuana has no currently accepted medical use in treatment in the United States
3. There is a lack of accepted safety for use of marijuana under medical supervision.

#### The Medical Application of Marijuana: A Review of Published Clinical Studies

There were several studies, but asthma and glaucoma were not favorable outcomes, and I didn't get to finish the reviews of the other studies.



HOME GROW (See: Marijuana Grows in Residential Properties, by Sheriff Kirk M. Taylor BA, JD

5 People come From Florida Rent three houses

Get Medical Recommendation to grow 99 plants Now they can grow legally 495 plants

Grow Equipment, Average Kilowatt Peaks 10,000 o 25,000 per month

Avg. Consumption most families per house is 500 to 800 KWH

### **How Much Can I Make**

Group of five, can produce 495# every 90 days or **1, 980#/ year**

**Sell This MJ for \$1 and \$2 thousand dollars / pound, make 1 and 3.9 Million / Year**

**Drive to the East Coast they can get \$4,000/ # or 7.9 Million Dollars**

### **Home Grows:**

**Colorado Residents allowed Six Plants**

**Exceptions Physician Recommendations (2016- 107,798 Medical MJ Patients)**

**If 8,200 patients grow 50 plants we get 410,000 MJ plants**

**Colorado MED monitors plants grown by the Licensed Medical and Recreational businesses currently that is 758,000 plants. Conceivably if most of the 8,200 patients grow 99 plants because they can (with medical permission) that may equal all the plants grown by the entire "industry".**

**At Just 50 plants each, 8,200 patients can produce 1.6 MILLION POUNDS OF MJ a year.**

**Large amounts of MJ Produced in Home Grows going to out-of-state markets. No Tax Rev.**

### **Home Grown Production:**

**One plant produces approximately 8 ounces to one pound a harvest plants are harvested every 90 days.**

**1 Ounce = 60 MJ Joints**

**8 Ounces = 32 ounces a year one plant**

**12 Plants= 384 ounces / 24#. / 23,400 joints**

**36 Plants 1,152 ounces / 72 pounds. / 69,120 joints**

**99 Plants = 3, 168 ounces / 198 pounds/ 190,080 joints**

**A TWO PACK A DAY SMOKER OF CIGARETTES SMOKES ROUGHLY 14, 600 CIGARETTES A YEAR**

**Limit Grows to 12 plants per house hold**

**Penalties: More than Twelve pounds on hand and twelve poundss growing, FINE \$5,000**

**More than Twelve Pounds on hand and Twenty Plants growing. Fine \$10,000**

**National Request that Doctors Not ever recommend more than Twelve Plants for a Grow**

In Colorado's marijuana, potencies of THC – pot's psychoactive ingredient – have reached unprecedented heights.

This is not the same pot smoked at Woodstock or even in the mid-1990s.  
It is a fundamentally different, harder drug.

Limiting THC potency is a pragmatic way to minimize unacceptable risks.

## Key Facts

- Nationally, the potency of marijuana has more than tripled since the mid-1990s.<sup>1</sup>
- Average potency of marijuana flowers/buds in Colorado is now 17.1% THC while the average potency for concentrates is 62.1%. Potency rates of up to 95% have been recorded.<sup>2</sup>
- After the Dutch observed negative impacts from rising THC potencies, a team of health experts concluded that THC potencies above 15% should be considered a hard drug.<sup>3</sup>
- Colorado ranks 1st in the nation for youth (12+) use of marijuana.<sup>4</sup>
- Research shows marijuana is harmful to the developing brains of adolescents, which may result in psychotic symptoms, schizophrenia, drug addiction and lower IQs.

## The Problem



- The rise of high-potency pot has coincided with increases in Colorado hospitalizations and poison center calls.<sup>5</sup>
- More potent pot has been tied to psychotic episodes.<sup>6</sup>  
A well-known British study has linked higher potency pot (12%-18%) to 24% increase in new cases of psychosis.
- Tolerable doses of marijuana have yet to be determined even though highly potent pot is already being sold on Colorado's commercial market.<sup>7</sup>



#KnowPotency

[smartcolorado.org](http://smartcolorado.org)

Smart Colorado is a project of the Colorado Nonprofit Development Corporation.

4/27/2016



# The Solution

- Limit THC potencies until there is scientific evidence to prove highly potent pot does not pose unacceptable risks to public.
- Educate the public – especially youth – on dangers of marijuana and well-studied and documented negative impacts to the developing brain of lower-potency pot.<sup>8</sup>
- Fund research to better understand the risks associated with such high concentrations of THC.
- Limit marijuana commercialization, advertising and marketing, which normalizes and promotes use among youth.
- Enforce laws restricting false health and benefit claims.<sup>9</sup>



## Reported Health Symptoms



- Unrelenting Vomiting
- Dangerous Hallucinations
- Difficulty Breathing<sup>10</sup>
- Paranoia
- Panic Attacks
- Increased Heart Rate
- Extended Psychosis

## Important Resources

- Call 911 for any medical emergency
- Call 311 to report marijuana complaints and violations in Denver
- Concerning reactions, call Rocky Mountain Poison & Drug Center 1-800-222-1222
- To anonymously report anything that concerns or threatens you, your friends, your family or community, call Safe2 Tell 1-877-542-7233 (safe2tell.org)
- Colorado Department of Public Health and the Environment: [www.colorado.gov/pacific/cdphe/RetailMarijuanaTA](http://www.colorado.gov/pacific/cdphe/RetailMarijuanaTA)
- National Institute on Drug Abuse for teens: [teens.drugabuse.gov/drug-facts/marijuana](http://teens.drugabuse.gov/drug-facts/marijuana)
- National Institute on Drug Abuse: [www.drugabuse.gov/publications/drugfacts/marijuana](http://www.drugabuse.gov/publications/drugfacts/marijuana)

**Learn More and Take Action**  
**smartcolorado.org**

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**SMART CO**

# UN report: Number of marijuana-related injuries is on the rise

06/27/14 02:08 PM—UPDATED 06/27/14 09:59 PM

By Jane C. Timm

The U.N. agency warned Thursday that loosening regulations is causing more people to indulge in the marijuana as the drug's risks are downplayed.

"In the United States, the lower perceived risk of cannabis use has led to an increase in its use," the report said.

The number of people in the U.S. over the age of 12 who have used the drug rose from 10.3% in 2008 to 12.1% in 2012, the U.N. report said.

As msnbc reported earlier this month, coverage of Colorado's legalization of marijuana has focused on tragic occurrences in the wake of recreational marijuana use getting the green light. UCLA public policy professor Mark Kleiman told msnbc at the time that it's too early to properly gauge the impact of Colorado's pot policy.

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## HEALTHY LIVING

01/02/2017 01:31 pm ET | Updated Jan 09, 2017

# Mysterious Marijuana-Related Illness Popping Up In Emergency Rooms

The vomiting illness is increasing in states with legal pot.

**By Mary Papenfuss**

The illness is cannabinoid hyperemesis syndrome

Since 2009, when the federal government relaxed its stance on medical marijuana, emergency room diagnoses for CHS in two of Colorado's hospitals nearly doubled, according to a study co-authored by Dr. Kennon Heard, a physician at the University of Colorado Hospital in Aurora. Now that cannabis is also legal for recreational use in the state, "we are seeing it quite frequently," Heard told CBS News. "My colleagues are seeing this on a daily to weekly basis."

Dr. David Steinbruner, an emergency room physician at Memorial Hospital in Colorado Springs, believes it's likely triggered with a significant amount of marijuana. "The corollary would be alcohol. So small amounts may be fine for

people, but over a long time it will cause all kinds of problems,” Steinbruner told KDRO-TV.

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## White House expects Justice crackdown on legalized marijuana; Colorado lobbyist cringes

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By SADIE GURMAN, Associated Press, Updated: February 24, 2017 8:20 am

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**WASHINGTON** | The Justice Department will step up enforcement of federal law against recreational marijuana, White House spokesman Sean Spicer said Thursday

President Donald Trump does not oppose medical marijuana, he added, but “that’s very different than recreational use, which is something the Department of Justice will be further looking into.”

“The current situation is unsustainable,” Sabet said in a statement. **“This isn’t an issue about states’ rights, it’s an issue of public health and safety for communities.”**

1. Lie Legalizing MJ will keep it out of the hands of youth  
**Truth: Youth between the ages of 15 and 25 constitute 80% of all MJ.**
2. Lie Legalizing MJ will do away with drug cartels and crime  
**Truth: Increases in drug use increases crime and attracts criminal enterprises**
3. Lie Making pot legal will solve prison overcrowding  
**Truth: Less than .5% of all prisoners were arrested for possession**
4. Lie MJ can be safely used by responsible adults  
**Truth: Skyrocketing hospitalizations, traffic fatalities, pediatric exposures, youth use indicate otherwise.**
5. Lie Taxes from marijuana will balance our budgets  
**Truth: Social costs for alcohol and tobacco cost 10x tax income**
6. Lie Marijuana has medicinal value  
**Truth: Medical marijuana is a joke and a ploy for opening the door to recreational use and commercialization for profit.**
7. Lie Marijuana should be treated like alcohol  
**Truth: Marijuana is a very different substance. It is not water-soluble like alcohol and stays in the body longer. It is far more potent and toxic.**
8. Lie Marijuana is harmless  
**Truth: The GMO pot being sold today is far more potent than anything ever sold before.**
9. Lie Marijuana is not addictive  
**Truth: 1 in 6 kids became addicted to gmo pot.**
10. Lie Other countries have legalized it successfully  
**Truth: Nowhere on earth has pot been legalized and commercialized like we have done in Colorado.**

## SUMMARY

Forwarded to me by the County Administrator: This is from 'The National Academies of Sciences-Engineering-Medicine: Released January 12, 2017

10,000 Scientific Abstracts—100 conclusions

- 22.2 million Americans ages 12 and older reported using cannabis in the last 30 days
- 90% of adult cannabis users was recreational, 10% solely medical purposes
- Past month 12 and older use has increased 6.2 to 8.3%
- Chronic Pain in adults- significant reduction in pain, effective in preventing and treating those ailments (MS & Chemo)
- Prior to driving use has increased the risk of being involved in a M. V. A.
- Ingestion causing most unintentional exposure to children
- Smoking Cannabis does not increase risk of Cancer
- Cannabis smoking may trigger heart attack
- Regular smoking is associated with frequent chronic Bronchitis
- Insufficient evidence to support cannabis as supporting or compromising the immune system
- Likely to increase developing of schizophrenia, other psychosis and social anxiety disorders
- Greater use suggest increased likelihood of developing problem cannabis use
- Limited evidence that cannabis use is a link to substance dependency and/or a substance abuse disorder for substances including alcohol, tobacco and other elicit drugs
- Learning, memory and attention are impaired after immediate cannabis use
- Limited association between cannabis and increased unemployment and low income
- Smoking cannabis during pregnancy is related to lower birth weights
- Cannabis as a Schedule I Substance impede the advancement of research

Submitted by Terry Wiley, DC, as a courtesy to the City Council with the full report attached. This is one of the best reports that I have seen that is head and shoulders above most news reports and individual opinions.



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## NEWS

The National Academies of  
SCIENCES • ENGINEERING • MEDICINE

Jan. 12, 2017

**FOR IMMEDIATE RELEASE****Nearly 100 Conclusions on the Health Effects of Marijuana and Cannabis-Derived Products Presented in New Report; One of the Most Comprehensive Studies of Recent Research on Health Effects of Recreational and Therapeutic Use of Cannabis and Cannabis-Derived Products**

WASHINGTON – A new [report](#) from the National Academies of Sciences, Engineering, and Medicine offers a rigorous review of scientific research published since 1999 about what is known about the health impacts of cannabis and cannabis-derived products – such as marijuana and active chemical compounds known as cannabinoids – ranging from their therapeutic effects to their risks for causing certain cancers, diseases, mental health disorders, and injuries. The committee that carried out the study and wrote the report considered more than 10,000 scientific abstracts to reach its nearly 100 conclusions. The committee also proposed ways to expand and improve the quality of cannabis research efforts, enhance data collection efforts to support the advancement of research, and address the current barriers to cannabis research.

"For years the landscape of marijuana use has been rapidly shifting as more and more states are legalizing cannabis for the treatment of medical conditions and recreational use," said Marie McCormick, chair of the committee; the Sumner and Esther Feldberg Professor of Maternal and Child Health, department of social and behavioral sciences, Harvard T.H. Chan School of Public Health; and professor of pediatrics, Harvard Medical School, Cambridge, Mass. "This growing acceptance, accessibility, and use of cannabis and its derivatives have raised important public health concerns. Moreover, the lack of any aggregated knowledge of cannabis-related health effects has led to uncertainty about what, if any, are the harms or benefits from its use. We conducted an in-depth and broad review of the most recent research to establish firmly what the science says and to highlight areas that still need further examination. As laws and policies continue to change, research must also."

Currently, cannabis is the most popular illicit drug in the United States, in terms of past-month users. Based on a recent nationwide survey, 22.2 million Americans ages 12 and older reported using cannabis in the past 30 days. This survey also reports that 90 percent of adult cannabis users in the United States said their primary use was recreational, with about 10 percent reporting use solely for medical purposes. Around 36 percent reported mixed medical and recreational use. In addition, between 2002 and 2015, the percentage of past-month cannabis users in the U.S. population ages 12 and older has increased steadily from 6.2 percent to 8.3 percent.

**Therapeutic Effects**

One of the therapeutic uses of cannabis and cannabinoids is to treat chronic pain in adults. The committee found evidence to support that patients who were treated with cannabis or cannabinoids were more likely to experience a significant reduction in pain symptoms. For adults with multiple sclerosis-related muscle spasms, there was substantial evidence that short-term use of certain "oral cannabinoids" – man-made, cannabinoid-based medications that are orally ingested – improved their reported symptoms. Furthermore, in adults with chemotherapy-induced nausea and vomiting, there was conclusive evidence that certain oral cannabinoids were effective in preventing and treating those ailments.

**Injury and Death**

Evidence suggests that cannabis use prior to driving increases the risk of being involved in a motor vehicle accident. Furthermore, evidence suggests that in states where cannabis use is legal, there is increased risk of unintentional cannabis overdose injuries among children. In one study, ingestion was the most common route of unintentional pediatric exposure, accounting for 78 percent of all incidents. Another study reported that from 2000 to 2013, the annual rate of poison center calls related to cannabis exposures among children younger than 6 years of age was 2.82 times higher in states that had legalized medical cannabis prior to 2000 than in states where medical cannabis remained illegal as of 2013. The committee called for more research to determine whether and how cannabis use is associated with death or with occupational injury.

**Cancer**

Regarding the link between marijuana and cancer, the committee found evidence that suggests smoking cannabis does not increase the risk for cancers often associated with tobacco use – such as lung and head and neck cancers. The committee also found limited evidence that cannabis use is associated with one sub-type of testicular cancer and insufficient evidence that cannabis use by a mother or father during pregnancy leads to a greater risk of cancers in the child.

**Heart Attack, Stroke, and Diabetes**

The committee said that more research is needed to determine whether and how cannabis use is associated with heart attack, stroke, and diabetes. However, some evidence suggests that cannabis smoking may trigger a heart attack.

### **Respiratory Disease**

The evidence reviewed by the committee suggests that smoking cannabis on a regular basis is associated with more frequent chronic bronchitis episodes and worse respiratory symptoms, such as chronic cough and phlegm production, but quitting cannabis smoking is likely to reduce these conditions. The committee stated that it is unclear whether cannabis use is associated with certain respiratory diseases, including chronic obstructive pulmonary disease, asthma, or worsened lung function.

### **Immunity**

There is a lack of data on the effects of cannabis or cannabinoid-based therapeutics on the human immune system, as well as insufficient data to draw overarching conclusions concerning the effects of cannabis smoke or cannabinoids on immune competence, the committee stated. There is also insufficient evidence to support or refute a statistical association between cannabis or cannabinoid use and adverse effects on immune status in individuals with HIV. Nevertheless, limited evidence suggests that regular exposure to cannabis smoke may have anti-inflammatory activity.

### **Mental Health**

The evidence reviewed by the committee suggests that cannabis use is likely to increase the risk of developing schizophrenia, other psychoses, and social anxiety disorders, and to a lesser extent depression. Alternatively, in individuals with schizophrenia and other psychoses, a history of cannabis use may be linked to better performance on learning and memory tasks. Heavy cannabis users are more likely to report thoughts of suicide than non-users, and in individuals with bipolar disorder, near-daily cannabis users show increased symptoms of the disorder than non-users.

### **Problem Cannabis Use**

The evidence reviewed by the committee suggests that with greater frequency of cannabis use, there is an increased likelihood of developing problem cannabis use. There is also evidence to suggest that initiating cannabis use at a younger age increases the likelihood of developing problem cannabis use.

### **Cannabis Use and the Abuse of Other Substances**

The committee found limited evidence that cannabis use increases the rate of initiating other drug use, primarily the use of tobacco. However, the committee found moderate evidence to suggest that there is a link between cannabis use and the development of substance dependence and/or a substance abuse disorder for substances including alcohol, tobacco, and other illicit drugs.

### **Psychosocial**

The committee found that learning, memory, and attention are impaired after immediate cannabis use. Limited evidence suggests that there are impairments in cognitive domains of learning, memory, and attention in individuals who have stopped smoking cannabis. In addition, there is limited evidence to suggest that cannabis use is related to impairments in subsequent academic achievement and education as well as social relationships and social roles. Adolescence and young adulthood are when most youth begin to experiment with substances of abuse, including cannabis, and it is during these periods that the neural layers that underlie the development of cognition are most active. The committee also found limited evidence of an association between cannabis use and increased rates of unemployment and low income.

### **Prenatal, Perinatal, and Neonatal Exposure**

Smoking cannabis during pregnancy is linked to lower birth weight in the offspring, some evidence suggests. However, the relationship with other pregnancy and childhood outcomes is unclear.

### **Challenges and Barriers in Conducting Cannabis Research**

In addition to recommending more research on the beneficial and harmful effects of cannabis and cannabinoid use, the committee emphasized several challenges and barriers in conducting such research. For instance, specific regulatory barriers, including the classification of cannabis as a Schedule I substance, impede the advancement of research. Researchers also often find it difficult to gain access to the quantity, quality, and type of cannabis product necessary to address specific research questions. The committee said a diverse network of funders is needed to support cannabis and cannabinoid research.

The study was sponsored by Alaska Mental Health Trust Authority, Arizona Department of Health Services, California Department of Public Health, Centers for Disease Control and Prevention (CDC), CDC Foundation, U.S. Food and Drug Administration, Mat-Su Health Foundation, National Highway Traffic Safety Administration, National Institutes of Health National Cancer Institute, National Institutes of Health National Institute on Drug Abuse, Oregon Health Authority, Robert W. Woodruff Foundation, The Colorado Health Foundation, Truth Initiative, and Washington State Department of Health. The National Academies of Sciences, Engineering, and Medicine are private, nonprofit institutions that provide independent, objective analysis and advice to the nation to solve complex problems and inform public policy decisions related to science, technology, and medicine. The National Academies operate under an 1863 congressional charter to the National Academy of Sciences, signed by President Lincoln. For more information, visit <http://national-academies.org>. A roster follows.

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Copies of *The Health Effects of Cannabis and Cannabinoids: The Current State of Evidence and Recommendations for Research* are available from the National Academies Press at <http://www.nap.edu> or by calling 1-800-624-6242. Reporters may obtain a copy from the Office of News and Public Information (contacts listed above).

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# Did pot money save small town from 'abyss of nothingness'?

By Ana Cabrera, Mallory Simon and Sara Weisfeldt, CNN

🕒 Updated 6:21 AM ET, Wed April 20, 2016

 Weed money could save small town

Weed money could save small town 04:36

## Story highlights

8 pot shops have opened in Trinidad, Colorado, since recreational marijuana sales began in 2014

**Trinidad, Colorado (CNN)** — Anthony Mattie walks down Main Street confronted by a shell of the town he once knew.

The retired state patrolman-turned-mayor pro tem stares at vacant building after building, his reflection bouncing off the empty glass storefront windows. The streets are lined with century-old facades, but

Stores near New Mexico border capitalizing on tourists flocking to town

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not much more, except for a few cars slowly passing by.

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Officials say town has brought in \$800,000 in revenue from pot through November 2015

Still, Mattie maintains a sparkle in his eye and a boyish grin as he shares the plan to bring his town back to life -- thanks to marijuana money.

"The abandoned Pepsi plant became a marijuana dispensary. People resurrected these buildings that were about to fall and collapse," he says.

It's in large part thanks to at least \$800,000 in marijuana tax revenue.

 Anthonyv Mattie's family has called Trinidad home

**Anthony Mattie's family has called Trinidad home for generations.**

The green rush is bringing hope back to this once-booming coal mining town in rural southeast Colorado, just 11 miles from the New Mexico border, where generations of Mattie's family have lived. Residents pride themselves on the town's pioneer reputation and Wild West spirit.

"This is the place where Bat Masterson was the marshal. This is where Jesse James' gang did run. This is the place where Doc Holiday was a dentist and owned a brothel. This is the place," says Cy Michaels, a hotel owner and leader of the town's tourism board.

It was also home to one of the first places in the nation for gender reassignment surgery, earning it the unofficial title of "sex change capital of the world" in the early 2000s.

But the doctor left, mines shut down and businesses closed, leaving the town searching for a new identity. So the city turned to marijuana, hoping to fill the economic void.

 CannaCo customers can smell and magnify strains of

**CannaCo customers can smell and magnify strains of marijuana.**

Compared with 30,000 in its prime, 8,200 residents live here now. But Mattie and others hope weed dispensaries, grow facilities and a high-scale commercial chocolate edibles company can be a shot in the arm.

"I expect that the sale of medical and recreational marijuana in the city of Trinidad is transitional," Mattie says. "That it gets us over this abyss of

nothingness."

The town is in many ways an experiment that other cities across America are watching. They're only starting to see the good, the bad and the uncertainty that comes with a small town green-lighting weed.

## Rolling in the revenue

 Residents hope this quiet Main Street will bustle once again.  
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## Residents hope this quiet Main Street will bustle once again.

The town waded slowly into the controversial legal marijuana industry, waiting and only allowing medical marijuana business first.

"It's like tipping your toe in the water, testing the water," Mattie says. "And we said, 'Alright, this is not the big problem we maybe thought it could be.'"

In November 2014 the first recreational retail pot shop opened in Trinidad. Then, the money started flowing beyond expectations.

 City Manager Gabe Engeland says pot money is

City Manager Gabe Engeland says pot money is being reinvested.

The \$800,000 in tax revenue from marijuana sales in one year makes up just about 10% of the town's general fund, City Manager Gabe Engeland says. Mattie says they anticipated about \$200,000.

And so began the transformation of the town. With the marijuana tax money, the city spent \$70,000 on a new fire engine, a pumper truck. Some of the money has allowed the city to expedite replacing

old water pipes.

"About 60% of our water pipes were installed between 1890 and 1950," Engeland says. "They're edging towards catastrophic failure."

The city bought several rundown buildings in the heart of town with plans to convert them into live-work lofts and galleries, to attract artists and craftspeople to Trinidad.

It's money that's making a difference for this struggling town and a trend being seen across the state.

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Nearly \$50 million in marijuana taxes will go toward new school construction projects. Colorado reported nearly \$1 billion in legal marijuana sales for 2015, a 40% jump from 2014. Sales, so far, in 2016 are already outpacing last year's record-setting revenues.

Women cash in on the marijuana boom

## Toke of the town: The good and bad



CannaCo owner Josh Bleem says tourists are predominantly his customer base.

**CannaCo owner Josh Bleem says tourists are predominantly his customer base.**

At CannaCo, one of eight pot dispensaries in Trinidad, a slow stream of customers rolls into the parking lot on a Monday afternoon, many with out-of-state license plates.

It's the first pot shop drivers encounter as they head north from New Mexico on Interstate 25.

"It's just kind of an ideal spot to capture the tourism coming into the state," General Manager Josh Bleem says, "We get a lot of folks from Texas, New Mexico, Oklahoma and Arizona. Probably 85% of our business is out-of-state coming in."

Bleem says his shop sees between 100 and 300 customers a day.

Pot products: What's new

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Michaels, owner of the La Quinta Inn and Suites, says she sees on any night "5 to 10% of rooms that are marijuana driven."

She's seen a jump in people over age 70 coming to Trinidad, in part, because of pot. While her rooms are smoke-free, she allows residents to light up outside. Other hotels have rooms blocked off for cannabis-consuming customers.



"It was so strange being so liberal, and being able to actually do it at the, you now, where we were staying last night," says Oklahoma resident JoAnn Jackson. She's thinking of relocating to Trinidad because she can use legalized marijuana for neck and back pain.

While many tourists are embraced here, not everyone sees the extra people and pot-cash infusion as a good thing.

"I personally can't find a positive," says Carolyn Dillow. She and her husband own a Big-O tires franchise in town.

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**Related Video:** New app is like Facebook for pot lovers 02:39

Dillow points to a man holding a sign near their property and blames pot for an increased number of panhandlers. There is the start of a makeshift campsite near the CannaCo dispensary, she says.

The city manager says more people have needed social services, but he can't say how much is attributed to marijuana business.

"I don't think families who want to raise children are attracted to the community," Dillow says. "I have personally seen and experienced a lot of increase in homeless people and also in crime and violence in this community as a result of the marijuana coming in, or at least that's my feelings."

Trinidad crime statistics from 2014 to 2015 show no significant increase in major crimes. In fact, the number of burglaries decreased. Drug manufacture and possession arrests were slightly up. Marijuana-related crime reports went down. DUI citations were significantly lower, dropping from 59 in 2014 to 29 in 2015.

Colorado State Patrol shows a decrease in total DUI's year-to-year statewide. But the percentage of DUI's specifically involving marijuana increased about 20%. Officials caution it may be too soon to draw conclusions since they never kept track of marijuana-specific stats before the drug was legalized.

Mattie, who worked as a state patrol officer for 28 years, remains conflicted.

"The idea of marijuana as a benefit, it just flew in the face of everything I was ever about," he says. "(But) you can't learn anything with a closed mind."

The economic boost from the pot industry has been undeniable, but city leaders wonder about its sustainability as more states legalize marijuana.

"Trinidad, the sad part of its history is the boom and bust. We create bubbles and when the good times are good, they're great. But then there's long periods of -- how do we recover?" Engeland says.

Twenty-four states have legalized medical marijuana. Four states and the District of Columbia have approved recreational use and sale of the still federally illicit drug. Several more states could see marijuana legalization measures on the November ballot.


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"As surrounding states now embrace the idea of embracing marijuana, the novelty of Colorado selling legal marijuana is going to dissipate," Mattie says. "In a short while, there's not going to be as much money to be made."

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## Bold chocolate dreams

 Lauren Gockley is hoping to bring a new, refined taste to edibles.

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Lauren Gockley is hoping to bring a new, refined taste to edibles.

Mattie's biggest fear is one company's biggest hope.

Tucked inside a 30,000 square foot warehouse is Trinidad's first marijuana edibles manufacturing company. CODA Signature's commercial kitchen smells like a miniature Willy Wonka-esque factory.

A dozen employees carefully craft tray after tray of eye-catching cannabis-infused chocolate truffles. Mark Grindeland, co-founder and CEO, hopes to distribute them nationwide one day.

"I think it's only a matter of time before those states come on," Grindeland says. "The genie is out of the bottle."





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One of CODA Signature's products is cannabis-infused "hot chocolate on a stick".

CODA's chocolatiers concoct unique flavor combinations, like Juniper Lemon, Passion Fruit Szechuan, Burnt Caramel and Tiramisu — in hopes of bringing something gourmet to the marijuana industry.

Marijuana for foodies

CODA's head chocolatier Lauren Gockley moved from New York, where she ran the dessert section at Thomas Keller's famous restaurant Per Se. Grindeland beams with pride noting Gockley was named one of the top chocolatiers in North America in 2011.

"I saw an opportunity to do what I love and saw an opening in an industry that really hadn't seen the type of products that I make," Gockley explains, her eyes welling with tears when talking about her decision.

Gockley and Grindeland believe a huge growth opportunity lies ahead.



**Related Video:** Legal pot making Colorado business owners millionaires  
02:28

"People have asked me, if they used a metaphor like a baseball game, 'What inning are we in?' And I would say we haven't even started the game. We're warming up right now," says Grindeland.

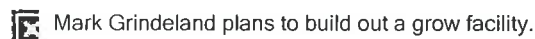
Decriminalizing marijuana on a federal level would open the door to interstate commerce for his company.

Grindeland, an experienced entrepreneur who successfully launched three previous startups, hesitates before answering questions about financial projections.

"Within five years we'll be north of \$100 million in revenue," he says.

If that happens, Trinidad also stands to benefit.

CODA has 13 employees. Grindeland expects to hire nearly 30 more this year when he adds a grow operation and THC oil extraction component to the business.



**Mark Grindeland plans to build out a grow facility.**

The thought of more jobs, more tax revenue, and more investment trickling down to the town makes Mattie cautiously optimistic about Trinidad's future. But he stops short of suggesting the marijuana industry is some kind of savior.

"Save is a strong word. Help is a better word," Mattie says. "But whenever I have an opportunity to talk about my hometown, and what I want it to be, and what I remember it to be, and what I'm hoping it will be, I get very energized. I get very enthused."

"And if marijuana is the tool that helps us do that, so be it. But I don't see it to be the big monster that first we feared."

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CNN's Jeffrey Acevedo contributed to this report.



How 'Puff The Magic Dragon' came to be



Conor McGregor: Has UFC's biggest name retired at the age of 27?



'Saturday Night Live' heroin sketch sparks outrage



Presidential parenting: Does parenting style tell us about a candidate?



# THE LEGALIZATION OF MARIJUANA IN COLORADO *THE IMPACT*

**Volume 3**  
**Preview 2015**



Rocky Mountain High Intensity  
Drug Trafficking Area

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# Introduction

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## Purpose

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In August 2014, Rocky Mountain HIDTA published *The Legalization of Marijuana in Colorado: The Impact Volume 2*. The purpose of that report was to document the impact of Colorado legalizing marijuana for medical and recreational use. This dramatic change in drug policy provides an opportunity to gather and examine factual data on the results of marijuana legalization. The report allows citizens and policymakers to make an informed decision on this important issue.

Rocky Mountain HIDTA intends to publish *Volume 3* in late summer of 2015. However, based on numerous inquiries from community leaders, government officials, drug policy experts, media and citizens Rocky Mountain HIDTA elected to publish a preview of the most updated data available. This information will be included in *Volume 3*.

## Preface

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*Volume 3 Preview 2015* will be formatted using the same ten sections used in *Volume 2*. It is important to note that, for purposes of the debate on legalizing marijuana in Colorado, there are three distinct timeframes to consider. Those are: The early medical marijuana era (2000 – 2008), the medical marijuana commercialization era (2009 – current) and the recreational marijuana era (2013 – current).

- **2000 – 2008:** In November 2000, Colorado voters passed Amendment 20 which permitted a qualifying patient and/or caregiver of a patient to possess up to 2 ounces of marijuana and grow 6 marijuana plants for medical purposes. During that time there were between 1,000 and 4,800 medical marijuana cardholders and no known dispensaries operating in the state.
- **2009 – Current:** Beginning in 2009 due to a number of events, marijuana became *de facto* legalized through the commercialization of the medical marijuana industry. By the end of 2012, there were over 100,000 medical marijuana

cardholders and 500 licensed dispensaries operating in Colorado. There were also licensed cultivation operations and edible manufacturers.

- **2013 – Current:** In November 2012, Colorado voters passed Constitutional Amendment 64 which legalized marijuana for recreational purposes for anyone over the age of 21. The amendment also allowed for licensed marijuana retail stores, cultivation operations and edible manufacturers.

# SECTION 1: Impaired Driving

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## Definitions

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**DUID:** Driving Under the Influence of Drugs (DUID) which can include alcohol in combination with drugs. This is an important measurement since the driver's ability to operate a vehicle was sufficiently impaired that it brought his or her driving to the attention of law enforcement. Not only the erratic driving but the subsequent evidence that the subject was under the influence of marijuana confirms the causation factor. Traffic fatalities related to marijuana will be addressed in *Volume 3*. The 2014 toxicology results are still being compiled.

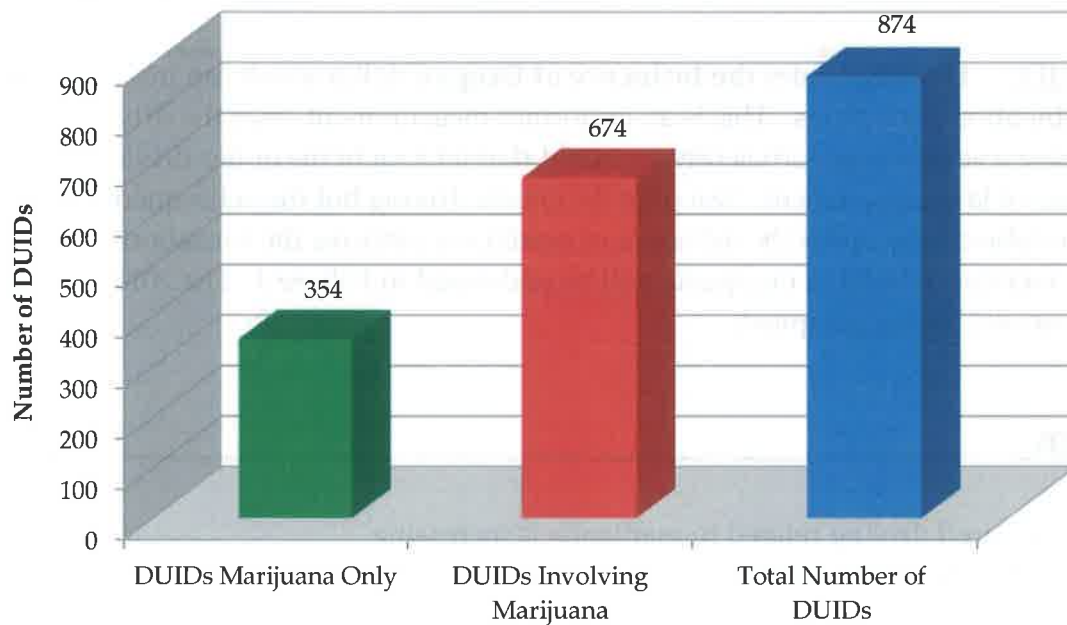
## Findings

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- Impaired driving related to marijuana is increasing.
- Statewide data is limited.

## Data

### Colorado State Patrol Number of DUIDs, 2014

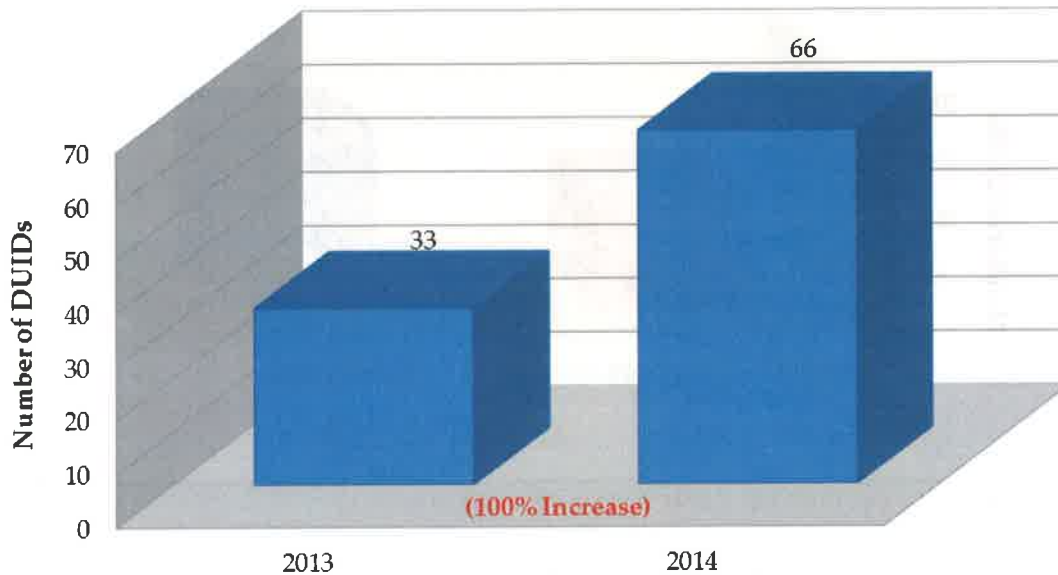


**"MARIJUANA CITATIONS DEFINED AS ANY CITATION WHERE CONTACT WAS CITED FOR DRIVING UNDER THE INFLUENCE (DUI) OR DRIVING WHILE ABILITY IMPAIRED (DWAI) AND MARIJUANA INFORMATION WAS FILLED OUT ON TRAFFIC STOP FORM INDICATING MARIJUANA & ALCOHOL, MARIJUANA & OTHER CONTROLLED SUBSTANCES, OR MARIJUANA ONLY PRESENT BASED ON OFFICER OPINION ONLY (NO TOXICOLOGICAL CONFIRMATION)." - COLORADO STATE PATROL**

**NOTE: 77 PERCENT OF TOTAL DUIDs INVOLVED MARIJUANA  
41 PERCENT OF TOTAL DUIDs INVOLVED MARIJUANA ONLY**

**SOURCE: Colorado State Patrol, CSP Citations for Drug Impairment by Drug Type**

## Denver Police Department Number of DUIDs Involving Marijuana

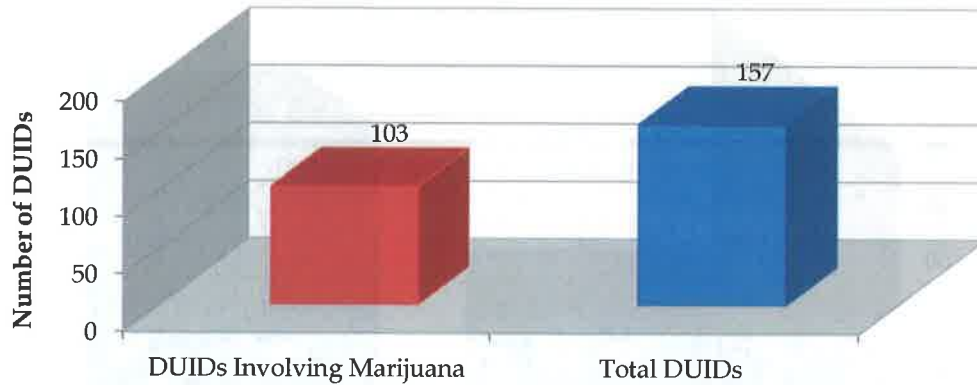


**NOTE:** THE NUMBER OF DUID ARRESTS IS NOT REFLECTIVE OF THE TOTAL NUMBER OF PEOPLE ARRESTED FOR DRIVING UNDER THE INFLUENCE WHO ARE INTOXICATED ON NON-ALCOHOL SUBSTANCES. IF SOMEONE IS DRIVING BOTH INTOXICATED ON ALCOHOL AND INTOXICATED ON ANY OTHER DRUG (INCLUDING MARIJUANA), ALCOHOL IS ALMOST ALWAYS THE ONLY INTOXICANT TESTED FOR. A DRIVER WHO TESTS OVER THE LEGAL LIMIT FOR ALCOHOL WILL BE CHARGED WITH DUI, EVEN IF HE OR SHE IS POSITIVE FOR OTHER DRUGS. HOWEVER, WHETHER OR NOT HE OR SHE IS POSITIVE FOR OTHER DRUGS WILL REMAIN UNKNOWN BECAUSE OTHER DRUGS ARE NOT OFTEN TESTED FOR.

\*THE NUMBER OF DUID ARRESTS IN WHICH MARIJUANA WAS MENTIONED REFLECTS ANY DUID ARREST WHERE POSSIBLE MARIJUANA INTOXICATION IS MENTIONED BY THE OFFICER IN THE REPORT AND IS NOT NECESSARILY INDICATIVE OF LEGAL INTOXICATION.

**SOURCE:** Denver Police Department, Traffic Investigations Bureau via Data Analysis Unit

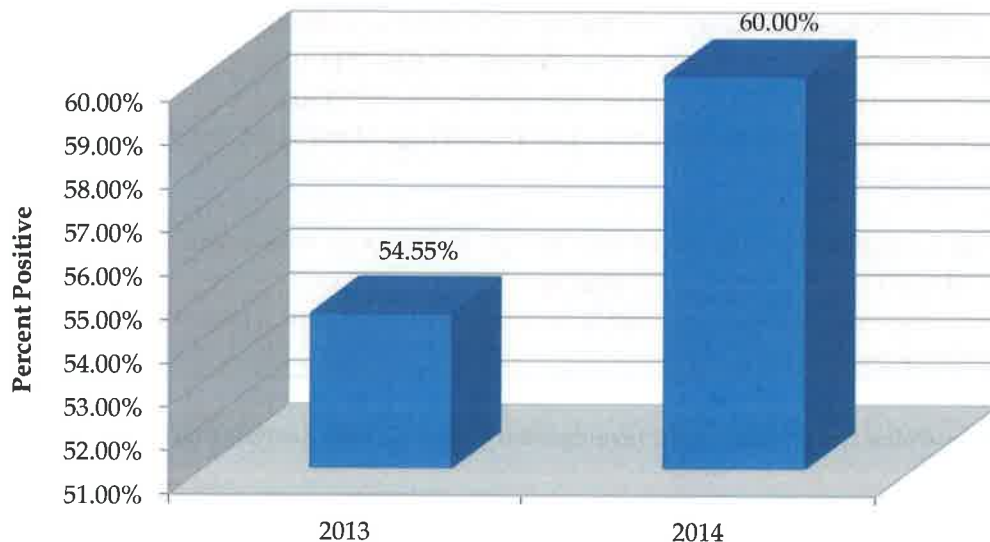
## Aurora Police Department Number of DUIDs, 2014



**NOTE: 66 PERCENT OF TOTAL DUIDs INVOLVED MARIJUANA**

SOURCE: Aurora Police Department, Traffic Division

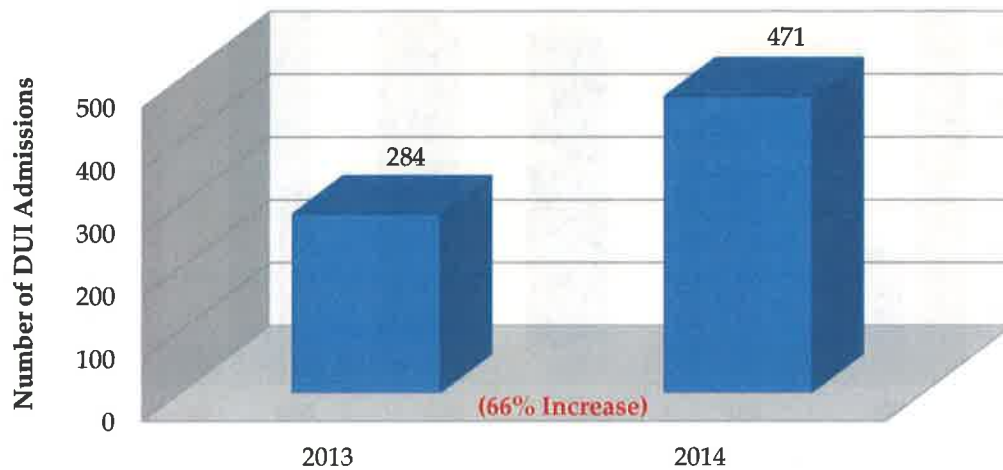
## Larimer County Sheriff's Office Percent of DUIDs Involving Marijuana



**NOTE: PERCENT OF ALL DUID BLOOD SAMPLES SUBMITTED FOR DRUG TESTING.**

SOURCE: Larimer County Sheriff's Office, Records Unit

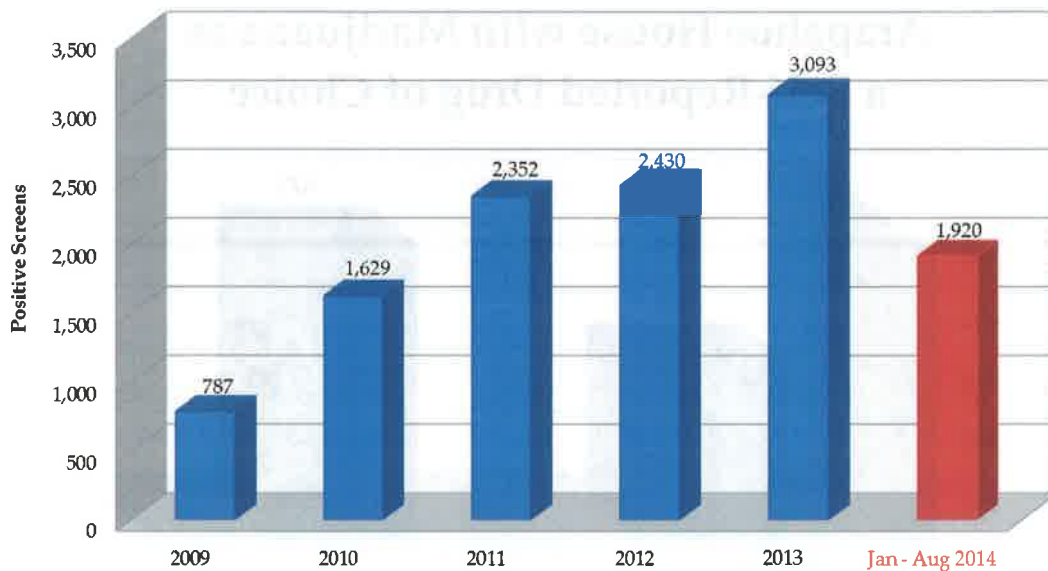
## Number of DUI Admissions to Arapahoe House with Marijuana as a Self-Reported Drug of Choice



SOURCE: Arapahoe House, Public Communications Office

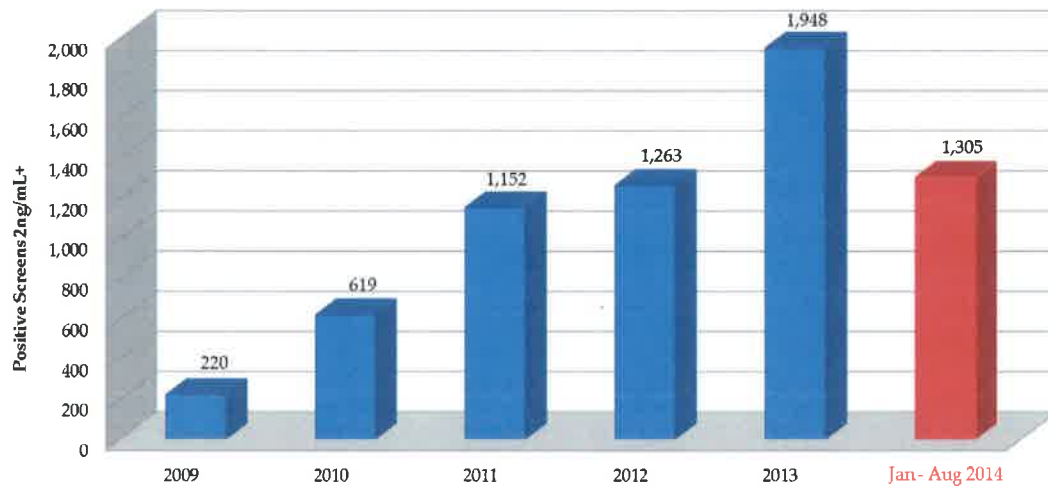


### Cannabinoid Screens Positive for THC



SOURCE: ChemaTox Laboratory, Inc.

### Positive THC 2ng/mL or Higher (Percent of Positive Screens with THC Confirmed)



SOURCE: ChemaTox Laboratory, Inc.

**NOTE:** THE ABOVE GRAPHS INCLUDE DATA FROM CHEMATOX LABORATORY WHICH WAS MERGED WITH DATA SUPPLIED BY COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT - TOXICOLOGY LABORATORY. THE VAST MAJORITY OF THE SCREENS ARE DUID SUBMISSIONS FROM COLORADO LAW ENFORCEMENT.

## SECTION 2: Youth Marijuana Use

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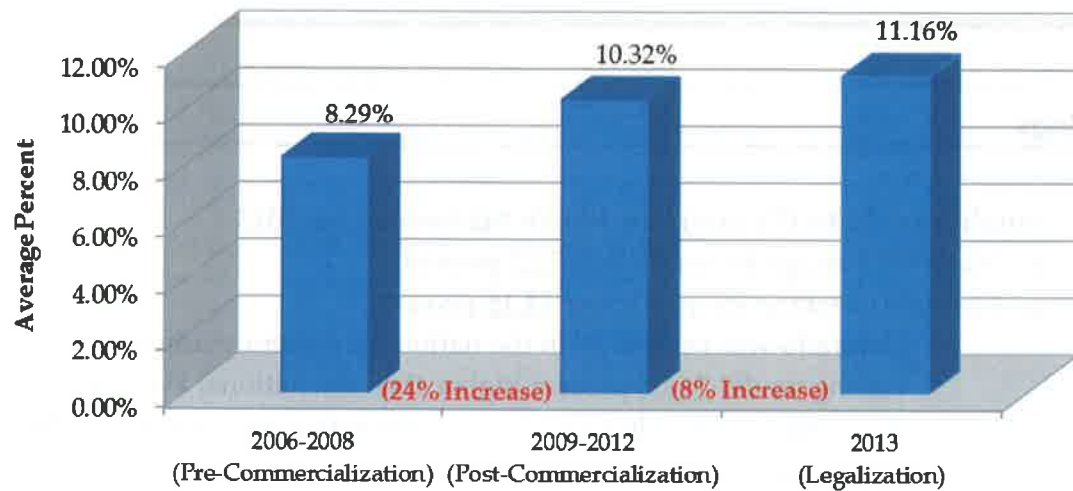
### Findings

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- Youth (ages 12 to 17 years) Past Month Marijuana Use, 2013
  - National average for youth was 7.15 percent
  - Colorado average for youth was 11.16 percent
    - Colorado was ranked 3<sup>rd</sup> in the nation for current marijuana use among youth (56.08 percent higher than the national average)
      - In 2006, Colorado ranked 14<sup>th</sup> in the nation for current marijuana use among youth
- In just one year when Colorado legalized marijuana (2013), past month marijuana use among those ages 12 to 17 years increased 6.6 percent

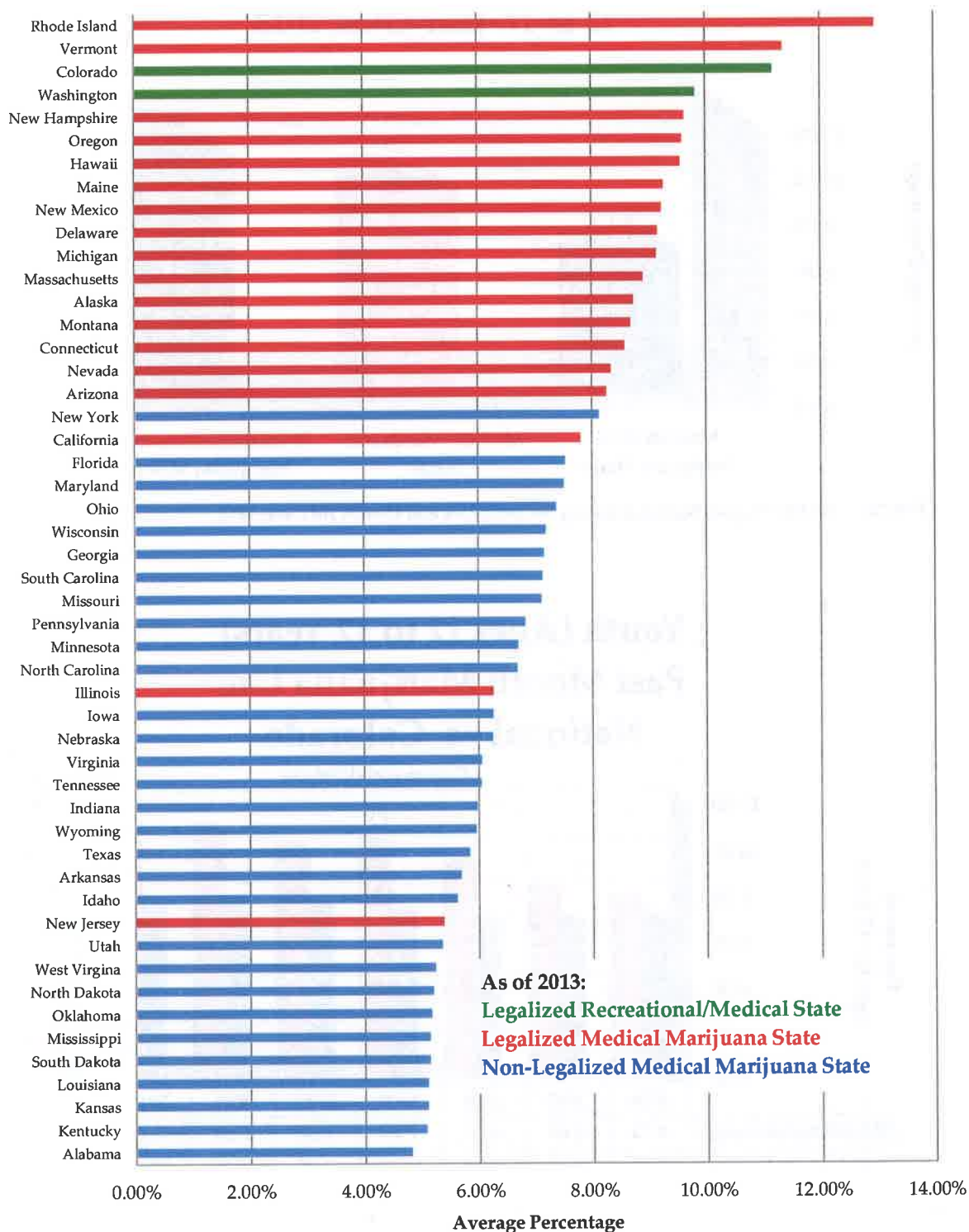
**Data**

## Average Past Month Use of Marijuana Ages 12 to 17 Years



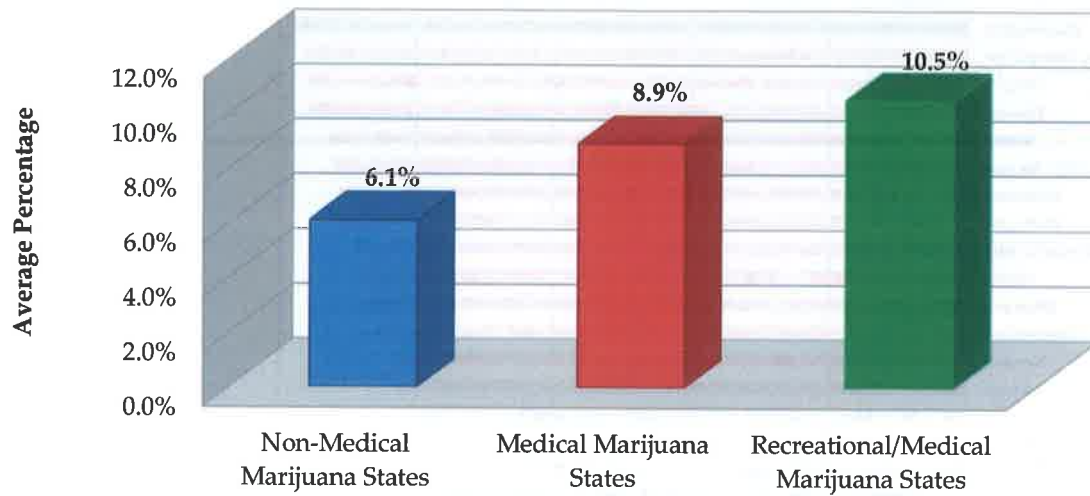
SOURCE: SAMHSA.gov, National Survey on Drug Use and Health 2012 and 2013

### Past Month Usage by 12 to 17-Year-Olds, 2013



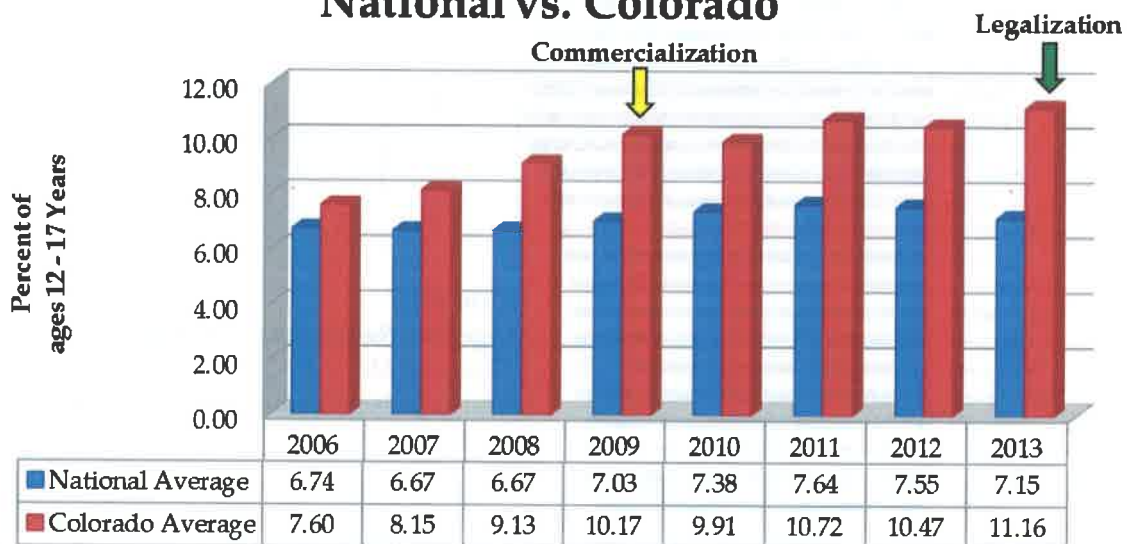
SOURCE: SAMHSA.gov, National Survey on Drug Use and Health 2012 and 2013

### Average Past Month Use by 12 to 17-Year-Olds, 2013



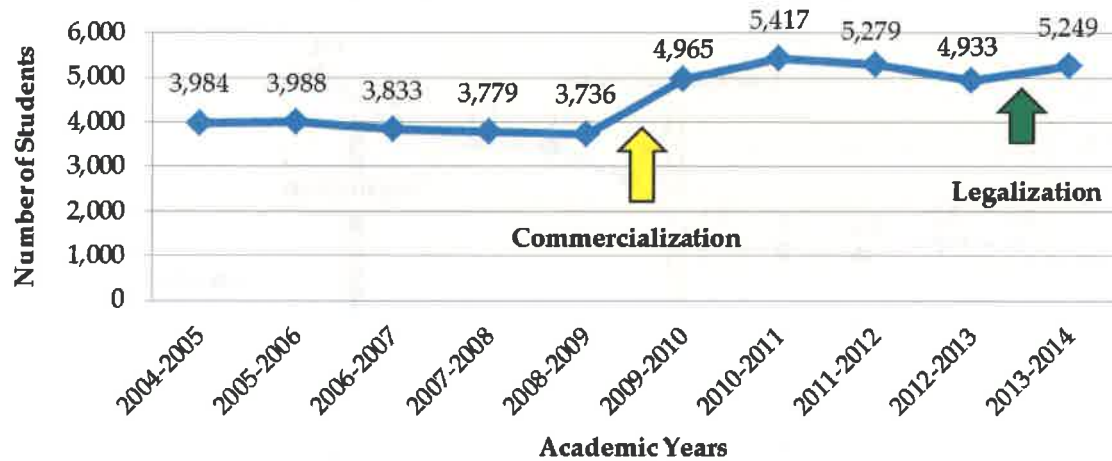
SOURCE: SAMHSA.gov, National Survey on Drug Use and Health 2012 and 2013

### Youth (Ages 12 to 17 Years) Past Month Marijuana Use National vs. Colorado



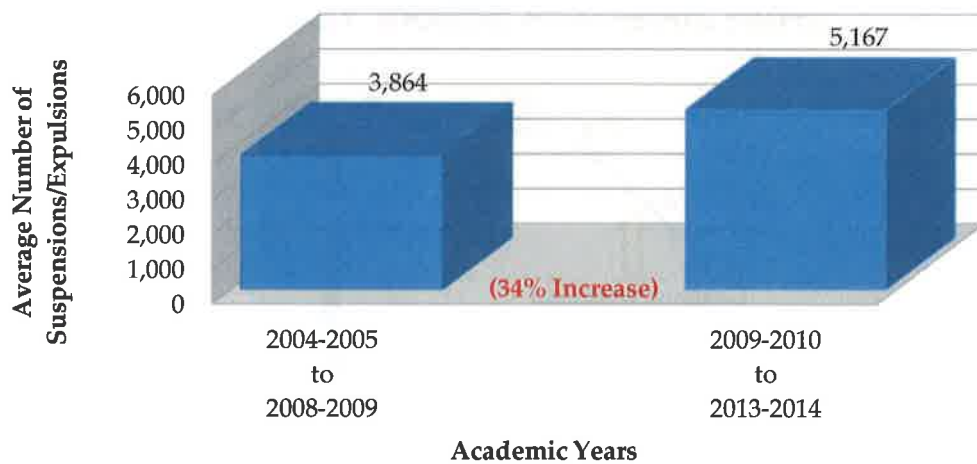
SOURCE: SAMHSA.gov, National Survey on Drug Use and Health, 2006-2013

## Drug-Related Suspensions/Expulsions



SOURCE: Colorado Department of Education, 10-Year Trend Data: State Suspension and Expulsion Incident Rates and Reasons

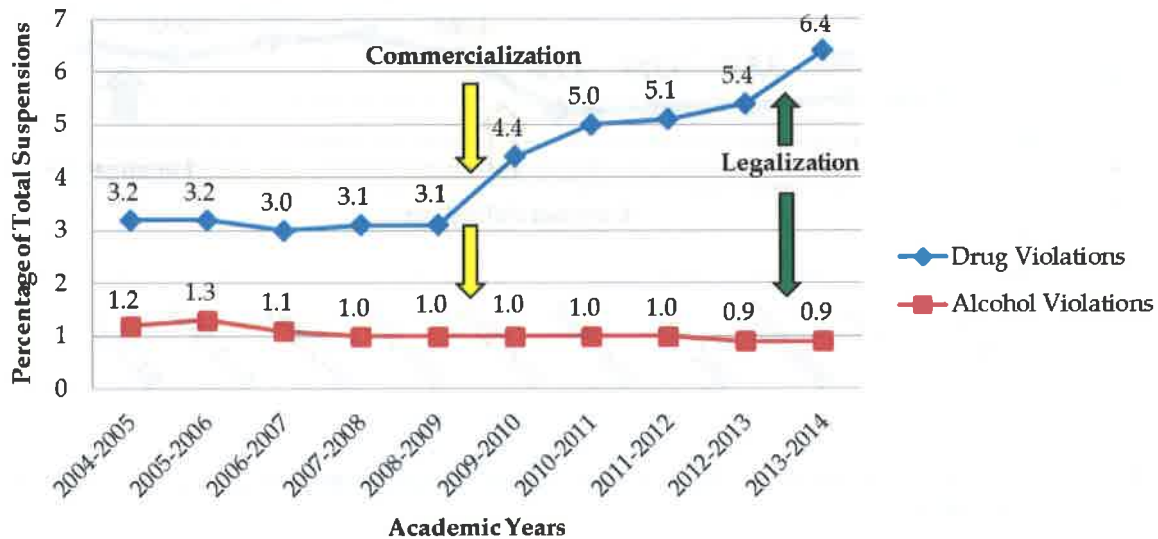
## Average Drug-Related Suspensions/Expulsions



SOURCE: Colorado Department of Education, 10-Year Trend Data: State Suspension and Expulsion Incident Rates and Reasons

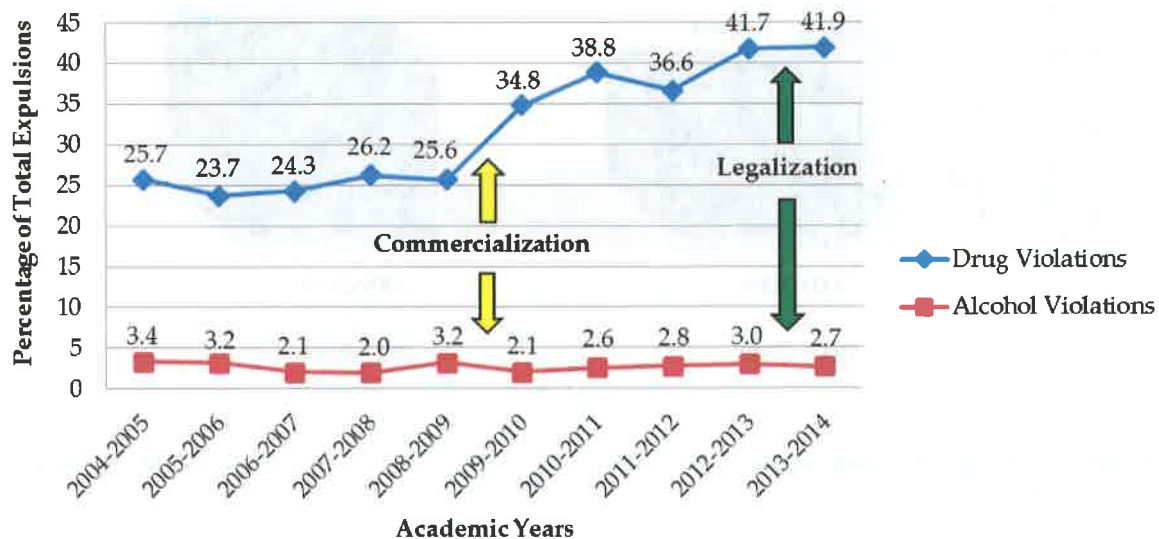


## Percentage of *Total Suspensions* in Colorado from 2004-2014 School Years



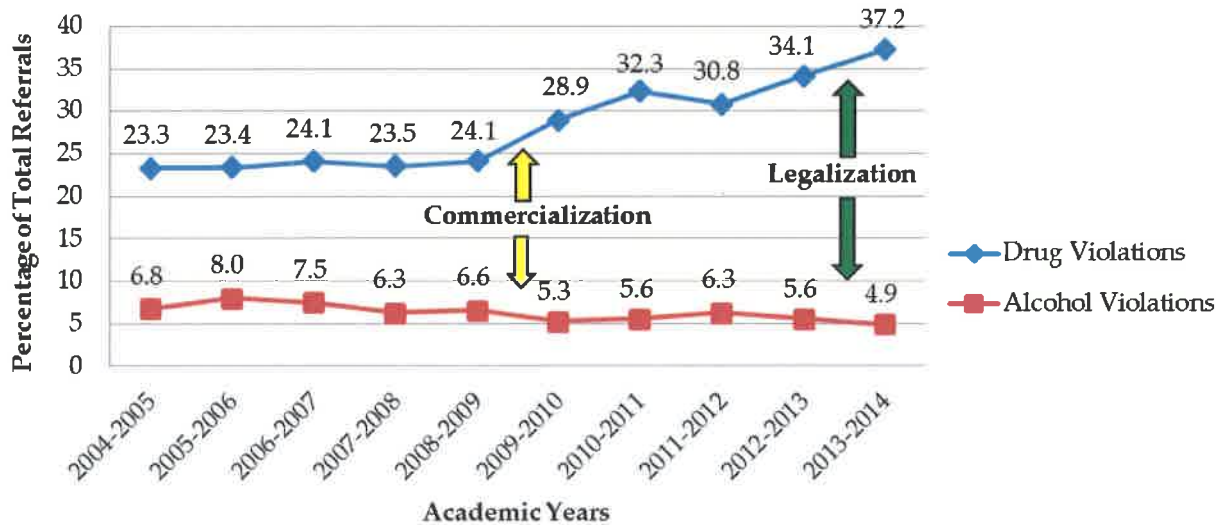
SOURCE: Colorado Department of Education, 10-Year Trend Data: State Suspension and Expulsion Incident Rates and Reasons

## Percentage of *Total Expulsions* in Colorado from 2004-2014 School Years



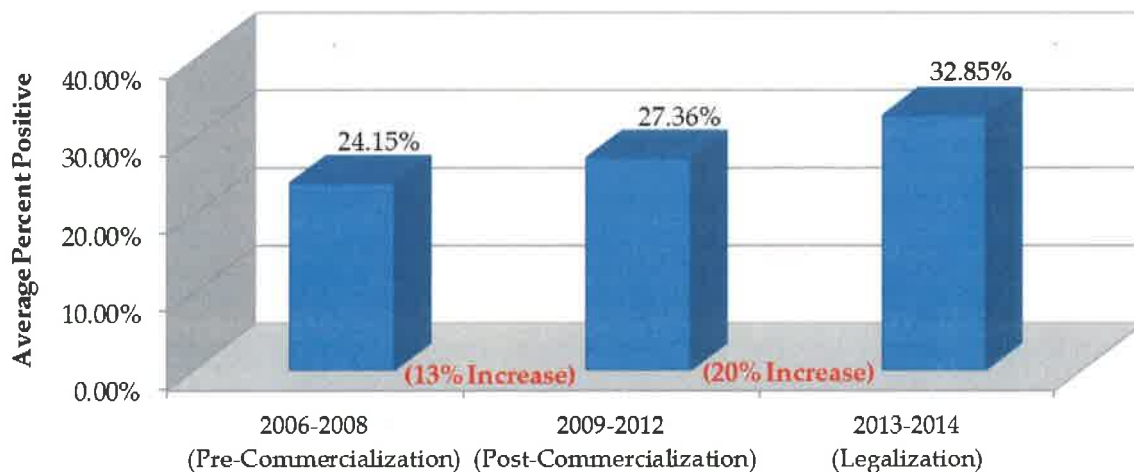
SOURCE: Colorado Department of Education, 10-Year Trend Data: State Suspension and Expulsion Incident Rates and Reasons

## Percentage of *Total Referrals to Law Enforcement* in Colorado from 2004-2014 School Years



SOURCE: Colorado Department of Education, 10-Year Trend Data: State Suspension and Expulsion Incident Rates and Reasons

## State of Colorado Probation Average Percent Positive THC Urinalyses Ages 12 to 17 Years



SOURCE: State of Colorado Judicial Branch, Division of Probation Services



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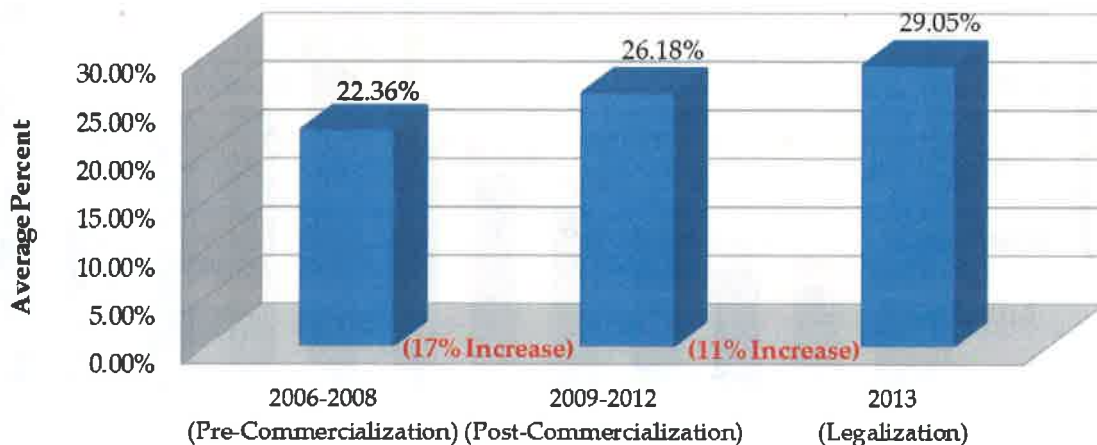
# SECTION 3: Adult Marijuana Use

## Findings (College Age)

- College Age Adults (ages 18 to 25 years) Current Marijuana Use 2013
  - National average – 18.91 percent
  - Colorado average – 29.05 percent
    - Colorado was ranked 2<sup>nd</sup> in the nation for current marijuana use among college-age adults (53.62 percent higher than the national average)
      - In 2006, Colorado was ranked 8<sup>th</sup> in the nation for current marijuana use among college-age adults
- In just one year when Colorado legalized marijuana (2013), past month marijuana use among college-age (18 to 25 years) use increased 8.4 percent

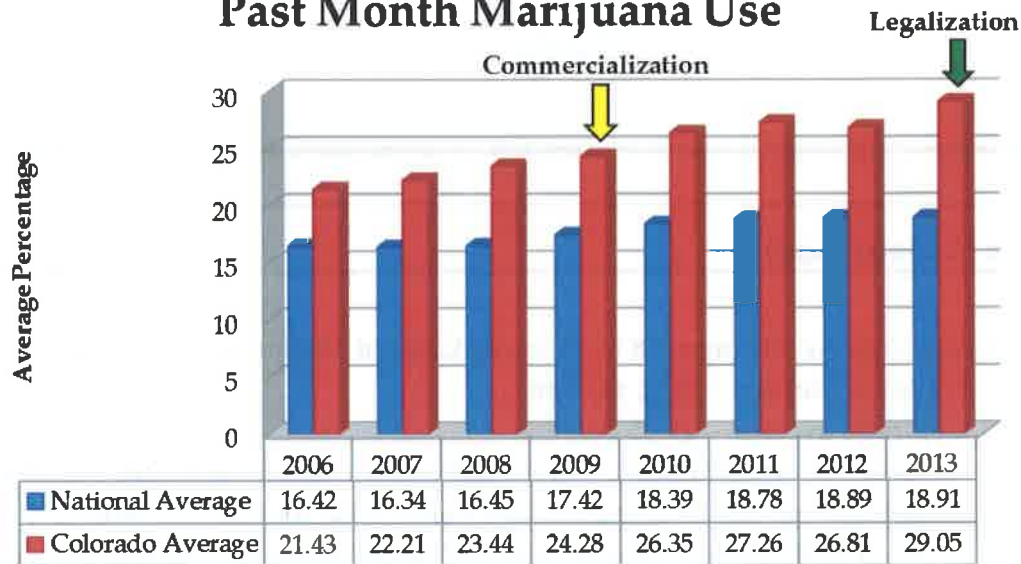
## Data

### Average Past Month Use of Marijuana College Age (18 to 25 Years-Old)



SOURCE: SAMHSA.gov, National Survey on Drug Use and Health, 2006–2013

## College Age (18 to 25 Years-Old) Past Month Marijuana Use



SOURCE: SAMHSA.gov, National Survey on Drug Use and Health, 2006 - 2013

## State of Colorado Probation Number of Positive THC Urinalyses Ages 18 to 25 Years



SOURCE: State of Colorado Judicial Branch, Division of Probation Services

## Findings (Adults)

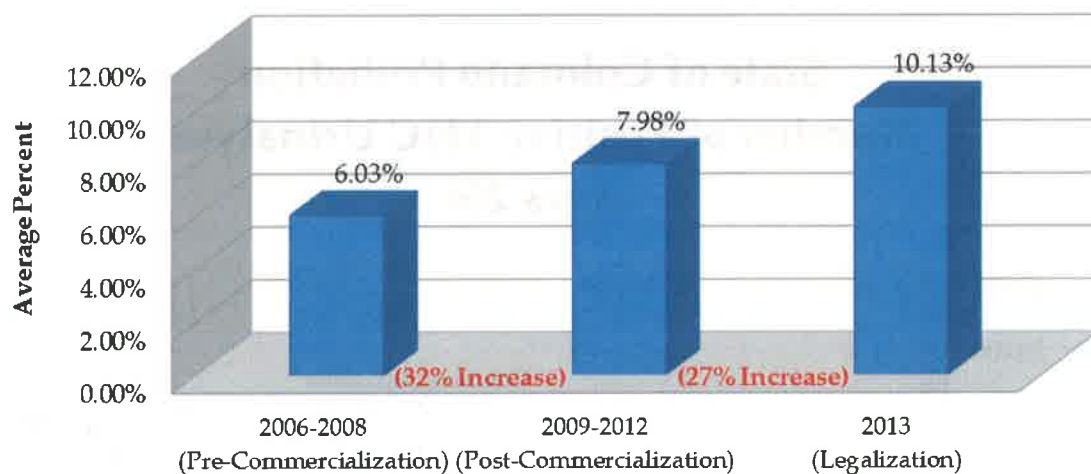
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- Adults (ages 26+ years) Current Marijuana Use 2013
  - National average – 5.45 percent
  - Colorado average = 10.13 percent
    - Colorado was ranked 5<sup>th</sup> in the nation for current marijuana use among adults (85.87 percent higher than the national average)
      - In 2006, Colorado was ranked 8<sup>th</sup> in the nation for current marijuana use among adults
- In just one year when Colorado legalized marijuana (2013), past month marijuana use among adults increased 32.8 percent

## Data

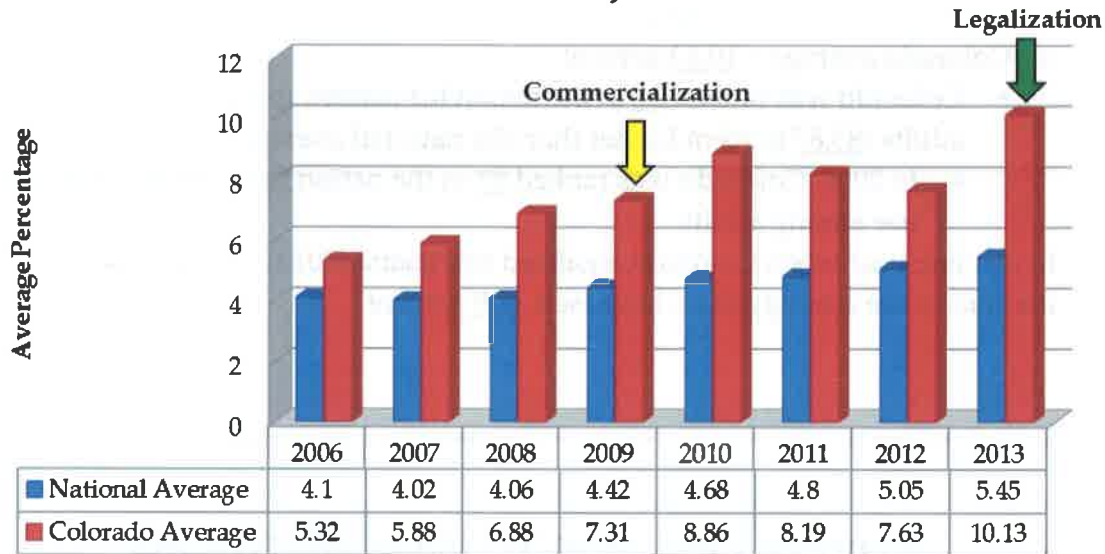
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### Average Past Month Use of Marijuana Adults (Age 26+)



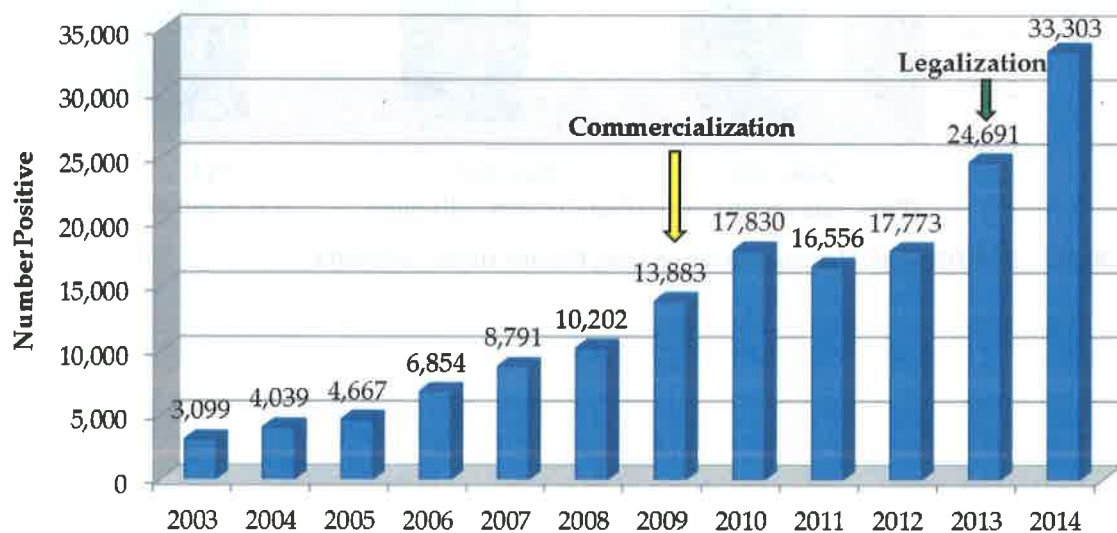
SOURCE: SAMHSA.gov, National Survey on Drug Use and Health, 2006-2013

## Adult (Age 26+) Past Month Marijuana Use



SOURCE: SAMHSA.gov, National Survey on Drug Use and Health, 2006-2013

## State of Colorado Probation Number of Positive THC Urinalyses Ages 26+



SOURCE: State of Colorado Judicial Branch, Division of Probation Services

## **SECTION 4: Emergency Room and Hospital Marijuana-Related Admissions**

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### **Findings**

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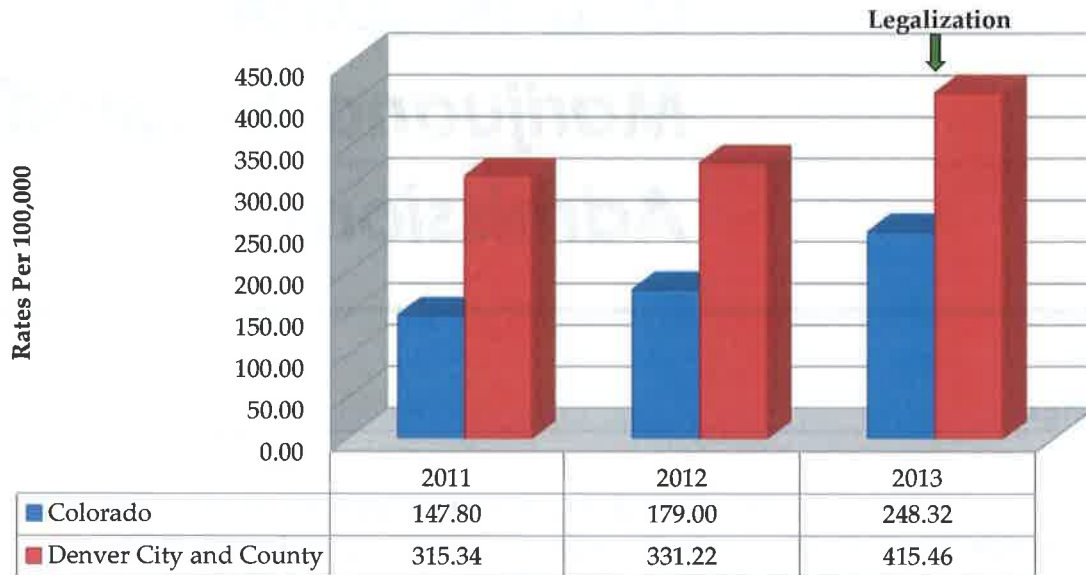
- There has been an upward trend of marijuana-related emergency room visits and hospitalizations since medical marijuana was commercialized in 2009.
- There has also been a significant increase in both categories in the first six months of 2014 when retail marijuana businesses began operating.

### **Data**

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**NOTE:** "MARIJUANA-RELATED" IS ALSO REFERRED TO AS "MARIJUANA MENTIONS." THIS MEANS THE DATA COULD BE OBTAINED FROM LAB TESTS, SELF-ADMITTED OR SOME OTHER FORM OF VALIDATION BY THE PHYSICIAN. THAT DOES NOT NECESSARILY IMPLY MARIJUANA WAS THE CAUSE OF THE EMERGENCY ADMISSION OR HOSPITALIZATION.

## Emergency Department Rates Per 100,000 Marijuana-Related, 2011-2013

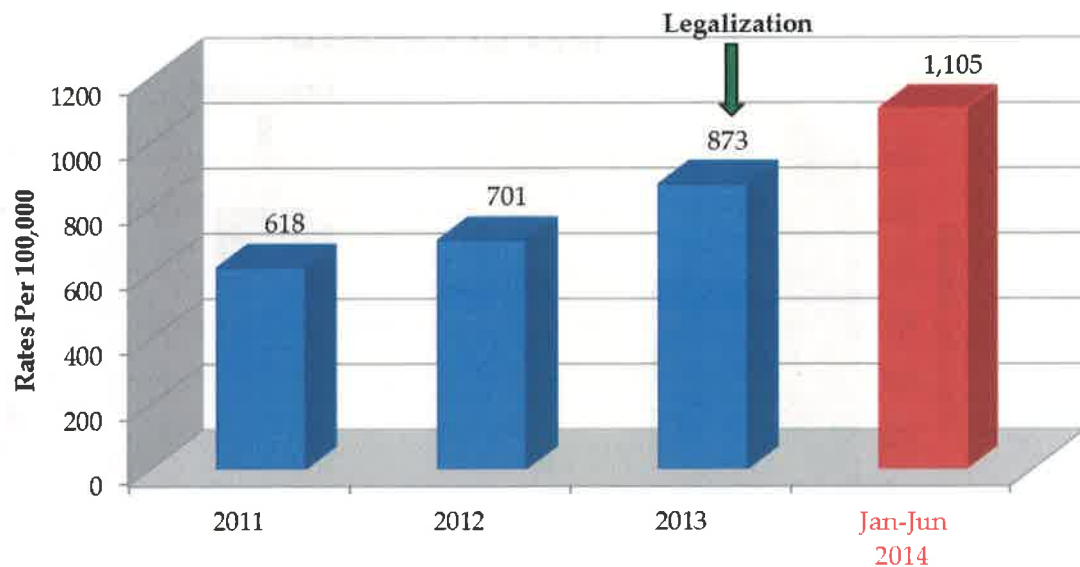


**NOTE: THE HIGHEST RATES FROM 2011-2013 WERE AMONG YOUNG ADULTS (18-25 YEARS).**

**SOURCE:** Denver Office of Drug Strategy, The Denver Drug Strategy Commission, *Proceedings of the Denver Epidemiology Work Group (DEWG)*, October 29, 2014



## Rates of Emergency Department (ED) Visits with Possible Marijuana Exposures, Diagnoses, or Billing Codes per 100,000 ED Visits by Year in Colorado



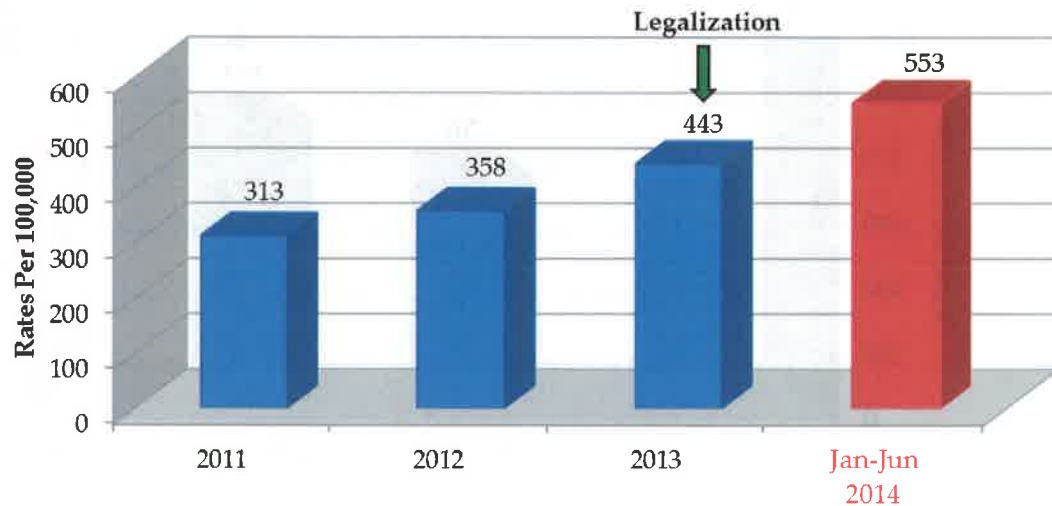
**"POSSIBLE MARIJUANA EXPOSURES, DIAGNOSES, OR BILLING CODES IN ANY OF LISTED DIAGNOSIS CODES: THESE DATA WERE CHOSEN TO REPRESENT THE HD AND ED VISITS WHERE MARIJUANA COULD BE A CAUSAL, CONTRIBUTING, OR COEXISTING FACTOR NOTED BY THE PHYSICIAN DURING THE HD OR ED VISIT. FOR THESE DATA, MARIJUANA USE IS NOT NECESSARILY RELATED TO THE UNDERLYING REASON FOR THE HD OR ED VISIT. SOMETIMES THESE DATA ARE REFERRED TO AS HD OR ED VISITS WITH ANY MENTION OF MARIJUANA." - COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, MONITORING HEALTH CONCERNS RELATED TO MARIJUANA IN COLORADO: 2014**

**NOTE: DATA NOT AVAILABLE PRE-2011.**

**SOURCE:** Colorado Department of Public Health and Environment, *Monitoring Health Concerns Related to Marijuana in Colorado: 2014*



## Rates of Emergency Department (ED) Visits with Possible Marijuana Exposures, Diagnoses, or Billing Codes in the *First Three* *Diagnosis Codes* per 100,000 ED Visits by Year in Colorado

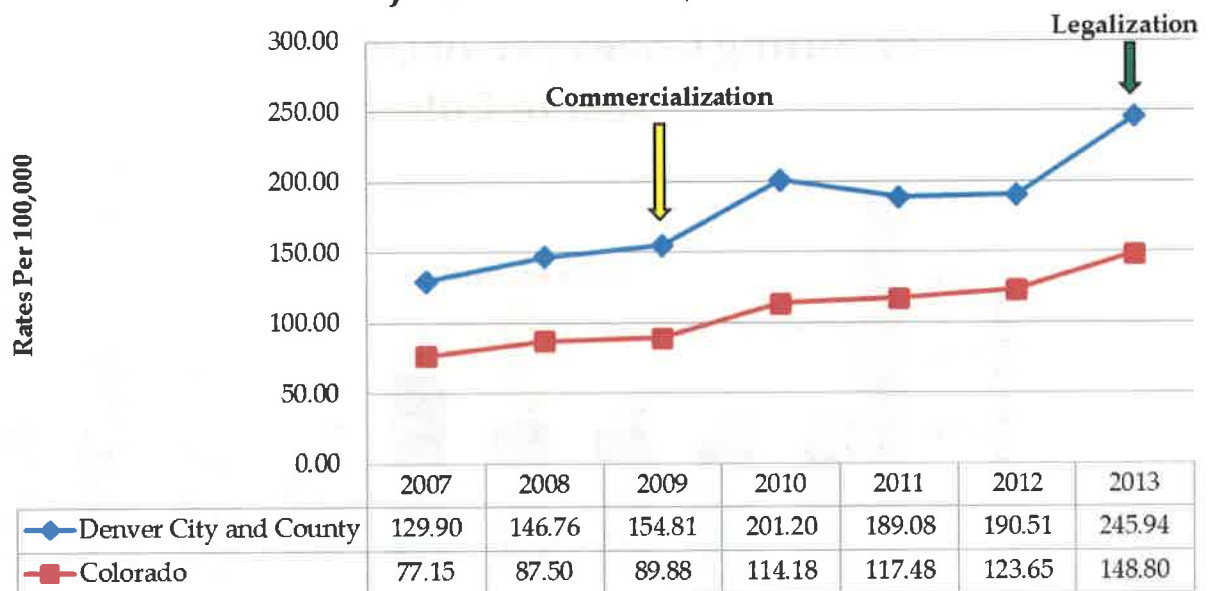


**"POSSIBLE MARIJUANA EXPOSURES, DIAGNOSES, OR BILLING CODES IN THE FIRST THREE DIAGNOSIS CODES: THESE DATA WERE CHOSEN TO REPRESENT THE HD AND ED VISITS WHERE MARIJUANA USE WAS LIKELY A CAUSAL OR STRONG CONTRIBUTING FACTOR TO THE UNDERLYING REASON FOR THE HD AND ED VISIT. THESE DATA CONSISTED OF HD AND ED VISITS CODED WITH DISCHARGE CODES RELATED TO POISONING BY PSYCHODYSLEPTICS OR SEPARATE CODES RELATED TO CANNABIS ABUSE IN THE FIRST THREE DIAGNOSIS CODES WHICH ARE MORE LIKELY TO BE CLINICALLY SIGNIFICANT CODES." - COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, MONITORING HEALTH CONCERNS RELATED TO MARIJUANA IN COLORADO: 2014**

**NOTE: DATA NOT AVAILABLE PRE-2011.**

**SOURCE:** Colorado Department of Public Health and Environment, *Monitoring Health Concerns Related to Marijuana in Colorado: 2014*

## Hospital Discharge Rates Per 100,000 Marijuana-Related, 2007-2013

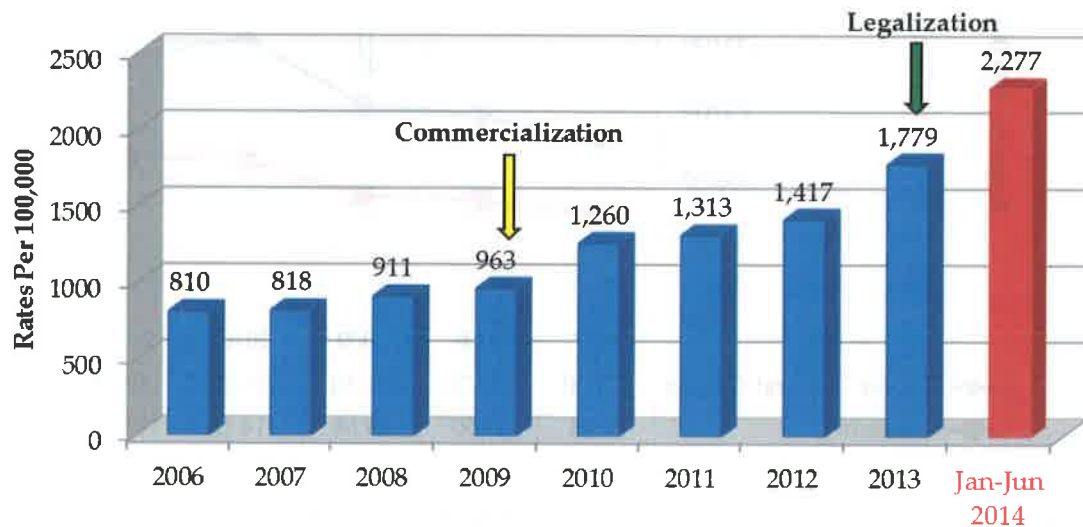


**NOTE:** THE HIGHEST RATES FROM 2011-2013 WERE AMONG YOUNG ADULTS (18-25 YEARS).

**SOURCE:** Denver Office of Drug Strategy, The Denver Drug Strategy Commission, *Proceedings of the Denver Epidemiology Work Group (DEWG)*, October 29, 2014

**NOTE:** HOSPITAL DISCHARGE DATA REPRESENTS AN INDIVIDUAL'S INPATIENT STAY AT A HOSPITAL REQUIRING, AT MINIMUM, AN OVERNIGHT STAY, AND IS IN REFERENCE TO WHEN THE PATIENT LEAVES THE HOSPITAL. A CODE IS ASSIGNED AS TO WHY THE PATIENT WAS IN THE HOSPITAL, CALLED THE ICD-9 CODE, WHICH IS USED FOR BOTH THE PATIENT'S MEDICAL RECORD AND FOR BILLING PURPOSES.

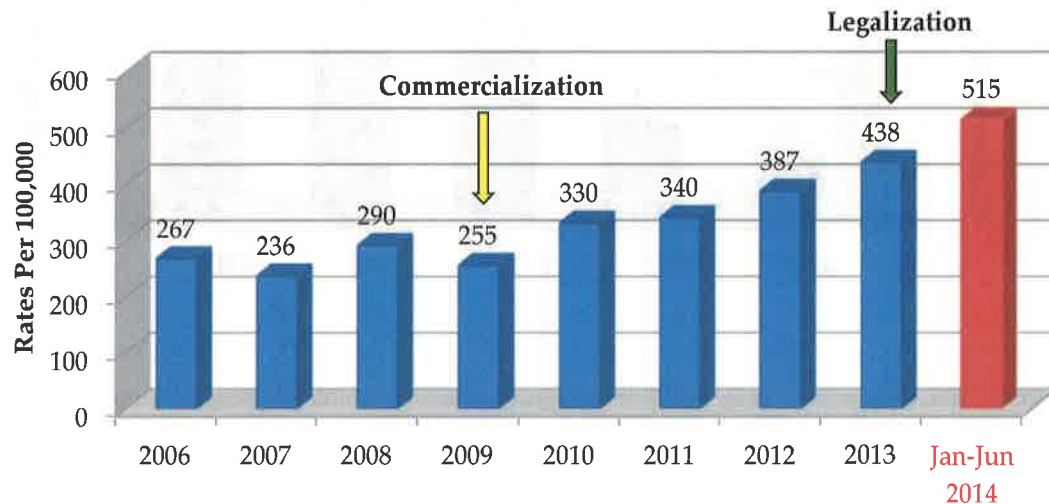
## Rates of Hospitalization (HD) Visits with Possible Marijuana Exposures, Diagnoses, or Billing Codes per 100,000 HD Visits by Year in Colorado



"POSSIBLE MARIJUANA EXPOSURES, DIAGNOSES, OR BILLING CODES IN ANY OF LISTED DIAGNOSIS CODES: THESE DATA WERE CHOSEN TO REPRESENT THE HD AND ED VISITS WHERE MARIJUANA COULD BE A CAUSAL, CONTRIBUTING, OR COEXISTING FACTOR NOTED BY THE PHYSICIAN DURING THE HD OR ED VISIT. FOR THESE DATA, MARIJUANA USE IS NOT NECESSARILY RELATED TO THE UNDERLYING REASON FOR THE HD OR ED VISIT. SOMETIMES THESE DATA ARE REFERRED TO AS HD OR ED VISITS 'WITH ANY MENTION OF MARIJUANA.'" - COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, MONITORING HEALTH CONCERNS RELATED TO MARIJUANA IN COLORADO; 2014

SOURCE: Colorado Department of Public Health and Environment, *Monitoring Health Concerns Related to Marijuana in Colorado: 2014*

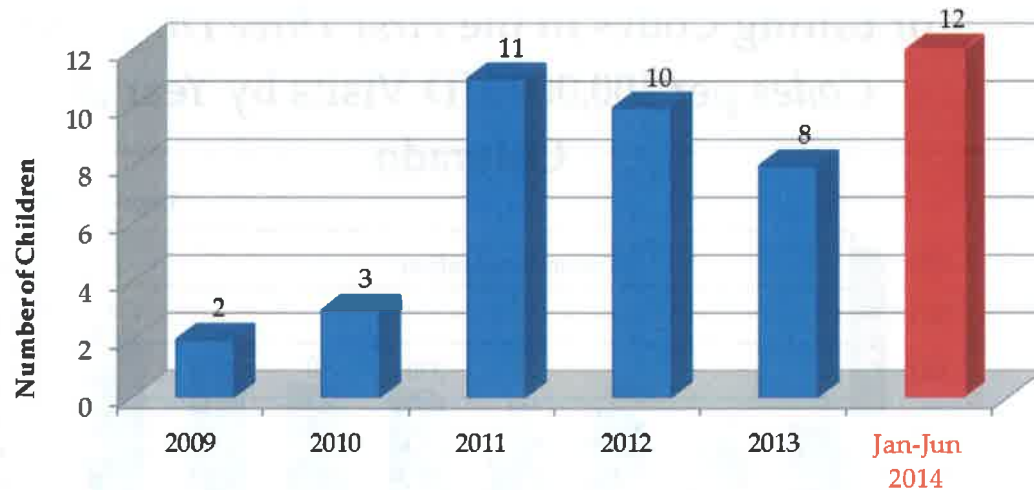
## Rates of Hospitalization (HD) Visits with Possible Marijuana Exposures, Diagnoses, or Billing Codes in the *First Three Diagnosis Codes* per 100,000 HD Visits by Year in Colorado



**"POSSIBLE MARIJUANA EXPOSURES, DIAGNOSES, OR BILLING CODES IN THE FIRST THREE DIAGNOSIS CODES: THESE DATA WERE CHOSEN TO REPRESENT THE HD AND ED VISITS WHERE MARIJUANA USE WAS LIKELY A CAUSAL OR STRONG CONTRIBUTING FACTOR TO THE UNDERLYING REASON FOR THE HD AND ED VISIT. THESE DATA CONSISTED OF HD AND ED VISITS CODED WITH DISCHARGE CODES RELATED TO POISONING BY PSYCHODYSLEPTICS OR SEPARATE CODES RELATED TO CANNABIS ABUSE IN THE FIRST THREE DIAGNOSIS CODES WHICH ARE MORE LIKELY TO BE CLINICALLY SIGNIFICANT CODES." - COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, MONITORING HEALTH CONCERNS RELATED TO MARIJUANA IN COLORADO: 2014**

**SOURCE:** Colorado Department of Public Health and Environment, *Monitoring Health Concerns Related to Marijuana in Colorado: 2014*

## Marijuana Ingestion Among Children Under 12 Years-of-Age



SOURCE: Dr. George Sam Wang, pediatric emergency physician, Children's Hospital Colorado, July 8, 2014

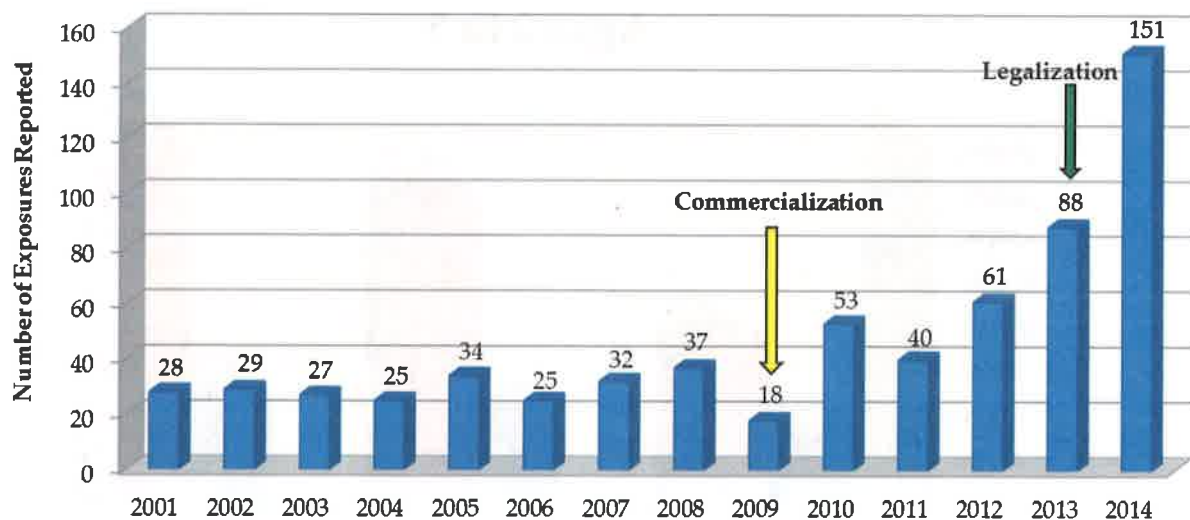
## SECTION 5: Marijuana-Related Exposure

### Findings

- There has been an upward trend of marijuana-related calls to the Rocky Mountain Poison and Drug Center since medical marijuana was commercialized in 2009.
- In 2014, when marijuana retail businesses began operating, marijuana-related calls increased over 70 percent from 2013.

### Data

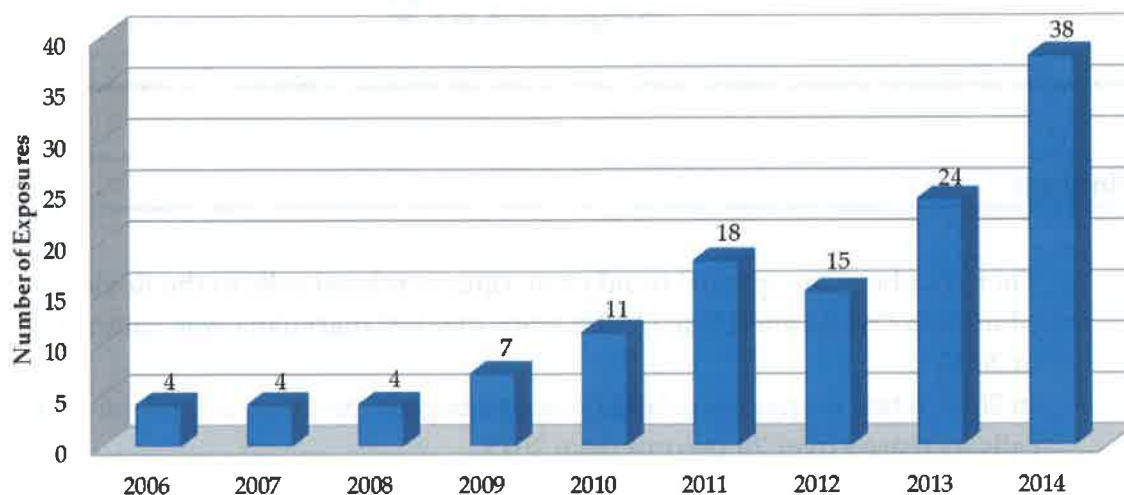
**Number of Exposures Reported for Marijuana Only**



SOURCE: Colorado Department of Public Health and Environment, *Monitoring Health Concerns Related to Marijuana in Colorado: 2014* via Rocky Mountain Poison and Drug Center



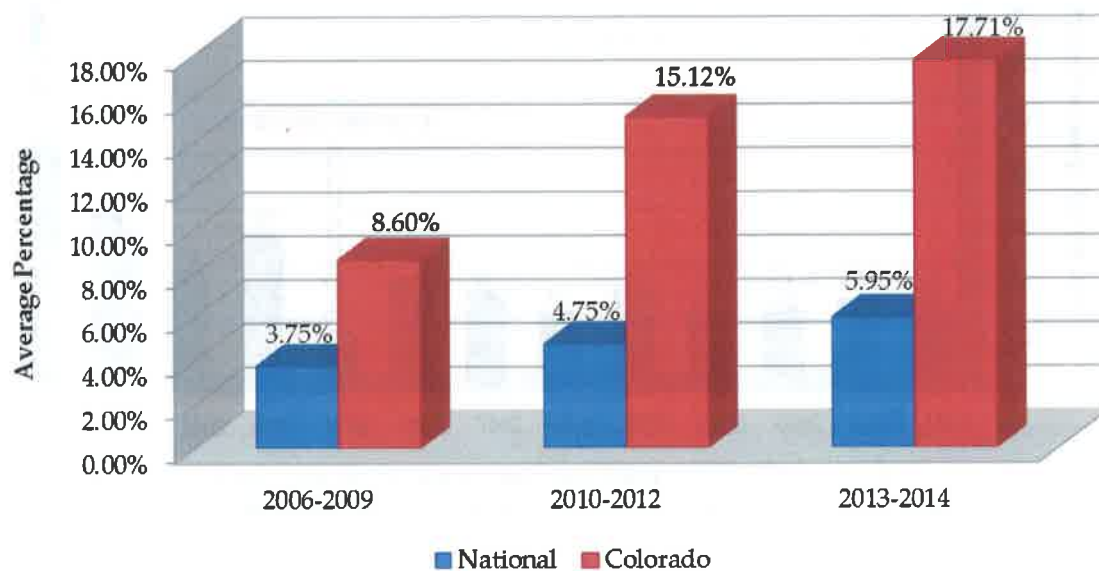
## Marijuana-Related Exposures Children Ages 0 to 5



SOURCE: Rocky Mountain Poison and Drug Center

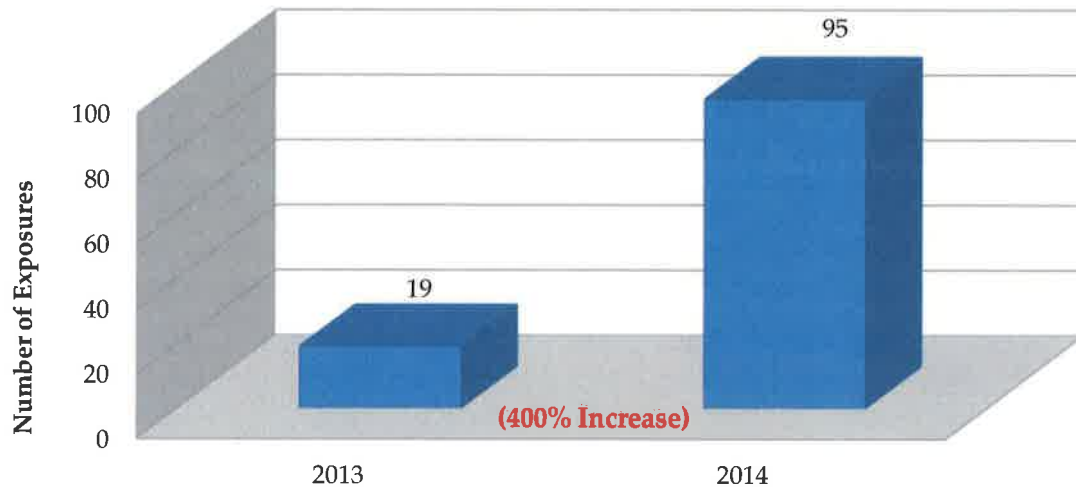
SOURCE: Rocky Mountain Poison and Drug Center

## Average Percent of Marijuana Exposures Ages 0 to 5



SOURCE: Rocky Mountain Poison and Drug Center

## Number of THC Infused Edible Exposures



SOURCE: Rocky Mountain Poison and Drug Center



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## SECTION 6: Treatment

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### Data

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**NOTE:** THE MOST CURRENT DATA IS NOT AVAILABLE. SEE *THE LEGALIZATION OF MARIJUANA IN COLORADO: THE IMPACT, VOLUME 2, AUGUST 2014*.

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## SECTION 7: *Diversion of Colorado Marijuana*

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### Definitions

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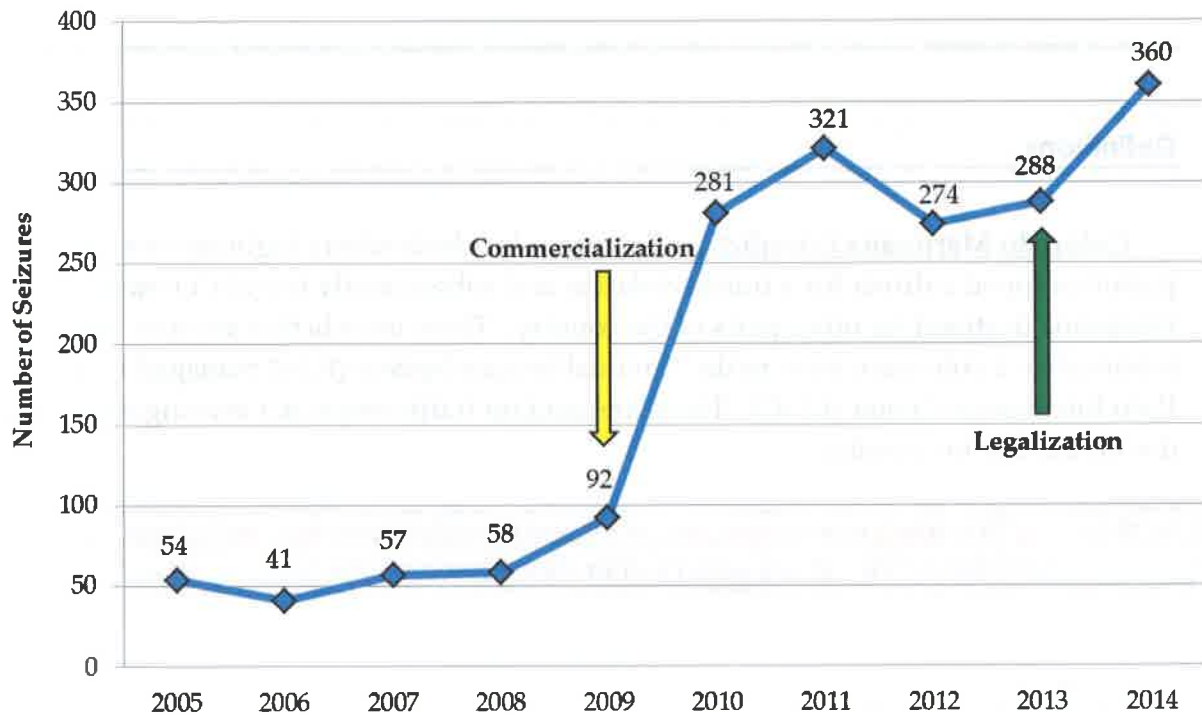
**Colorado Marijuana Interdiction Seizures:** Incidents where highway or state patrols stopped a driver for a traffic violation and subsequently found Colorado marijuana destined for other parts of the country. These interdiction seizures are reported on a voluntary basis to the National Seizure System (NSS) managed by the El Paso Intelligence Center (EPIC). These are random traffic stops, not investigations, and do not include local police.

**NOTE:** A 2014 SURVEY OF APPROXIMATELY 100 INTERDICTION EXPERTS ESTIMATE THEY SEIZE 10 PERCENT OR LESS OF WHAT GETS THROUGH UNDETECTED.

### Findings

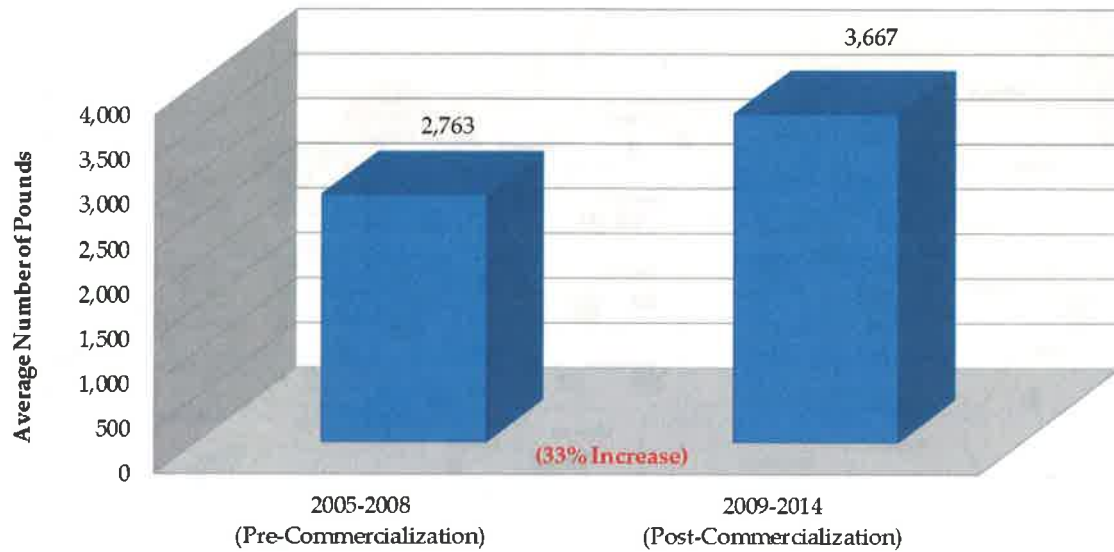
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- Prior to the commercialization of medical marijuana in 2009, there was a yearly average of 52 interdiction seizures between 2005 and 2008.
- In 2014, there were 360 interdiction seizures of Colorado marijuana destined for other states.
  - This is a 592 percent increase.
- In just one year, 2013 to 2014 when marijuana retail stores began operating, there was a 25 percent increase in the number of interdiction seizures.

**Data****Colorado Marijuana Interdiction Seizures**

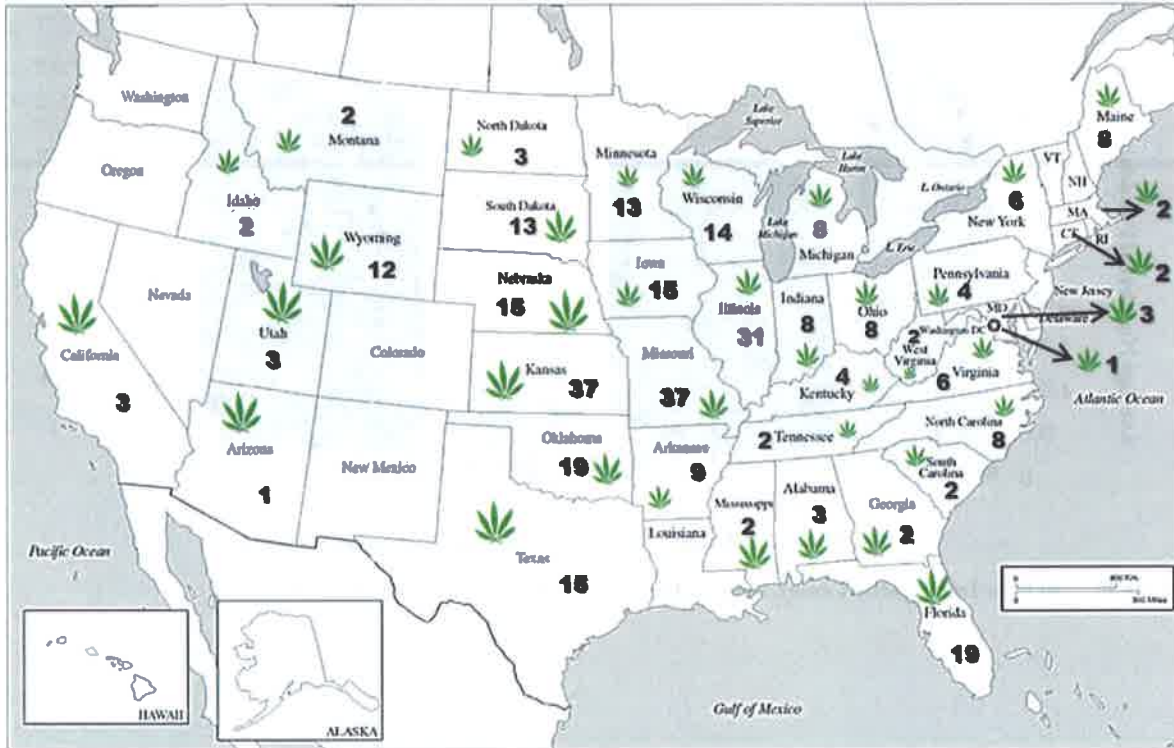
SOURCE: El Paso Intelligence Center, National Seizure System, as of March 20, 2015

## Average Pounds of Colorado Marijuana from Interdiction Seizures



SOURCE: El Paso Intelligence Center, National Seizure System, as of March 20, 2015

## States to Which Colorado Marijuana Was Destined (2014) (Total Reported Incidents per State)



SOURCE: El Paso Intelligence Center, National Seizure System, as of March 20, 2015

### Top Three Cities of Marijuana Origin

Originating City Rank	Number of Seizures from Originating City	Percentage
1. Denver	227	63.06%
2. Yuma	20	5.56%
3. Colorado Springs	14	3.89%

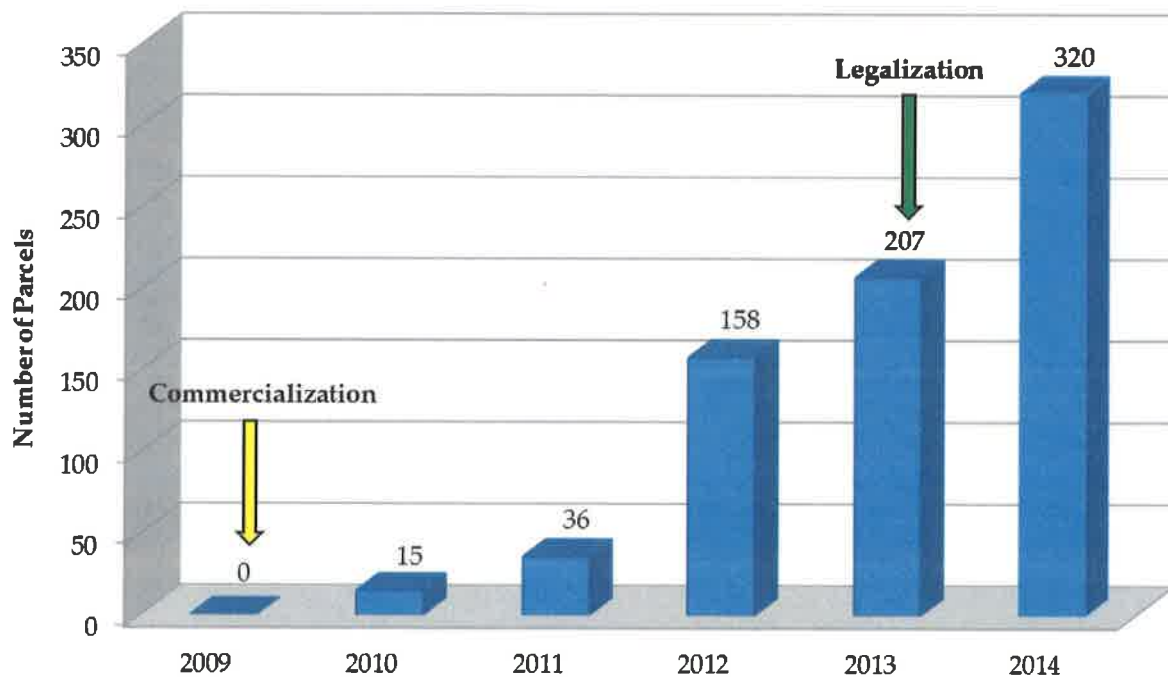
## SECTION 8: Diversion by Parcel

### Findings

- From 2010 through 2014, the number of parcels with Colorado marijuana destined for other states increased 2,033 percent.
- In just one year, from 2013 to 2014 when retail marijuana businesses began operating, there was a 55 percent increase in Colorado marijuana seized in the mail.

### Data

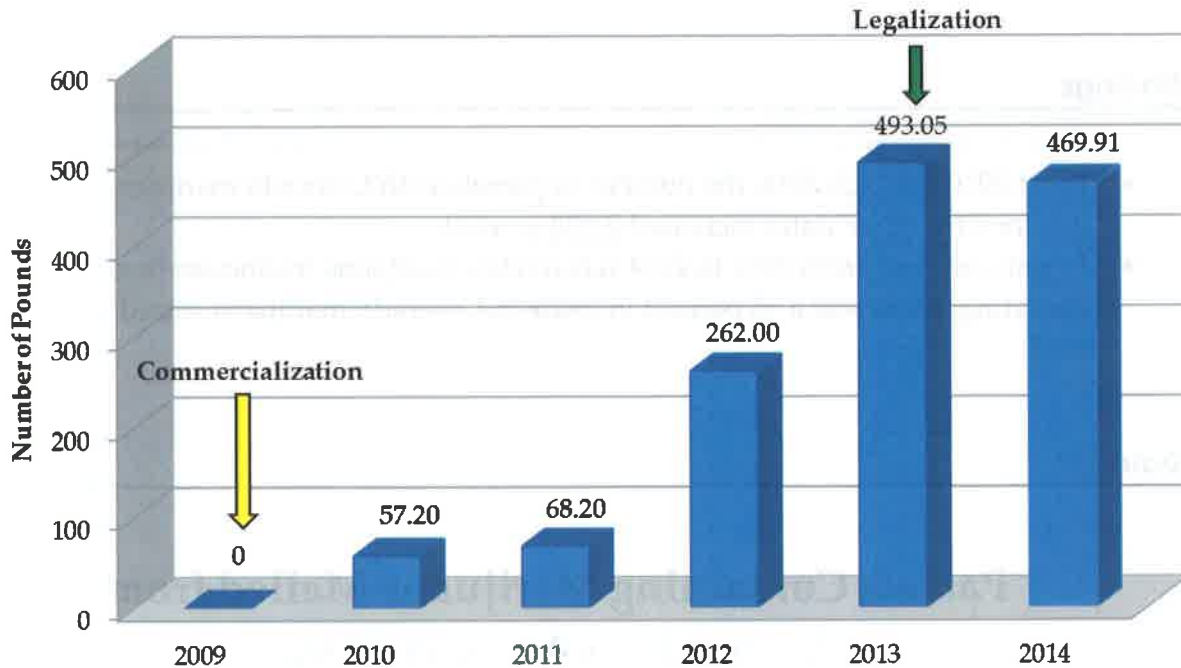
**Parcels Containing Marijuana Mailed from Colorado to Another State**



SOURCE: United States Postal Inspection Service, Prohibited Mailing of Narcotics, as of January 21, 2015



## Pounds of Colorado Marijuana Seized by the U.S. Postal Inspection Service

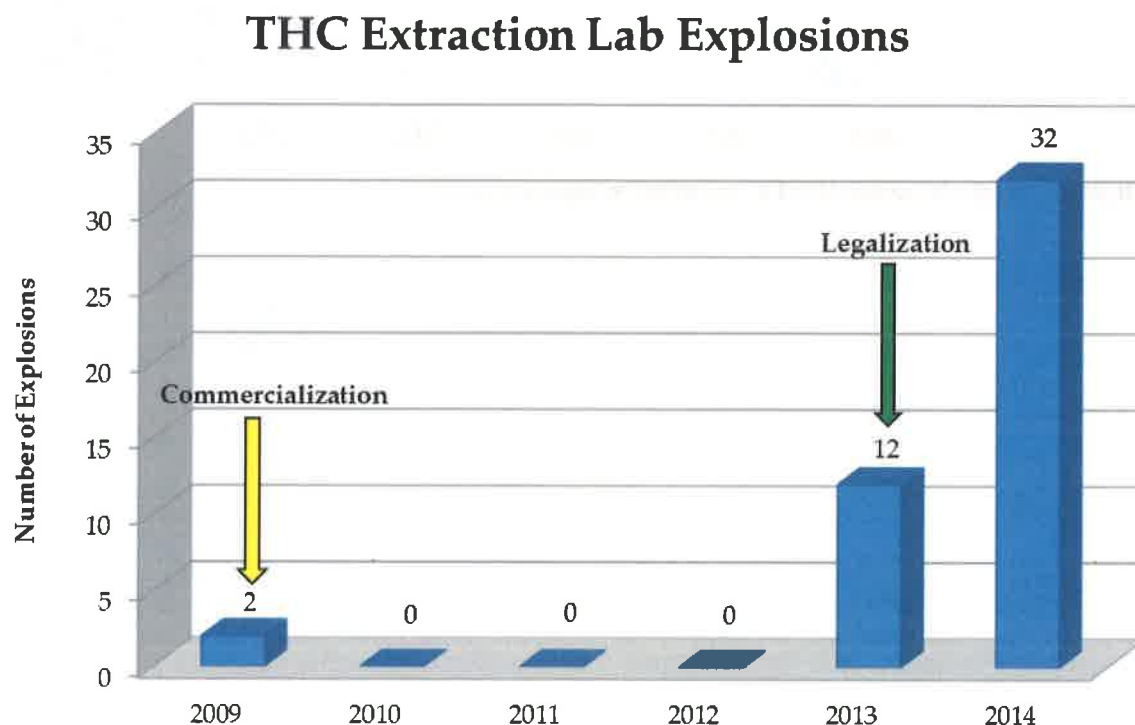


## SECTION 9: THC Extraction Labs

### Findings

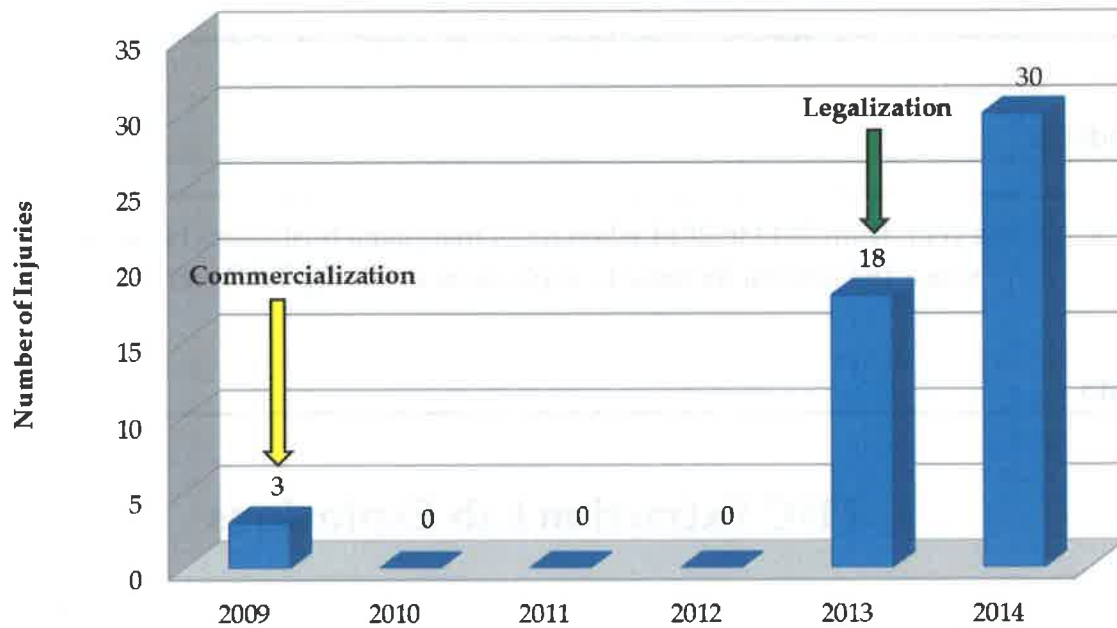
- In one year, from 2013 to 2014 when retail marijuana businesses began operating, there was a 167 percent increase in explosions involving THC extraction labs.

### Data



SOURCE: Rocky Mountain HIDTA, Investigative Support Center

## THC Extraction Lab Explosion Injuries



SOURCE: Rocky Mountain HIDTA, Investigative Support Center

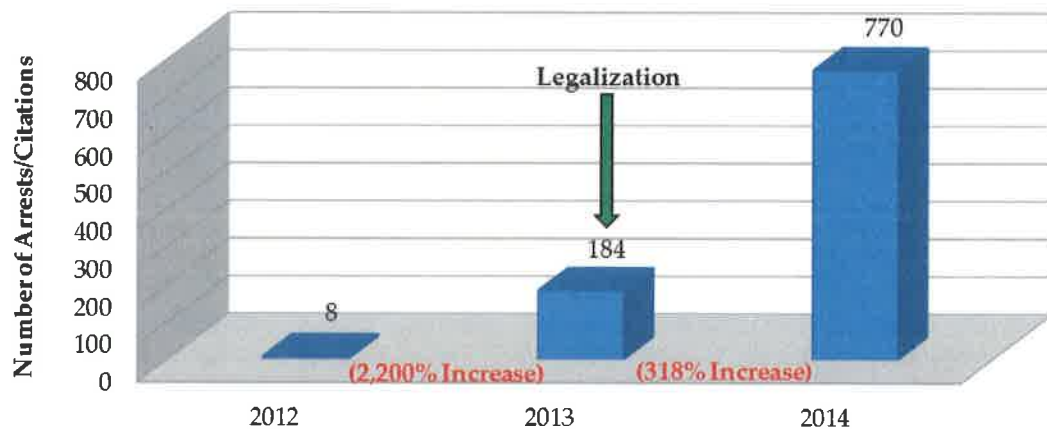
# SECTION 10: Related Data

## Crime

All Reported Crime in Denver			
2012	2013	2014	
43,867 reported crimes	48,147 reported crimes	49,258 reported crimes	5,391 reported crimes increase from 2012 through 2014 (+12.3 percent)

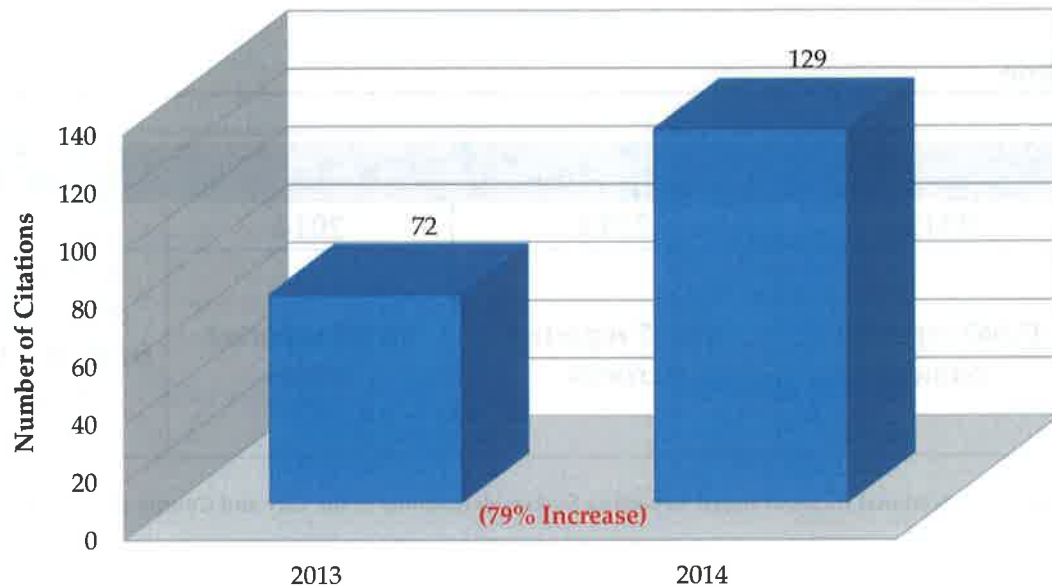
SOURCE: National Incident Based Reporting System definitions in the City and County of Denver, January 9, 2015

## Denver Police Department Unlawful Public Display/Consumption of Marijuana



SOURCE: Denver Police Department, Traffic Operations Bureau via Vice/Drug Bureau

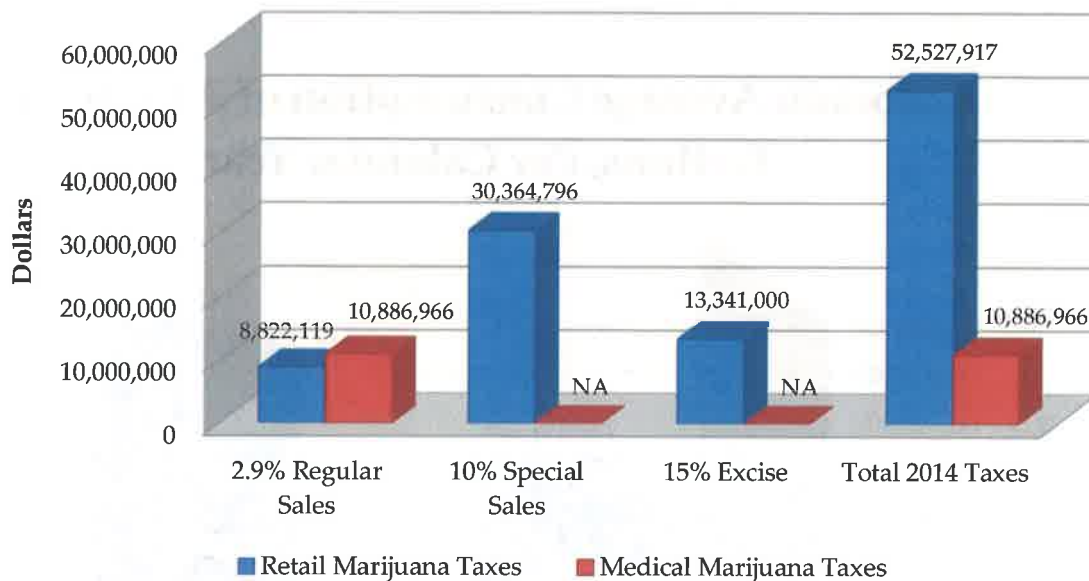
## Boulder Police Department Marijuana Public Consumption Citations



**NOTE:** THE CITY OF BOULDER DID NOT HAVE A MUNICIPAL STATUTE SPECIFIC TO PUBLIC CONSUMPTION OF MARIJUANA UNTIL MID-2013.

**SOURCE:** Boulder Police Department, Records and Information Services

## Total Revenue from Marijuana Taxes, Calendar Year 2014



**NOTE:** FIGURES DO NOT INCLUDE ANY CITY TAXES: THE STATE DOES NOT ASSESS OR COLLECT THOSE TAXES.

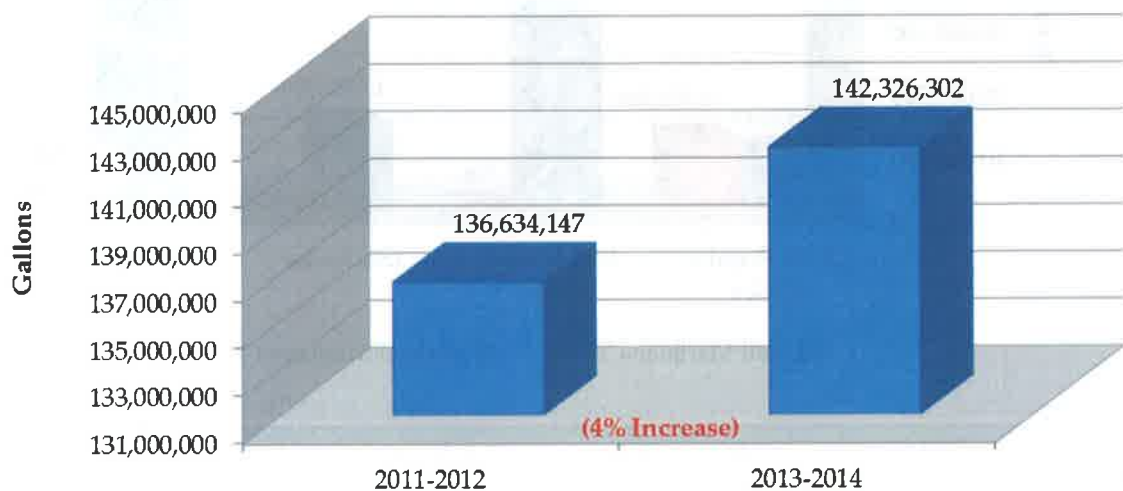
**NOTE:** THE FIRST TWELVE MONTHS OF RETAIL MARIJUANA TAX REVENUE WOULD BE EQUIVALENT TO FOUR-TENTHS OF 1 PERCENT (0.4 %) OF COLORADO'S FY2014 GENERAL FUND REVENUE.

**SOURCE:** Colorado Department of Revenue, Monthly Marijuana Taxes, Licenses and Fees Transfers and Distribution

## Marijuana Use and Alcohol Consumption

One argument of those in favor of legalization is that users will switch from alcohol to marijuana, thus reducing consumption. To date, that theory is not supported by the data.

### Colorado Average Consumption of Alcohol in Gallons, Per Calendar Year



SOURCE: Colorado Department of Revenue, Colorado Liquor Excise Taxes

## Licensed Marijuana Businesses as of January 2015

---

### Medical Marijuana:<sup>1</sup>

- 505 medical marijuana centers (“dispensaries”)
- 748 marijuana cultivation facilities
- 163 infused products (edibles) businesses

### Recreational Marijuana:<sup>1</sup>

- 322 marijuana retail stores
- 397 marijuana cultivation facilities
- 98 infused product (edibles) businesses

## Business Comparisons as of January 2015

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### Colorado:

- 505 medical marijuana centers (“dispensaries”)<sup>1</sup>
- 322 recreational marijuana stores<sup>1</sup>
- 405 Starbucks coffee shops<sup>2</sup>
- 227 McDonalds restaurants<sup>3</sup>

### Denver:

- 198 licensed medical marijuana centers (“dispensaries”)<sup>1</sup>
- 117 pharmacies (as of February 12, 2015)<sup>4</sup>

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<sup>1</sup> Colorado Department of Revenue, Enforcement Division – Marijuana, *Annual Update*, February 27, 2015

<sup>2</sup> Starbucks Coffee Company, Corporate Office Headquarters

<sup>3</sup> McDonalds Corporation, Corporate Office Headquarters

<sup>4</sup> Colorado Department of Regulatory Agencies, State Board of Pharmacy

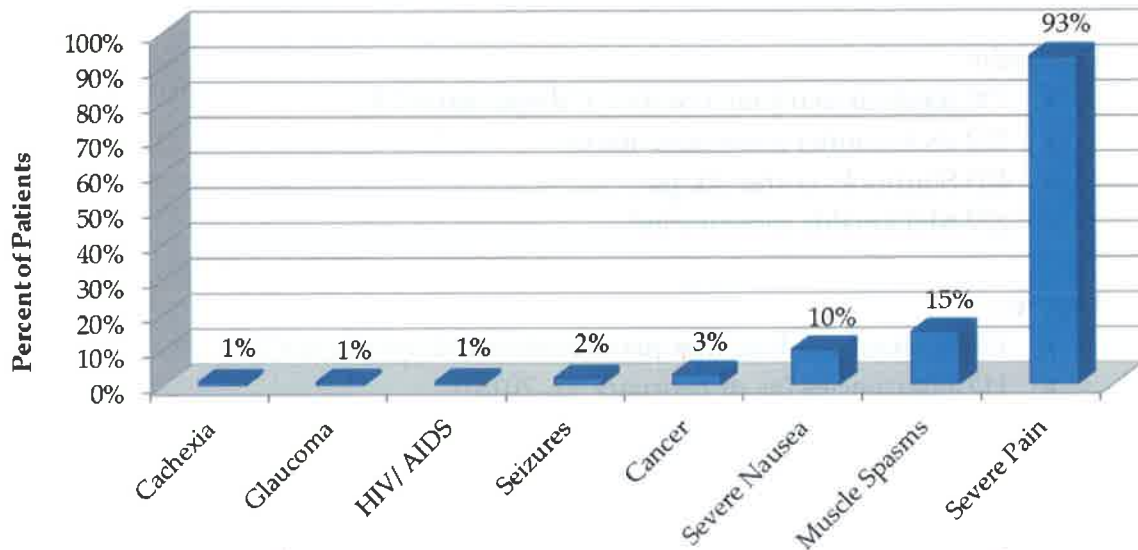


## Medical Marijuana Registry

### Medical Marijuana Registry Identification Cards

- December 31, 2009 – 41,039
- December 31, 2010 – 116,198
- December 31, 2011 – 82,089
- December 31, 2012 – 108,526
- December 31, 2013 – 110,979
- December 31, 2014 – 115,467

### Percent of Medical Marijuana Patients Based on Reporting Condition



**NOTE:** TOTAL DOES NOT EQUAL 100 PERCENT AS SOME PATIENTS REPORT USING MEDICAL MARIJUANA FOR MORE THAN ONE DEBILITATING MEDICAL CONDITION.

**SOURCE:** Colorado Department of Public Health and Environment, Medical Marijuana Statistics

## **Local Response to Medical and Recreational Marijuana in Colorado<sup>5</sup>**

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- 321 total local jurisdictions
  - 228 (71 percent) prohibit any medical or recreational marijuana businesses
  - 67 (21 percent) allow any medical and recreational marijuana businesses
  - 26 (8 percent) allow either medical or recreational marijuana businesses, not both

## **2014 Reported Sales of Marijuana in Colorado<sup>5</sup>**

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- 109,578 pounds of medical marijuana flower
- 36,600 pounds of recreational marijuana flower
  
- 1,964,917 units of medical edible products
- 2,850,733 units of recreational edible products

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<sup>5</sup> Colorado Department of Revenue, Enforcement Division – Marijuana, *Annual Update*, February 27, 2015

## Election Results

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### November 2012 Amendment 64 Election Results:

- 54 percent in favor
- 46 percent opposed

## Polling

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### September 2014 Suffolk University/*USA Today* Poll Colorado

- 46 percent continue to support Amendment 64
- 50.2 percent do not agree with Amendment 64 decision

### October 2014 Gallup Poll

	<u>Favor Legalized</u>	<u>Oppose Legalized</u>	<u>Unsure</u>
2013	58 percent	39 percent	3 percent
2014	51 percent	47 percent	2 percent

### October 2014 Pew Research Center Poll

	<u>Favor Legalized</u>	<u>Oppose Legalized</u>	<u>Unsure</u>
Feb. 2014	54 percent	42 percent	3 percent
Oct. 2014	52 percent	45 percent	3 percent

SOURCE: Polling Report.com

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**Rocky Mountain High Intensity Drug Trafficking Area**  
**Investigative Support Center**  
**Denver, Colorado**  
**[www.rmhidta.org/reports](http://www.rmhidta.org/reports)**

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**ALAMOSA CITY COUNCIL  
COUNCIL COMMUNICATION**

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**Subject/Title:**

Sample Election Questions

**ATTACHMENTS:**

Description	Type
▣ Marijuana Licensing Ordinance	Backup Material
▣ Marijuana Zoning Ordinance	Backup Material
▣ Resolution Setting Ballot Title for Marijuana Combining Tax & Allowance of Facilities	Backup Material
▣ Resolution Setting Ballot Title for Marijuana separate tax and allowance for excise and sales tax language	Backup Material
▣ Resolution Setting Ballot Title for Marijuana separate tax and allowance form	Backup Material
▣ Resolution Setting Ballot Title for Marijuana Questions	Backup Material
▣ Marijuana Election Tax Questions Across Colorado	Backup Material

<b>DATE:</b> <b>May__</b> , 2010	<b>AGENDA NO.</b>	<b>SUBJECT:</b> An Ordinance establishing Article X of Chapter 10, thereby providing for medical marijuana facilities and regulating them under the current Licenses and Business Regulations.
<b>Department Head:</b>		
<b>City Manager:</b>  Nathan M. Cherpeski		
<b>PRESENTED BY:</b> Erich Schwiesow, City Attorney		

**Recommendation:**

It is the recommendation of staff to adopt alternative 1 adopting the proposed ordinance.

**Background:**

In 2000, the voters of the State of Colorado passed Amendment 20, which approved the use of medical marijuana. The Colorado Department of Public Health and Environment has rule-making authority to regulate the use of medical marijuana, including the creation of medical marijuana facilities. The current Licenses and Business Regulations of the City of Alamosa do not regulate medical marijuana facilities.

The state legislature is currently considering legislation addressing the licensing of medical marijuana facilities in a manner similar to licensing under the liquor code. The current draft of legislation would allow for local licensing consistent with the requirements of the statewide legislation, and in particular would provide a "local option" whereby counties and municipalities could decide, either through a vote of the citizens or through action by the governing body, to prohibit the use or distribution of medical marijuana. Such an approach could be subject to challenge as violating the constitutional amendment authorizing the use of medical marijuana.

The City has enacted ordinances providing a moratorium on acceptance of applications for business licenses for medical marijuana facilities. That moratorium currently expires on June 1, 2010.

**Issue Before the Council:**

Does Council wish to enact an ordinance adding Article X of Chapter 10 (Licensing), thereby incorporating medical marijuana dispensaries into the current zoning and business regulations?

**Alternatives:**

Alternative 1: Adopt the proposed ordinance

Alternative 2: Adopt the proposed ordinance with amendments. As an example, consider the following:

- 1) are there other facilities we should keep distance requirements for (churches are in the adult business section, but don't seem applicable here; colleges might not be applicable, or might be especially applicable)
- 2) should there be a distance requirement from other marijuana facilities
- 3) should there be a limit on the number of facilities that can be in any one building

Alternative 3: Adopt instead an ordinance extending the moratorium an additional 90 days to see whether the State enacts HB 1284, and, in so doing, gives some cover for prohibiting medical marijuana centers, optional premises cultivation licenses (tied to medical marijuana centers), and marijuana infused manufacturing facilities, while leaving unregulated the personal cultivation and use of medical marijuana by licensed users, and the operation of “caregivers” serving no more than 5 patients.

**Fiscal Impact:**

None

**Legal Opinion:**

The City Attorney will be present for any comments.

**Conclusion:**

The proposed ordinance incorporates medical marijuana facilities into the current business regulations.

**ORDINANCE NO. \_\_ - 2010**

**AN ORDINANCE ESTABLISHING A NEW ARTICLE X OF CHAPTER 10 OF THE LICENSES AND BUSINESS REGULATIONS OF THE *CODE OF ORDINANCES OF THE CITY OF ALAMOSA, COLORADO*, FOR THE PURPOSE OF REGULATING MEDICAL MARIJUANA FACILITIES**

**WHEREAS**, because federal and state law prohibit the possession and sale of marijuana generally, marijuana sales have never been addressed by the City of Alamosa’s (City) ordinances; and

**WHEREAS**, the voters of the State of Colorado affirmed the medical use of marijuana by voting for Amendment 20 in November of 2000; and

**WHEREAS**, there appears to be a chance that businesses wishing to provide medical marijuana to those who qualify under state law (“medical marijuana facilities”) may come into existence within the City; and

**WHEREAS**, the existing City regulations do not provide for the licensing and regulation of medical marijuana facilities; and

**WHEREAS**, if medical marijuana facilities were allowed to be established without appropriate licensing and regulation, such uses might detrimental to the public health, safety and welfare; and

**WHEREAS**, the City Council of the City of Alamosa believes this ordinance is



necessary to safeguard the urban environment by permitting compliance with state law in a manner consistent with the aforementioned concerns.

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the City Council of the City of Alamosa, Colorado, as follows:

**Section 1.** Establishment of Medical Marijuana Facilities. Article X of Chapter 10 is hereby established to read as follows:

## **ARTICLE X. MEDICAL MARIJUANA FACILITIES**

### **Sec. 10-250 Purpose**

Although the possession and use of marijuana is and remains unlawful under Federal law, Section 14 of Article XVIII of the Colorado Constitution (“Amendment 20”) provides an exception to prosecution under state criminal laws when marijuana is possessed and used for medicinal purposes by a patient who has been diagnosed with a debilitating medical condition and by the patient’s primary caregiver. Amendment 20 does not, however, contain any provision for the lawful sale or distribution of marijuana to patients and, to date, the State of Colorado has failed to adopt laws or regulations to clearly explain how and whether marijuana may be lawfully sold or otherwise distributed to patients. As a result of this ambiguity in the State law, unregulated medical marijuana facilities may proliferate in the City of Alamosa and elsewhere in Colorado. The purpose of this Article is to license and regulate medical marijuana facilities in the interest of public health, safety and general welfare. In particular, this Article is intended to regulate the sale and distribution of marijuana in the interest of patients who qualify to obtain, possess and use marijuana for medicinal purposes under Amendment 20, while promoting compliance with other state laws that prohibit trafficking in marijuana for non-medicinal purposes. Nothing in this Article is intended to promote or condone the sale, distribution, possession or use of marijuana in violation of any applicable law. Compliance with the requirements of this Article shall not provide a defense to criminal prosecution under any applicable law.

### **Sec. 10-251. Definitions.**

The following words and phrases, when used in this Article, shall have the meanings respectively assigned to them:

(1) *Marijuana* shall have the same meaning as the term “usable form of marijuana” as set forth in Article XVIII, Section 14(1)(i) of the Colorado Constitution, or as may be more fully defined in any applicable state law or regulation.

(2) *Medical Marijuana facility* shall mean and include the use of any property or structure to grow, manufacture, distribute, transmit, give, dispense, or otherwise provide marijuana in any manner to another person, in accordance with Section 14 of Article XVIII of the Colorado Constitution. A person authorized to use medical marijuana under the Colorado Constitution and any applicable state law or regulation

and possessing or growing medical marijuana solely for his or her own use shall not be considered Medical Marijuana facility pursuant to this Article.

(3) *Medical use* shall have the same meaning as is set forth in Article XVIII, Section 14(1)(b) of the Colorado Constitution, or as may be more fully defined in any applicable state law or regulation.

(4) *Parent* shall have the same meaning as is set forth in Article XVIII, Section 14(1)(c) of the Colorado Constitution, or as may be more fully defined in any applicable state law or regulation.

(5) *Patient* shall have the same meaning as is set forth in Article XVIII, Section 14(1)(d) of the Colorado Constitution, or as may be more fully defined in any applicable state law or regulation.

(6) *Primary care-giver* shall have the same meaning as is set forth in Article XVIII, Section 14(1)(f) of the Colorado Constitution, or as may be more fully defined in any applicable state law or regulation.

#### **Sec. 10-252 License Required**

(a) No person shall sell or otherwise distribute any marijuana for medical use without first having obtained a license from the City to operate as a medical marijuana facility pursuant to the requirements of this Article.

(b) The license requirement set forth in this Article shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state, or city law.

(c) Any license issued shall specify the date of issuance, the period covered by the license, the name of the licensee, and the place licensed. Such license shall not authorize the licensee to sell marijuana for medical use at any place other than that designated in the license, nor shall such license be transferable to any other person except upon application made to and approval by the city council, based upon the criteria set forth herein. Any license which may be issued shall be subject to all ordinances and regulations of the city in effect at the time of the issuance thereof or which may thereafter be adopted by the city council.

(d) The city clerk shall keep a license register showing the name of each licensee, the date of the license and the place licensed. Any license issued shall be posted in a conspicuous place in the room to which the license has been granted.

#### **Sec. 10-253 Application**

(a) Application for a medical marijuana facility license shall be made to the city clerk upon forms provided by the city clerk for that purpose. The application shall include the following information:

- (1) Name and address of the owner or owners of the medical marijuana facility in whose name the license is proposed to be issued.
- (2) If the owner is a corporation, the name and address of any officer or director of the corporation, and of any person holding ten percent (10%) or more of the issued and outstanding capital stock of the corporation.
- (3) If the owner is a partnership, association or company, the name and address of the manager or chief executive officer and any member holding ten percent (10%) or more of the interest therein.
- (4) Name and address of any manager or managers of the medical marijuana facility, if the manager is proposed to be someone other than the owner.
- (5) A statement of whether or not any of the foregoing persons have:
  - a. Been denied an application for a medical marijuana facility license pursuant to this Article or similar state or local licensing law, or had such a license suspended or revoked.
  - b. Been convicted of a felony or completed any portion of a sentence due to a felony conviction within the preceding five (5) years.
- (6) Proof of ownership or legal possession of the licensed premises for the term of the proposed license. If the licensed premises will be leased, the application shall include written consent by the owner of the property to the licensing of the premises for a medical marijuana facility.
- (7) An operating plan for the proposed medical marijuana facility, including the following information:
  - a. A description of the products and services to be provided by the medical marijuana facility, including an indication of whether or not the facility proposes to engage in the retail sale of food for human consumption.
  - b. A floor plan, drawn to scale, showing the layout of the medical marijuana facility and the principal uses of the floor area depicted therein, including a depiction of where any services other than the dispensing of medical marijuana are proposed to occur on the licensed premises.

- c. A security plan indicating whether or not the applicant intends to utilize licensed security guards.
- (8) An area map, drawn to scale, indicating, within a radius of one-quarter mile from the boundaries of the property upon which the medical marijuana facility is located, the proximity of the property to any school or child care establishment, to any other medical marijuana facility, or to any residential zone district.
- (b) Any application for medical marijuana facility permit shall be accompanied by the application fee, criminal background check fee, and annual fee as required by Section 10-247.
- (c) Upon receipt of an application for a medical marijuana facility license, the city clerk shall circulate the application to the Department of Public Health, the Alamosa Police Department, and the Alamosa Fire Department to determine whether the proposed facility is in full compliance with any and all laws, rules and regulations administered by the respective departments.
- (d) The city clerk shall perform a criminal background investigation for each applicant or manager.
- (e) The city clerk shall perform an inspection of the proposed licensed premises to determine compliance with any applicable requirement of this article.
- (f) The city council shall deny any application for a license that is not in full compliance with this Article, any other applicable city law or regulation, or any state law or regulation governing medical marijuana facilities. The city council shall also deny any application that contains any false or incomplete information.

#### **Sec. 10-254 Public Notice**

- (a) Upon receipt of an application, except an application for renewal or for transfer of ownership, the city council shall schedule a public hearing upon the application not less than thirty days from the date of the application and shall post and publish the public notice thereof not less than ten days prior to such hearing. Public notice shall be given by the posting of a sign in a conspicuous place on the premises for which application has been made and by publication in a newspaper of general circulation in the county in which the premises are located.
- (b) Notice given by posting shall include a sign of suitable material, not less than twenty-two inches wide and twenty-six inches high, composed of letters not less than one inch in height and stating the type of license applied for, the date of the application, the date of the hearing, and the name and address of the applicant, and such other information as may be required to fully apprise the public of the nature of the application. If the applicant is a partnership, the sign shall contain the names and

addresses of all partners, and if the applicant is a corporation, association, or other organization, the sign shall contain the names and addresses of the president, vice-president, secretary, and manager or other managing officers.

(c) Notice given by publication shall contain the same information as that required for signs.

(d) If the building in which the medical marijuana is to be distributed is in existence at the time of the application, any sign posted as required in subsections (a) and (b) of this section shall be placed so as to be conspicuous and plainly visible to the general public. If the building is not constructed at the time of the application, the applicant shall post the premises upon which the building is to be constructed in such a manner that the notice shall be conspicuous and plainly visible to the general public.

(e)(1) At the public hearing held pursuant to this section, any party in interest shall be allowed to present evidence and to cross-examine witnesses.

(2) As used in this subsection (e), "party in interest" means any of the following:

- a. The applicant;
- b. An adult resident of the neighborhood under consideration;
- c. The owner or manager of a business located in the neighborhood under consideration;
- d. The principal or representative of any school located within the neighborhood of the premises for which a medical marijuana facility license is under consideration.

(3) The city council, in its discretion, may limit the presentation of evidence and cross-examination so as to prevent repetitive and cumulative evidence or examination.

(4) Nothing in this subsection (e) shall be construed to prevent a representative of an organized neighborhood group that encompasses part or all of the neighborhood under consideration from presenting evidence subject to this section. Such representative shall reside within the neighborhood group's geographic boundaries and shall be a member of the neighborhood group. Such representative shall not be entitled to cross-examine witnesses or seek judicial review of the city council's decision.

## **Sec. 10-255 Results of investigation, decision of city council**

(a) Not less than five days prior to the date of hearing, the city clerk shall make known her findings based on its investigation in writing to the applicant and other interested parties.

(b) Before entering any decision approving or denying the application, the city council shall consider, except where this article specifically provides otherwise, the facts and evidence adduced as a result of the clerk's investigation, as well as any other facts, the number, type, and availability of medical marijuana facilities located in or near the neighborhood under consideration, and any other pertinent matters affecting the qualifications of the applicant.

(c) Any decision of the city council approving or denying an application shall be in writing stating the reasons therefor, within thirty days after the date of the public hearing, and a copy of such decision shall be sent by certified mail to the applicant at the address shown in the application.

(d) No license shall be issued by the city council after approval of an application until the building in which the business is to be conducted is ready for occupancy with such furniture, fixtures, and equipment in place, and then only after inspection of the premises has been made by the city council to determine that the applicant has complied with the architect's drawing and the plot plan and detailed sketch for the interior of the building submitted with the application.

#### **Sec. 10-256 Persons Prohibited as Licensees and Managers**

(a) No license provided by this Article shall be issued to or held by:

(1) Any person under 21 years of age.

(2) Any person who, in the immediately preceding twelve months had a medical marijuana facility license revoked by the City of Alamosa, or any similar type of license revoked by any other issuing authority.

(3) Any person whose criminal record indicates that he or she is not of good moral character.

(4) A corporation, partnership, association, or company, if the criminal history of any of its officers, directors, shareholders of 10% or more of its stock or owners of 10% or more of its interest indicates that such person is not of good moral character

(5) Any person who has been convicted of a felony or has completed any portion of a felony sentence within the preceding five (5) years, with this prohibition applying to:

a. Any owner who is a natural person.

b. If the owner is a corporation, any officer or director of the corporation, or any person holding ten percent (10%) or more of the issued and outstanding capital stock of the corporation.

c. If the owner is a partnership, association or company, any member holding ten percent (10%) or more of the interest therein.

(6) A licensed physician making patient recommendations.

(b) No licensed premises shall be managed by any person who would be prohibited from holding a license under the provisions of sub-part (a) of this section 256.

#### **Sec. 10-257. Restricted Locations.**

(a) No medical marijuana facility shall be located within 1,000 feet of the following:

(1) The exterior boundary of any residential zone district;

(2) Any educational institution or school, either public or private, including any institute of higher education or vocational training;

(3) Any licensed child care facility;

(4) Any alcohol or drug rehabilitation facility;

(5) Any public community center, park, fairground, or recreation center, or any publicly owned or maintained building open for use to the general public;

(6) Any halfway house or correctional facility.

(b) No medical marijuana facility shall be located in "Downtown Alamosa," which is defined, for purposes of this section, as properties and structures located within the downtown design overlay district, as shown on the official zoning map.

(c) The distances referred to in this section are to be computed by direct measurement from the nearest property line of the land used for a listed purpose to the nearest portion of the building in which medical marijuana is to be sold, using a route of direct pedestrian access.

#### **Sec. 10-258 Requirements Related to Licensed Premises**

(a) No marijuana shall be smoked, eaten or otherwise consumed or ingested on the licensed premises.

(b) No person under eighteen years of age shall be permitted on the licensed premises, unless the person has been qualified to possess marijuana for medical use in accordance with Article XVIII, Section 14(6) of the Colorado Constitution and the person is accompanied by a parent.

(c) The name and contact information for the owner or owners and any manager of the medical marijuana facility shall be conspicuously posted in the facility.

(d) Any and all cultivation, processing, storage, display, sales or other distribution of marijuana shall occur within an enclosed building and shall not be visible from the exterior of the building.

(e) No licensed premises shall be managed by any person other than the owner or the manager listed on the application for the license.

(f) The medical marijuana facility shall be closed to the public, and no sale or other distribution of marijuana shall occur upon the licensed premises or via delivery from the licensed premises between the hours of 8:00 p.m. and 8:00 a.m.

(g) The licensed premises shall be monitored and secured 24-hours per day including, at a minimum, the following security measures:

(1) Installation and use of security cameras to monitor all areas of the licensed premises where persons may gain or attempt to gain access to marijuana or cash maintained by the medical marijuana facility. Recordings from security cameras shall be maintained for a minimum of seventy-two hours in a secure off-site location.

(2) Installation and use of a safe for overnight storage of any processed marijuana, and cash on the licensed premises, with the safe being incorporated into the building structure or securely attached thereto.

(3) Installation of a monitored alarm system.

(4) To the extent the licensee utilizes security guards to patrol the licensed premises, any such guards shall be duly licensed in accordance with the *Code of Ordinances of the City of Alamosa*, Colorado and with Colorado law.

(h) No waste products or by-products from the cultivation or preparation of medical marijuana (seeds, stems, or other parts of plants, or any unused products containing medical marijuana infusions) may be disposed of in the facility's regular trash receptacles, but must be incinerated or conveyed directly to the San Luis Valley Landfill



and buried. The facility shall keep a record of dates, amounts, and methods of disposal for a minimum of three years.

#### **Sec. 10-259. Compliance with State Law**

(a) To the extent the State of Colorado has adopted or adopts in the future any additional or stricter law or regulation governing the sale or distribution of marijuana for medical use, the additional or stricter regulation shall control the establishment or operation of any medical marijuana facility in the City. Compliance with any applicable state law or regulation shall be deemed an additional requirement for issuance or denial of any license under this Article, and non-compliance with any applicable state law or regulation shall be grounds for revocation or suspension of any license issued hereunder.

(b) Any medical marijuana facility licensed pursuant to this Article may be required to demonstrate, upon demand by the city council or by law enforcement officers, that the source and quantity of any marijuana found upon the licensed premises is in full compliance with any applicable State law or regulation.

(c) If the State prohibits the sale or other distribution of marijuana through medical marijuana facilities, any license issued pursuant to this Article shall be deemed to be immediately revoked by operation of law, with no ground for appeal or other redress on behalf of the licensee.

(d) The issuance of any license pursuant to this Article shall not be deemed to create an exception, defense, or immunity to any person in regard to any potential criminal liability the person may have for the cultivation, possession, sale, distribution or use of marijuana.

#### **Sec. 10-260. Term and Renewal, License not a Vested Right**

(a) **Term.** A license issued pursuant to this Article shall be valid for one year from the date of issuance unless sooner suspended or revoked.

(b) **Renewal.** A license may be renewed, upon such terms and conditions as the city council shall deem proper, upon application for renewal filed not less than 90 days before the expiration of the existing term of a license and payment of the applicable fee for the renewal application.

(c) **No Vested Right.** A license issued pursuant to this Article shall not create any right nor expectation in the continuation of the license during its term, nor in issuance of a renewed license at the expiration of the original term. In particular, the city council reserves the right to prohibit the growth, manufacture, distribution, or sale of medical marijuana by Medical Marijuana facilities located within the City of Alamosa at any future date upon further review of the impacts upon the health, safety, and welfare of its citizens of the existence and operation of Medical Marijuana facilities within the City of Alamosa.

**Sec. 10-261. Licensing Fees**

Application and license fees for medical marijuana facilities are as follows:

Application fee.....\$\_\_\_\_\_

Renewal Application fee.....\$\_\_\_\_\_

Criminal background check fee, per person checked.....\$\_\_\_\_\_

License fee, per year.....\$\_\_\_\_\_

**Section 3. Repealer.** All acts, orders, ordinances, resolutions, or portions thereof in conflict with the sections adopted in this Ordinance, are hereby repealed to the extent of such conflict.

**Section 4. Recording and Authentication.** This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the City book of Ordinances kept for that purposes, and published according to law.

**Section 5. Effective Date.** This ordinance shall take effect ten (10) days after publication following final passage.

**Section 6. Declaration of Public Interest.** This ordinance is necessary to preserve the peace, health, safety, welfare, and to serve the best interest of the citizens of the City of Alamosa, Colorado.

**INTRODUCED, READ AND APPROVED** on first reading the 12<sup>th</sup> day of May, 2010, and published as provided by law with notice of a public hearing to be held for consideration of the adoption of said ordinance on the 19<sup>th</sup> day of May, 2010, at 7:00 p.m., or as soon thereafter as the matter may be heard, or on such subsequent date to which the public hearing or Council consideration may be continued.

**APPROVED, AND ADOPTED** after public hearing the \_\_\_\_ day of \_\_\_\_\_, 2010.

CITY OF ALAMOSA

By \_\_\_\_\_

Kathleen Rogers, Mayor

ATTEST:

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Judy A. Egbert, City Clerk

<b>DATE:</b> January __, 2011	<b>AGENDA NO.</b>	<b>SUBJECT:</b> An Ordinance amending Section 21-97, thereby providing for regulating medical marijuana facilities under the current Zoning Code in the event such facilities are permitted within the City.
<b>Department Head:</b>		
<b>City Manager:</b>  Nathan M. Cherpeski		
<b>PRESENTED BY:</b> Erich Schwiesow, City Attorney		

**Recommendation:**

It is the recommendation of staff to adopt alternative 1 adopting the proposed ordinance.

**Background:**

In 2000, the voters of the State of Colorado passed Amendment 20, which approved the use of medical marijuana. The Colorado Department of Public Health and Environment has rule-making authority to regulate the use of medical marijuana, including the creation of medical marijuana dispensaries. The current zoning code does not address the zoning for such facilities.

Council acted to prohibit medical marijuana facilities within the City of Alamosa, through Ordinance No. 21-2010. Ordinance 21 was adopted pursuant to the home rule powers of the City of Alamosa, as well as specific authorization contained in the Colorado Medical Marijuana Code recently enacted by the legislature, C.R.S. § 12-43.3-106.

Because the Colorado Constitution provides for the use of medical marijuana (not, it must be noted, for the operation of medical marijuana dispensaries or other facilities), there is an argument to be made that the opt out provisions of the Medical Marijuana Code are unconstitutional. In fact, just such an argument is currently pending before the Colorado Supreme Court. In the event a court should determine that the opt out provisions are unconstitutional, Alamosa would have no zoning regulations in place concerning such facilities. It would be advisable to consider such zoning regulations and to have them in place in the event city-wide prohibitions on such facilities is determined to be unconstitutional.

**Issue Before the Council:**

Does Council wish to enact an ordinance amending Section 21-97, thereby incorporating medical marijuana facilities into the current zoning code, in the event the City's ban on such facilities is held unconstitutional?

**Alternatives:**

Alternative 1: Adopt the proposed ordinance

Alternative 2: Adopt the proposed ordinance with amendments.

Alternative 3: Decline to adopt the proposed ordinance, and address this matter at such time as the City's prohibition is adversely impacted.

**Fiscal Impact:**

None

**Legal Opinion:**

The City Attorney will be present for any comments.

**Conclusion:**

The proposed ordinance incorporates medical marijuana facilities into the current zoning code, in the event the opt out provision of the Medical Marijuana Code is held unconstitutional.

**ORDINANCE NO. \_\_ - 2011**

**AN ORDINANCE AMENDING THE USE SCHEDULE OF CHAPTER 21, ARTICLE V, SECTION 21-97 OF THE ZONING CODE OF THE *CODE OF ORDINANCES OF THE CITY OF ALAMOSA, COLORADO* FOR THE PURPOSE OF ZONING MEDICAL MARIJUANA FACILITIES**

**WHEREAS**, because federal and state law prohibit the possession and sale of marijuana generally, marijuana sales have never been addressed by the City's ordinances; and

**WHEREAS**, the voters of the State of Colorado affirmed the medical use of marijuana by voting for Amendment 20 to the Colorado Constitution in November of 2000; and

**WHEREAS**, the City has prohibited medical marijuana facilities through the enactment of Article X, Chapter 10, of the *Code of Ordinances of Alamosa, Colorado* pursuant to the City's home rule authority and authority granted in the Colorado Medical Marijuana Code, specifically C.R.S. § 12-43.3-106; and

**WHEREAS**, the so-called "opt-out" provisions of C.R.S. § 12-43.3-106 have been challenged as unconstitutional in more than one court proceeding; and

**WHEREAS**, the existing City regulations do not provide for the location and regulation of medical marijuana facilities and such uses might be permissible in any zone that allows retail uses, drug stores, or medical facilities in the event the prohibition contained in Article X, Chapter 10 of the *Code of Ordinances of Alamosa, Colorado* is found to be unconstitutional; and

**WHEREAS**, if medical marijuana facilities were allowed to be established without appropriate regulation as to the location, such uses might be established in areas that would conflict with the City's comprehensive land use plan, be inconsistent with surrounding uses, or be detrimental to the public health, safety and welfare; and

**WHEREAS**, the City Council of the City of Alamosa believes this ordinance is necessary to safeguard the urban environment by permitting compliance with state law in a manner consistent with the aforementioned concerns.

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the City Council of the City of Alamosa, Colorado, as follows:

**Section 1. Amendment of Use Schedule.** Schedule A of Chapter 21, Article V, Section 21-97 of the is hereby amended to add the following use group:

<i>USE GROUPS</i>		<i>Zoning Districts</i>						
		<i>A</i>	<i>RE/RL</i>	<i>RM</i>	<i>RH</i>	<i>CL</i>	<i>CB</i>	<i>I</i>
C-33	Medical Marijuana Facilities, in the event that the prohibition contained in Article X, Chapter 10 of the Code is held unconstitutional	No	No	No	No	No	R	R

**Section 2. Repealer.** All acts, orders, ordinances, resolutions, or portions thereof in conflict with the sections adopted in this Ordinance, are hereby repealed to the extent of such conflict.

**Section 3. Recording and Authentication.** This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the City book of Ordinances kept for that purposes, and published according to law.

**Section 4. Effective Date.** This ordinance shall take effect ten (10) days after publication following final passage.

**Section 5. Declaration of Public Interest.** This ordinance is necessary to preserve the peace, health, safety, welfare, and to serve the best interest of the citizens of the City of Alamosa, Colorado.

**INTRODUCED, READ AND APPROVED** on first reading the \_\_ of \_\_\_\_\_, 2011, and ordered published as provided by law with notice of a public hearing to be held for consideration of the adoption of said ordinance on the \_\_ day of \_\_\_\_\_, 2011, at 7:00 p.m., or as soon thereafter as the matter may be heard, or on such subsequent date to which the public hearing or Council consideration may be continued.

**APPROVED, AND ADOPTED** after public hearing the \_\_\_\_ day of \_\_\_\_\_,  
2011.

CITY OF ALAMOSA

By \_\_\_\_\_  
Kathy Rogers, Mayor

ATTEST:

\_\_\_\_\_  
Judy A. Egbert, City Clerk

**CITY OF ALAMOSA, COLORADO**

RESOLUTION NO. \_\_\_\_-2016

**A RESOLUTION AUTHORIZING THE SUBMISSION OF BALLOT QUESTIONS TO THE  
VOTERS OF THE CITY OF ALAMOSA CONCERNING ALLOWING CERTAIN  
MARIJUANA FACILITIES WITHIN THE CITY OF ALAMOSA AND THE IMPOSITION  
OF A TAX ON SALES OF MARIJUANA AND MARIJUANA PRODUCTS IN THE CITY OF  
ALAMOSA**

**WHEREAS**, Colorado voters have approved amendments to the Colorado Constitution, found at Article XVIII, Sections 14 and 16, which allow for the sale, manufacturing, cultivation, and, in the case of Section 16, testing of both medical and retail marijuana products in the State of Colorado; and

**WHEREAS**, through enactment of Ordinance No. 21, 2010, codified at Chapter 10, Article X of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has prohibited medical marijuana facilities, otherwise authorized by the Colorado Constitution under Article XVIII, Section 14; and

**WHEREAS**, through enactment of Ordinance No. 10, 2013, codified at Chapter 10, Article XI of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has prohibited retail marijuana facilities, including retail marijuana testing facilities, otherwise authorized by the Colorado Constitution under Article XVIII, Section 16; and

**WHEREAS**, through enactment of Ordinance No. 1, 2016, codified at Chapter 10, Article XII of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has allowed marijuana testing facilities in areas of the City zoned industrial; and

**WHEREAS**, the City Council has authority pursuant to C.R.S. § 31-11-111(2) to refer ballot questions to the voters of the City of Alamosa; and

**WHEREAS** the City Council finds it to be in the best interests of the City of Alamosa to refer the question of allowing additional marijuana facilities within the City of Alamosa to the registered electors of the City; and

**WHEREAS**, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any new tax, tax rate increases, mill levy above that for the prior year, and the creation of debt and for spending above the limits established by TABOR; and

**WHEREAS**, the City Council finds it to be in the best interests of the City of Alamosa to request the voters to approve an increase in taxes through the imposition of a sales or excise tax on marijuana and marijuana products in the event that the voters determine that marijuana facilities of any type should be allowed within the City; and



**WHEREAS**, Ordinance No. 2, 1993, of the City of Alamosa, Colorado, codified at *Code of Ordinances of the City of Alamosa* Section 5-9, authorizes the City to utilize the requirements and procedures of the *Uniform Election Code of 1992*, Article 1 to 13 of Title 1, C.R.S, in lieu of the *Municipal Election Code of 1965*, and as an alternative thereto; and

**WHEREAS**, said Ordinance enables the City to determine on an election-by-election basis whether to utilize the *Uniform Election Code of 1992*, and to make such determination by resolution; and

**WHEREAS**, the City Council has determined that is in the best interest of the City to conduct a coordinated election pursuant to the *Uniform Election Code of 1992*, for the election scheduled for November 8, 2016; and

**WHEREAS**, the City Council has entered or will enter into an intergovernmental agreement with the Alamosa County Clerk and Recorder to conduct the November 8, 2016 election as a coordinated election with the City of Alamosa;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Alamosa, Colorado:

1. An election shall be held as a coordinated election with the regular election on Tuesday, November 8, 2016, at which election there shall be submitted to the eligible electors of the City \_\_\_\_ (#) ballot issues and/or questions concerning marijuana. The ballot issues and questions shall be in substantially the following form:

**Ballot Title and Text of Ballot Issue 1 (medical marijuana centers):**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 350,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITIONAL SALES TAX OF UP TO 10 % ON THE SALE OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS, AS THOSE TERMS ARE DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., WITH THE SALES TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA CENTERS AS THAT TERM IS DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

**Ballot Title and Text of Ballot Issue 2 (retail marijuana stores):**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 450,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITIONAL SALES TAX OF UP TO 10 % ON THE SALE OF RETAIL MARIJUANA OR MARIJUANA PRODUCTS, WITH THE SALES TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF RETAIL MARIJUANA STORES AS THAT TERM IS DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

**Ballot Title and Text of Ballot Issue 3 (medical marijuana optional premises cultivation operations):**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 350,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 10 % OF THE PRICE PAID BY THE PURCHASER OF MEDICAL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM AN OPTIONAL PREMISES CULTIVATION OPERATION TO A MEDICAL MARIJUANA FACILITY OR A MARIJUANA-INFUSED PRODUCT MANUFACTURING FACILITY AS THOSE TERMS ARE DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., WITH THE EXCISE TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF OPTIONAL PREMISES CULTIVATION OPERATIONS AS THAT TERM IS DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

**Ballot Title and Text of Ballot Issue 4 (retail marijuana cultivation)**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 450,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 10 % OF

THE PRICE PAID BY PURCHASER OF UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA STORE OR A RETAIL MARIJUANA PRODUCTS MANUFACTURER AS THOSE TERMS ARE DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., WITH THE EXCISE TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF RETAIL MARIJUANA CULTIVATION FACILITIES AS THAT TERM IS DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

**Ballot Title and Text of Ballot Issue 5 (medical marijuana-infused products manufacturers):**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 350,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 10 % OF THE PRICE PAID BY THE PURCHASER OF MEDICAL MARIJUANA-INFUSED PRODUCTS ON THE DATE THAT THEY ARE FIRST SOLD OR TRANSFERRED FROM A MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER TO A MEDICAL MARIJUANA FACILITY AS THOSE TERMS ARE DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., WITH THE EXCISE TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS AS THAT TERM IS DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

**Ballot Title and Text of Ballot Issue 6 (retail marijuana products manufacturers):**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 450,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 10 % OF THE PRICE PAID BY THE PURCHASER OF RETAIL MARIJUANA PRODUCTS ON THE DATE THAT THEY ARE FIRST SOLD OR TRANSFERRED FROM RETAIL MARIJUANA PRODUCTS MANUFACTURER TO A RETAIL MARIJUANA STORE AS THOSE TERMS ARE DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., WITH

THE EXCISE TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF RETAIL MARIJUANA PRODUCTS MANUFACTURERS THAT TERM IS DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

2. The City Clerk is hereby directed to act as the City's Election Official and participate in the preparation for the election with the Alamosa County Clerk and Recorder; and to take all necessary actions to conduct the special municipal election with the Alamosa County Clerk and Recorder; and to take all necessary actions to conduct the special Municipal Election in accordance with the *Uniform Election Code of 1992*, and all applicable laws.

3. The election shall be conducted as a coordinated mail ballot election in Alamosa County pursuant to the provisions of articles 1 to 13 of title 1, Colorado Revised Statutes (the "Uniform Election Code"). The election shall also be conducted pursuant to the provisions of the Intergovernmental Agreement (the "Intergovernmental Agreement") between the City and the Alamosa County Clerk and Recorder, concerning the conduct of the election as a coordinated mail ballot election under the Uniform Election Code.

4. All acts required or permitted by the Uniform Election Code relevant to voting which are to be performed by the designated election official, shall be performed in the City by the Alamosa County Clerk and Recorder.

5. For purposes of § 1-11-203.5, Colorado Revised Statutes, the ballot titles for the ballot issues contained in this Resolution are hereby determined to be the text of the ballot issues themselves.

6. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution in accordance with Colorado law.

7. All actions not inconsistent with the provisions of this Resolution, heretofore taken by the members of the City Council and the officers and employees of the City, directed toward holding the election for the purposes stated herein are hereby ratified, approved and confirmed.

8. All prior resolutions or orders, or parts thereof, by the City Council in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed to revive any resolution or order, or part thereof, heretofore repealed.

9. Pursuant to C.R.S. § 1-11-203.5, any election contest arising out of a Ballot Issue or Ballot Question election concerning the order of the ballot or the form or content of the ballot

title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

10. If any section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

READ, PASSED AND ADOPTED this 17th day of August, 2016.

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Josef P. Lucero, Mayor

Attest:

---

Holly C. Martinez, City Clerk

**CITY OF ALAMOSA, COLORADO**

RESOLUTION NO. \_\_\_\_-2016

**A RESOLUTION AUTHORIZING THE SUBMISSION OF BALLOT QUESTIONS TO THE  
VOTERS OF THE CITY OF ALAMOSA CONCERNING ALLOWING CERTAIN  
MARIJUANA FACILITIES WITHIN THE CITY OF ALAMOSA AND THE IMPOSITION  
OF A TAX ON SALES OF MARIJUANA AND MARIJUANA PRODUCTS IN THE CITY OF  
ALAMOSA**

**WHEREAS**, Colorado voters have approved amendments to the Colorado Constitution, found at Article XVIII, Sections 14 and 16, which allow for the sale, manufacturing, cultivation, and, in the case of Section 16, testing of both medical and retail marijuana products in the State of Colorado; and

**WHEREAS**, through enactment of Ordinance No. 21, 2010, codified at Chapter 10, Article X of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has prohibited medical marijuana facilities, otherwise authorized by the Colorado Constitution under Article XVIII, Section 14; and

**WHEREAS**, through enactment of Ordinance No. 10, 2013, codified at Chapter 10, Article XI of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has prohibited retail marijuana facilities, including retail marijuana testing facilities, otherwise authorized by the Colorado Constitution under Article XVIII, Section 16; and

**WHEREAS**, through enactment of Ordinance No. 1, 2016, codified at Chapter 10, Article XII of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has allowed marijuana testing facilities in areas of the City zoned industrial; and

**WHEREAS**, the City Council has authority pursuant to C.R.S. § 31-11-111(2) to refer ballot questions to the voters of the City of Alamosa; and

**WHEREAS** the City Council finds it to be in the best interests of the City of Alamosa to refer the question of allowing additional marijuana facilities within the City of Alamosa to the registered electors of the City; and

**WHEREAS**, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any new tax, tax rate increases, mill levy above that for the prior year, and the creation of debt and for spending above the limits established by TABOR; and

**WHEREAS**, the City Council finds it to be in the best interests of the City of Alamosa to request the voters to approve an increase in taxes through the imposition of a sales or excise tax on marijuana and marijuana products in the event that the voters determine that marijuana facilities of any type should be allowed within the City; and

**WHEREAS**, Ordinance No. 2, 1993, of the City of Alamosa, Colorado, codified at *Code of Ordinances of the City of Alamosa* Section 5-9, authorizes the City to utilize the requirements and procedures of the *Uniform Election Code of 1992*, Article 1 to 13 of Title 1, C.R.S, in lieu of the *Municipal Election Code of 1965*, and as an alternative thereto; and

**WHEREAS**, said Ordinance enables the City to determine on an election-by-election basis whether to utilize the *Uniform Election Code of 1992*, and to make such determination by resolution; and

**WHEREAS**, the City Council has determined that is in the best interest of the City to conduct a coordinated election pursuant to the *Uniform Election Code of 1992*, for the election scheduled for November 8, 2016; and

**WHEREAS**, the City Council has entered or will enter into an intergovernmental agreement with the Alamosa County Clerk and Recorder to conduct the November 8, 2016 election as a coordinated election with the City of Alamosa;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Alamosa, Colorado:

1. An election shall be held as a coordinated election with the regular election on Tuesday, November 8, 2016, at which election there shall be submitted to the eligible electors of the City \_\_\_\_ (#) ballot issues and/or questions concerning marijuana. The ballot issues and questions shall be in substantially the following form:

**Ballot Title and Text of Ballot Issue 1 (sales and excise taxes on marijuana)**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 750,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX IN THE AMOUNT OF 10% OF THE AMOUNT PAID BY THE PURCHASER ON ANY FIRST TRANSFER OF MEDICAL OR RETAIL MARIJUANA FROM A CULTIVATION FACILITY, MEDICAL MARIJUANA CENTER, OR MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION, AN EXCISE TAX OF 10% OF THE AMOUNT PAID BY THE PURCHASER ON ANY FIRST TRANSFER OF MEDICAL OR RETAIL MARIJUANA PRODUCT FROM A MEDICAL MARIJUANA-INFUSED PRODUCT MANUFACTURER OR A MARIJUANA PRODUCTS MANUFACTURER, AND AN ADDITIONAL SALES TAX OF 10 % ON THE SALE OF MARIJUANA AND MARIJUANA PRODUCTS (BOTH MEDICAL AND RETAIL), ONLY IN THE EVENT THAT MARIJUANA FACILITIES ARE PERMITTED IN THE CITY OF ALAMOSA BASED UPON AN AFFIRMATIVE VOTE OF THE QUALIFIED ELECTORS OF THE CITY OF ALAMOSA, WITH THE RESULTING SALES TAX RATES BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, NOTWITHSTANDING ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION ANY OTHER LIMITATIONS PROVIDED BY LAW?

**Ballot Title and Text of Ballot Question 2** (allowance of medical marijuana centers):

Shall the city of Alamosa allow the establishment and operation of medical marijuana centers as that term is defined in the medical marijuana code, C.R.S. § 12-43.3-101 et seq., subject to appropriate local licensing and regulation?

**Ballot Title and Text of Ballot Question 3** (allowance of retail marijuana stores):

Shall the city of Alamosa allow the establishment and operation of retail marijuana stores as that term is defined in the retail marijuana code, C.R.S. § 12-43.4-101 et seq., subject to appropriate local licensing and regulation?

**Ballot Title and Text of Ballot Question 4** (allowance of medical marijuana optional premises cultivation operations):

Shall the city of Alamosa allow the establishment and operation of optional premises cultivation operations as that term is defined in the medical marijuana code, C.R.S. § 12-43.3-101 et seq., subject to appropriate local licensing and regulation?

**Ballot Title and Text of Ballot Question 5** (allowance of retail marijuana cultivation)

Shall the city of Alamosa allow the establishment and operation of retail marijuana cultivation facilities as that term is defined in the retail marijuana code, C.R.S. § 12-43.4-101 et seq., subject to appropriate local licensing and regulation?

**Ballot Title and Text of Ballot Question 6** (allowance of medical marijuana-infused products manufacturers):

Shall the city of Alamosa allow the establishment and operation of medical marijuana-infused products manufacturers as that term is defined in the medical marijuana code, C.R.S. § 12-43.3-101 et seq., subject to appropriate local licensing and regulation?

**Ballot Title and Text of Ballot Question 7** (allowance of retail marijuana products manufacturers):

Shall the city of Alamosa allow the establishment and operation of retail marijuana products manufacturers that term is defined in the retail marijuana code, C.R.S. § 12-43.4-101 et seq., subject to appropriate local licensing and regulation?

2. The City Clerk is hereby directed to act as the City's Election Official and participate in the preparation for the election with the Alamosa County Clerk and Recorder; and to take all necessary actions to conduct the special municipal election with the Alamosa County Clerk and Recorder; and to take all necessary actions to conduct the special Municipal Election in accordance with the *Uniform Election Code of 1992*, and all applicable laws.



3. The election shall be conducted as a coordinated mail ballot election in Alamosa County pursuant to the provisions of articles 1 to 13 of title 1, Colorado Revised Statutes (the "Uniform Election Code"). The election shall also be conducted pursuant to the provisions of the Intergovernmental Agreement (the "Intergovernmental Agreement") between the City and the Alamosa County Clerk and Recorder, concerning the conduct of the election as a coordinated mail ballot election under the Uniform Election Code.

4. All acts required or permitted by the Uniform Election Code relevant to voting which are to be performed by the designated election official, shall be performed in the City by the Alamosa County Clerk and Recorder.

5. For purposes of § 1-11-203.5, Colorado Revised Statutes, the ballot titles for the ballot issues contained in this Resolution are hereby determined to be the text of the ballot issues themselves.

6. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution in accordance with Colorado law.

7. All actions not inconsistent with the provisions of this Resolution, heretofore taken by the members of the City Council and the officers and employees of the City, directed toward holding the election for the purposes stated herein are hereby ratified, approved and confirmed.

8. All prior resolutions or orders, or parts thereof, by the City Council in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed to revive any resolution or order, or part thereof, heretofore repealed.

9. Pursuant to C.R.S. § 1-11-203.5, any election contest arising out of a Ballot Issue or Ballot Question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

10. If any section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

READ, PASSED AND ADOPTED this 17th day of August, 2016.

---

Josef P. Lucero, Mayor

Attest:

---

Holly C. Martinez, City Clerk

**CITY OF ALAMOSA, COLORADO**

RESOLUTION NO. \_\_\_\_-2016

**A RESOLUTION AUTHORIZING THE SUBMISSION OF BALLOT QUESTIONS TO THE  
VOTERS OF THE CITY OF ALAMOSA CONCERNING ALLOWING CERTAIN  
MARIJUANA FACILITIES WITHIN THE CITY OF ALAMOSA AND THE IMPOSITION  
OF A TAX ON SALES OF MARIJUANA AND MARIJUANA PRODUCTS IN THE CITY OF  
ALAMOSA**

**WHEREAS**, Colorado voters have approved amendments to the Colorado Constitution, found at Article XVIII, Sections 14 and 16, which allow for the sale, manufacturing, cultivation, and, in the case of Section 16, testing of both medical and retail marijuana products in the State of Colorado; and

**WHEREAS**, through enactment of Ordinance No. 21, 2010, codified at Chapter 10, Article X of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has prohibited medical marijuana facilities, otherwise authorized by the Colorado Constitution under Article XVIII, Section 14; and

**WHEREAS**, through enactment of Ordinance No. 10, 2013, codified at Chapter 10, Article XI of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has prohibited retail marijuana facilities, including retail marijuana testing facilities, otherwise authorized by the Colorado Constitution under Article XVIII, Section 16; and

**WHEREAS**, through enactment of Ordinance No. 1, 2016, codified at Chapter 10, Article XII of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has allowed marijuana testing facilities in areas of the City zoned industrial; and

**WHEREAS**, the City Council has authority pursuant to C.R.S. § 31-11-111(2) to refer ballot questions to the voters of the City of Alamosa; and

**WHEREAS** the City Council finds it to be in the best interests of the City of Alamosa to refer the question of allowing additional marijuana facilities within the City of Alamosa to the registered electors of the City; and

**WHEREAS**, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any new tax, tax rate increases, mill levy above that for the prior year, and the creation of debt and for spending above the limits established by TABOR; and

**WHEREAS**, the City Council finds it to be in the best interests of the City of Alamosa to request the voters to approve an increase in taxes through the imposition of a sales or excise tax on marijuana and marijuana products in the event that the voters determine that marijuana facilities of any type should be allowed within the City; and

**WHEREAS**, Ordinance No. 2, 1993, of the City of Alamosa, Colorado, codified at *Code of Ordinances of the City of Alamosa* Section 5-9, authorizes the City to utilize the requirements and procedures of the *Uniform Election Code of 1992*, Article 1 to 13 of Title 1, C.R.S, in lieu of the *Municipal Election Code of 1965*, and as an alternative thereto; and

**WHEREAS**, said Ordinance enables the City to determine on an election-by-election basis whether to utilize the *Uniform Election Code of 1992*, and to make such determination by resolution; and

**WHEREAS**, the City Council has determined that is in the best interest of the City to conduct a coordinated election pursuant to the *Uniform Election Code of 1992*, for the election scheduled for November 8, 2016; and

**WHEREAS**, the City Council has entered or will enter into an intergovernmental agreement with the Alamosa County Clerk and Recorder to conduct the November 8, 2016 election as a coordinated election with the City of Alamosa;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Alamosa, Colorado:

1. An election shall be held as a coordinated election with the regular election on Tuesday, November 8, 2016, at which election there shall be submitted to the eligible electors of the City \_\_\_\_ (#) ballot issues and/or questions concerning marijuana. The ballot issues and questions shall be in substantially the following form:

**Ballot Title and Text of Ballot Issue 1 (sales tax on marijuana)**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 750,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITIONAL SALES TAX OF 10 % ON THE SALE OF MARIJUANA AND MARIJUANA PRODUCTS (BOTH MEDICAL AND RETAIL) ONLY IN THE EVENT THAT MARIJUANA FACILITIES ARE PERMITTED IN THE CITY OF ALAMOSA BASED UPON AN AFFIRMATIVE VOTE OF THE QUALIFIED ELECTORS OF THE CITY OF ALAMOSA, WITH THE RESULTING SALES TAX RATES BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, NOTWITHSTANDING ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION ANY OTHER LIMITATIONS PROVIDED BY LAW?

**Ballot Title and Text of Ballot Question 2 (allowance of medical marijuana centers):**

Shall the city of Alamosa allow the establishment and operation of medical marijuana centers as that term is defined in the medical marijuana code, C.R.S. § 12-43.3-101 et seq., subject to appropriate local licensing and regulation?

**Ballot Title and Text of Ballot Question 3** (allowance of retail marijuana stores):

Shall the city of Alamosa allow the establishment and operation of retail marijuana stores as that term is defined in the retail marijuana code, C.R.S. § 12-43.4-101 et seq., subject to appropriate local licensing and regulation?

**Ballot Title and Text of Ballot Question 4** (allowance of medical marijuana optional premises cultivation operations):

Shall the city of Alamosa allow the establishment and operation of optional premises cultivation operations as that term is defined in the medical marijuana code, C.R.S. § 12-43.3-101 et seq., subject to appropriate local licensing and regulation?

**Ballot Title and Text of Ballot Question 5** (allowance of retail marijuana cultivation)

Shall the city of Alamosa allow the establishment and operation of retail marijuana cultivation facilities as that term is defined in the retail marijuana code, C.R.S. § 12-43.4-101 et seq., subject to appropriate local licensing and regulation?

**Ballot Title and Text of Ballot Question 6** (allowance of medical marijuana-infused products manufacturers):

Shall the city of Alamosa allow the establishment and operation of medical marijuana-infused products manufacturers as that term is defined in the medical marijuana code, C.R.S. § 12-43.3-101 et seq., subject to appropriate local licensing and regulation?

**Ballot Title and Text of Ballot Question 7** (allowance of retail marijuana products manufacturers):

Shall the city of Alamosa allow the establishment and operation of retail marijuana products manufacturers that term is defined in the retail marijuana code, C.R.S. § 12-43.4-101 et seq., subject to appropriate local licensing and regulation?

2. The City Clerk is hereby directed to act as the City's Election Official and participate in the preparation for the election with the Alamosa County Clerk and Recorder; and to take all necessary actions to conduct the special municipal election with the Alamosa County Clerk and Recorder; and to take all necessary actions to conduct the special Municipal Election in accordance with the *Uniform Election Code of 1992*, and all applicable laws.

3. The election shall be conducted as a coordinated mail ballot election in Alamosa County pursuant to the provisions of articles 1 to 13 of title 1, Colorado Revised Statutes (the "Uniform Election Code"). The election shall also be conducted pursuant to the provisions of the Intergovernmental Agreement (the "Intergovernmental Agreement") between the City and the Alamosa County Clerk and Recorder, concerning the conduct of the election as a coordinated mail ballot election under the Uniform Election Code.

4. All acts required or permitted by the Uniform Election Code relevant to voting which are to be performed by the designated election official, shall be performed in the City by the Alamosa County Clerk and Recorder.

5. For purposes of § 1-11-203.5, Colorado Revised Statutes, the ballot titles for the ballot issues contained in this Resolution are hereby determined to be the text of the ballot issues themselves.

6. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution in accordance with Colorado law.

7. All actions not inconsistent with the provisions of this Resolution, heretofore taken by the members of the City Council and the officers and employees of the City, directed toward holding the election for the purposes stated herein are hereby ratified, approved and confirmed.

8. All prior resolutions or orders, or parts thereof, by the City Council in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed to revive any resolution or order, or part thereof, heretofore repealed.

9. Pursuant to C.R.S. § 1-11-203.5, any election contest arising out of a Ballot Issue or Ballot Question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

10. If any section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

READ, PASSED AND ADOPTED this 17th day of August, 2016.

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Josef P. Lucero, Mayor

Attest:

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Holly C. Martinez, City Clerk

**CITY OF ALAMOSA, COLORADO**

RESOLUTION NO. \_\_\_\_-2016

**A RESOLUTION AUTHORIZING THE SUBMISSION OF BALLOT QUESTIONS TO THE  
VOTERS OF THE CITY OF ALAMOSA CONCERNING ALLOWING CERTAIN  
MARIJUANA FACILITIES WITHIN THE CITY OF ALAMOSA AND THE IMPOSITION  
OF A TAX ON SALES OF MARIJUANA AND MARIJUANA PRODUCTS IN THE CITY OF  
ALAMOSA**

**WHEREAS**, Colorado voters have approved amendments to the Colorado Constitution, found at Article XVIII, Sections 14 and 16, which allow for the sale, manufacturing, cultivation, and, in the case of Section 16, testing of both medical and retail marijuana products in the State of Colorado; and

**WHEREAS**, through enactment of Ordinance No. 21, 2010, codified at Chapter 10, Article X of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has prohibited medical marijuana facilities, otherwise authorized by the Colorado Constitution under Article XVIII, Section 14; and

**WHEREAS**, through enactment of Ordinance No. 10, 2013, codified at Chapter 10, Article XI of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has prohibited retail marijuana facilities, including retail marijuana testing facilities, otherwise authorized by the Colorado Constitution under Article XVIII, Section 16; and

**WHEREAS**, through enactment of Ordinance No. 1, 2016, codified at Chapter 10, Article XII of the *Code of Ordinances of the City of Alamosa*, the City of Alamosa has allowed marijuana testing facilities in areas of the City zoned industrial; and

**WHEREAS**, the City Council has authority pursuant to C.R.S. § 31-11-111(2) to refer ballot questions to the voters of the City of Alamosa; and

**WHEREAS** the City Council finds it to be in the best interests of the City of Alamosa to refer the question of allowing additional marijuana facilities within the City of Alamosa to the registered electors of the City; and

**WHEREAS**, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any new tax, tax rate increases, mill levy above that for the prior year, and the creation of debt and for spending above the limits established by TABOR; and

**WHEREAS**, the City Council finds it to be in the best interests of the City of Alamosa to request the voters to approve an increase in taxes through the imposition of a sales or excise tax on marijuana and marijuana products in the event that the voters determine that marijuana facilities of any type should be allowed within the City; and

**WHEREAS**, Ordinance No. 2, 1993, of the City of Alamosa, Colorado, codified at *Code of Ordinances of the City of Alamosa* Section 5-9, authorizes the City to utilize the requirements and procedures of the *Uniform Election Code of 1992*, Article 1 to 13 of Title 1, C.R.S, in lieu of the *Municipal Election Code of 1965*, and as an alternative thereto; and

**WHEREAS**, said Ordinance enables the City to determine on an election-by-election basis whether to utilize the *Uniform Election Code of 1992*, and to make such determination by resolution; and

**WHEREAS**, the City Council has determined that is in the best interest of the City to conduct a coordinated election pursuant to the *Uniform Election Code of 1992*, for the election scheduled for November 8, 2016; and

**WHEREAS**, the City Council has entered or will enter into an intergovernmental agreement with the Alamosa County Clerk and Recorder to conduct the November 8, 2016 election as a coordinated election with the City of Alamosa;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Alamosa, Colorado:

1. An election shall be held as a coordinated election with the regular election on Tuesday, November 8, 2016, at which election there shall be submitted to the eligible electors of the City \_\_\_\_ (#) ballot issues and/or questions concerning marijuana. The ballot issues and questions shall be in substantially the following form:

**Ballot Title and Text of Ballot Issue 1 (medical marijuana centers):**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 350,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITIONAL SALES TAX OF UP TO 10 % ON THE SALE OF MEDICAL MARIJUANA, AS THAT TERM IS DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., WITH THE SALES TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA CENTERS AS THAT TERM IS DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?



**Ballot Title and Text of Ballot Issue 2 (retail marijuana stores):**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 450,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITIONAL SALES TAX OF UP TO 10 % ON THE SALE OF RETAIL MARIJUANA, WITH THE SALES TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF RETAIL MARIJUANA STORES AS THAT TERM IS DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

**Ballot Title and Text of Ballot Issue 3 (medical marijuana optional premises cultivation operations):**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 350,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 10 % OF THE PRICE PAID BY THE PURCHASER OF MEDICAL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM AN OPTIONAL PREMISES CULTIVATION OPERATION TO A MEDICAL MARIJUANA FACILITY OR A MARIJUANA-INFUSED PRODUCT MANUFACTURING FACILITY AS THOSE TERMS ARE DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., WITH THE EXCISE TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF OPTIONAL PREMISES CULTIVATION OPERATIONS AS THAT TERM IS DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

**Ballot Title and Text of Ballot Issue 4 (retail marijuana cultivation)**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 450,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 10 % OF

THE PRICE PAID BY PURCHASER OF UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA STORE OR A RETAIL MARIJUANA PRODUCTS MANUFACTURER AS THOSE TERMS ARE DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., WITH THE EXCISE TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF RETAIL MARIJUANA CULTIVATION FACILITIES AS THAT TERM IS DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

**Ballot Title and Text of Ballot Issue 5 (medical marijuana-infused products manufacturers):**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 350,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 10 % OF THE PRICE PAID BY THE PURCHASER OF MEDICAL MARIJUANA-INFUSED PRODUCTS ON THE DATE THAT THEY ARE FIRST SOLD OR TRANSFERRED FROM A MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER TO A MEDICAL MARIJUANA FACILITY AS THOSE TERMS ARE DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., WITH THE EXCISE TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS AS THAT TERM IS DEFINED IN THE MEDICAL MARIJUANA CODE, C.R.S. § 12-43.3-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

**Ballot Title and Text of Ballot Issue 6 (retail marijuana products manufacturers):**

SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 450,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 10 % OF THE PRICE PAID BY THE PURCHASER OF RETAIL MARIJUANA PRODUCTS ON THE DATE THAT THEY ARE FIRST SOLD OR TRANSFERRED FROM RETAIL MARIJUANA PRODUCTS MANUFACTURER TO A RETAIL MARIJUANA STORE AS THOSE TERMS ARE DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., WITH

THE EXCISE TAX RATE BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, WITHOUT ANY LIMITATION BY THE REVENUE OR SPENDING LIMITS OF, AND WITHOUT AFFECTING THE CITY'S ABILITY TO COLLECT AND SPEND ANY OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND SHALL THE CITY OF ALAMOSA ALLOW THE ESTABLISHMENT AND OPERATION OF RETAIL MARIJUANA PRODUCTS MANUFACTURERS THAT TERM IS DEFINED IN THE RETAIL MARIJUANA CODE, C.R.S. § 12-43.4-101 ET SEQ., SUBJECT TO APPROPRIATE LOCAL LICENSING AND REGULATION?

2. The City Clerk is hereby directed to act as the City's Election Official and participate in the preparation for the election with the Alamosa County Clerk and Recorder; and to take all necessary actions to conduct the special municipal election with the Alamosa County Clerk and Recorder; and to take all necessary actions to conduct the special Municipal Election in accordance with the *Uniform Election Code of 1992*, and all applicable laws.

3. The election shall be conducted as a coordinated mail ballot election in Alamosa County pursuant to the provisions of articles 1 to 13 of title 1, Colorado Revised Statutes (the "Uniform Election Code"). The election shall also be conducted pursuant to the provisions of the Intergovernmental Agreement (the "Intergovernmental Agreement") between the City and the Alamosa County Clerk and Recorder, concerning the conduct of the election as a coordinated mail ballot election under the Uniform Election Code.

4. All acts required or permitted by the Uniform Election Code relevant to voting which are to be performed by the designated election official, shall be performed in the City by the Alamosa County Clerk and Recorder.

5. For purposes of § 1-11-203.5, Colorado Revised Statutes, the ballot titles for the ballot issues contained in this Resolution are hereby determined to be the text of the ballot issues themselves.

6. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution in accordance with Colorado law.

7. All actions not inconsistent with the provisions of this Resolution, heretofore taken by the members of the City Council and the officers and employees of the City, directed toward holding the election for the purposes stated herein are hereby ratified, approved and confirmed.

8. All prior resolutions or orders, or parts thereof, by the City Council in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed to revive any resolution or order, or part thereof, heretofore repealed.

9. Pursuant to C.R.S. § 1-11-203.5, any election contest arising out of a Ballot Issue or Ballot Question election concerning the order of the ballot or the form or content of the ballot

title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

10. If any section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

READ, PASSED AND ADOPTED this 17th day of August, 2016.

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Josef P. Lucero, Mayor

Attest:

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Holly C. Martinez, City Clerk

	<b>Retail Marijuana Taxation Ballot Questions - thru Fall 2015</b>	
<u>Municipality</u>	<u>Ballot Language</u>	<u>Pass/Fail: Y-N</u>
FALL 2013		
	<b>Sales Tax Measures</b>	
CARBONDALE	2C: SHALL THE TOWN OF CARBONDALE'S TAXES BE INCREASED BY \$394,875 IN THE FIRST FULL FISCAL YEAR, BEGINNING JANUARY 1, 2014, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND AN EXCISE TAX OF 5% OF THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTNATION FACILITY TO A RETAIL MARIJUANA STORE OR RETAIL MARIJUANA PRODUCTS MANUFACTURER, WITH THE RESULTING SALES OR EXCISE TAX RATES CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, NOTWITHSTANDING ANY OTHER LIMITATIONS PROVIDED BY LAW, AND USED TO FUND THE ENFORCEMENT OFREGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION, AND OTHER TOWN EXPENSES?	PASS, 1162-425
DENVER	Referred Question 2A "SHALL CITY TAXES BE INCREASED BY \$4.48 MILLION ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 3.5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION INCLUDING PREVENTION OF UNDERAGE CONSUMPTION, AND OTHER CITY EXPENSES, WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 15%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW?"	PASS, 69%-31%
FRASER	Referred Measure 2C SHALL TOWN OF FRASER TAXES BE INCREASED BY \$100,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A RETAIL MARIJUANA TAX OF FIVE PERCENT (5%) ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WHICH SHALL BE IN ADDITION TO THE MUNICIPAL SALES TAX ON SUCH SALES; AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO PROMOTE THE GENERAL PURPOSES OF THE TOWN OF FRASER AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 219-85
LITTLETON	Ballot Issue 2E SHALL CITY OF LITTLETON TAXES BE INCREASED BY AN ESTIMATED \$120,000 IN 2014 (THE FIRST FULL FISCAL YEAR) AND WHATEVER AMOUNTS MAY BE COLLECTED IN FUTURE YEARS BY ADDING A NEW CHAPTER 22 TO TITLE 3 OF THE CITY CODE OF THE CITY OF LITTLETON TO IMPOSE A TAX OF THREE PERCENT (3%) OF THE PURCHASE PRICE PAID OR CHARGED FOR SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS IN THE CITY OF LITTLETON IN ADDITION TO THE SALES TAX AND ANY OTHER STATE TAX IMPOSED ON SUCH SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS? AND SHALL ALL REVENUE RECEIVED FROM SUCH TAX INCREASE AND ANY INVESTMENT INTEREST THEREON BE A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 63.8%-36.1%
MANITOU SPRINGS	2A - CITY OF MANITOU SPRINGS SHALL CITY OF MANITOU SPRINGS' TAXES BE INCREASED BY ONE HUNDRED TWENTY TWO THOUSAND DOLLARS (\$122,000.00) ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 10%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT BY THE CITY WITHOUT REGARD TO ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 66%-33%

MOUNTAIN VIEW	<p>BALLOT ISSUE NO. 1</p> <p>SHALL TOWN OF MOUNTAIN VIEW TAXES BE INCREASED \$100,000.00 ANNUALLY IN THE FIRST FISCAL YEAR AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR BY THE IMPOSITION OF A 5% TAX ON THE PURCHASE OR SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, COMMENCING ON JANUARY 1, 2014, THE PROCEEDS OF SUCH TAX TO BE USED FOR POLICE PROTECTION, COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, AND RELATED SERVICES, AND SHALL THE PROCEEDS OF SUCH TAX AND INVESTMENT INCOME THEREON CONSTITUTE VOTER-APPROVED REVENUE CHANGES AND BE COLLECTED AND SPENT BY THE TOWN WITHQUTREGAR.D TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	PASS, 86-34
NORTHGLENN	<p>SHALL CITY OF NORTHGLENN TAXES BE INCREASED BY FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) ANNUALLY IN THE FIRST FISCAL YEAR, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A NEW SALES TAX OF TWO PERCENT (2%) ON THE SALE OF RETAIL MARIJUANA AND MEDICAL MARIJUANA, AND RETAIL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS, WHICH SHALL BE IN ADDITION TO THE MUNICIPAL SALES TAX ON SUCH SALES, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO BE USED EXCLUSIVELY FOR THE CONSTRUCTION OF PUBLIC FACILITIES, INCLUDING, BUT NOT LIMITED TO, THE NORTHGLENN RECREATION CENTER, THE NORTHGLENN SENIOR CENTER, AND THE NORTHGLENN THEATRE AS A VOTER APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	PASS, 6791-3926
RED CLIFF	<p>2G: SHALL TOWN OF RED CLIFF TAXES BE INCREASED BY \$50,000.00 IN THE FISCAL YEAR COMMENCING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014 AND BY SUCH AMOUNTS AS MAY BE COLLECTED ANNUALLY THEREAFTER BY THE IMPOSITION ON JANUARY 1, 2014 OF A NEW SALES TAX ON THE RETAIL SALE OF MARIJUANA, MARIJUANA PRODUCTS AND MARIJUANA ACCESSORIES BY LICENSED MARIJUANA ESTABLISHMENTS AT A RATE OF UP TO 5 PERCENT (5%), AND BY THE IMPOSITION ON JANUARY 1, 2014 OF A NEW EXCISE TAX ON THE SALE OF MARIJUANA BY A MARIJUANA CULTIVATION FACILITY TO ANOTHER LICENSED MARIJUANA ESTABLISHMENT AT A RATE OF UP TO 15 PERCENT (15%), WITH SUCH ADDITIONAL REVENUES AS ARE GENERATED BY THE NEW TAX TO BE COLLECTED, RETAINED AND SPENT FOR THE PURPOSE OF FUNDING MUNICIPAL SERVICES AND OPERATIONS AND/OR OTHER LAWFUL GENERAL MUNICIPAL PURPOSES, AS A VOTER APPROVED REVENUE CHANGE, OFFSET AND EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	PASS, 53-27
	<b>Excise Tax Measures</b>	
BOULDER	<p>BALLOT ISSUE NO. 2A: RECREATIONAL MARIJUANA TAX</p> <p>SHALL CITY OF BOULDER TAXES BE INCREASED BY (\$3,360,000 FIRST FULL FISCAL YEAR DOLLAR INCREASE) ANNUALLY AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN EXCISE TAX OF 5 PERCENT IN 2014 AND UP TO 10 PERCENT THEREAFTER ON THE CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF TRANSFER FROM THE CULTIVATION FACILITY AND AN ADDITIONAL SALES AND USE TAX OF 3.5 PERCENT IN 2014 AND UP TO 10 PERCENT THEREAFTER ON RECREATIONAL MARIJUANA AS PROVIDED IN ORDINANCE NO. 7916 COMMENCING JANUARY 1, 2014 WITH SUFFICIENT REVENUES FROM THE EXCISE AND SALES AND USE TAX TO BE USED FOR PUBLIC SAFETY, ENFORCEMENT AND ADMINISTRATIVE PURPOSES AND FOR COMPREHENSIVE SUBSTANCE ABUSE PROGRAMS INCLUDING WITHOUT LIMITATION PREVENTION, TREATMENT, EDUCATION, RESPONSIBLE USE, INTERVENTION, AND MONITORING, WITH AN EMPHASIS ON YOUTH, AND WITH THE REMAINDER USED BY THE GENERAL FUND; AND IN CONNECTION THEREWITH, SHALL THE FULL PROCEEDS OF SUCH TAXES AT SUCH RATES AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVED</p>	PASS, 18,461-9,295
BRECKENRIDGE	<p>2C: SHALL TOWN OF BRECKENRIDGE TAXES BE INCREASED BY SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000) IN THE FISCAL YEAR COMMENCING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2014, A NEW EXCISE TAX ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS DEFINED IN THE COLORADO RETAIL MARIJUANA CODE AND APPLICABLE TOWN ORDINANCES, AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, IN ACCORDANCE WITH ORDINANCE NO. 29, SERIES 2013, WHICH IS HEREBY APPROVED; AND SHALL THE REVENUE RECEIVED BY THE TOWN FROM THE COLLECTION OF SUCH NEW TAX BE USED TO PAY OR REIMBURSE THE TOWN FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE TOWN FOR ADEQUATE TRAINING, ENFORCEMENT, AND ADMINISTRATION OF ALL APPLICABLE MARIJUANA LAWS AND REGULATIONS, TO SUPPORT LOCAL DRUG AND ALCOHOL PROGRAMS AND FACILITIES, AND FOR OTHER GENERAL PURPOSES OF THE TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION ?</p>	PAS,S 73%-27%

FRISCO	2A: SHALL TOWN OF FRISCO TAXES BE INCREASED BY TWO HUNDRED SEVENTYFIVE THOUSAND DOLLARS (\$275,000) IN THE FISCAL YEAR COMMENCING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW EXCISE TAX, EFFECTIVE JANUARY 1, 2014, ON THE AUTHORIZED (UNDER STATE LAW) RETAIL SALE WITHIN THE TOWN OF MARIJUANA IN ANY FORM, INCLUDING BUT NOT LIMITED TO, A MARIJUANA PRODUCT AS DEFINED BY STATE LAW, AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OF THE MARIJUANA, IN ACCORDANCE WITH TOWN OF FRISCO ORDINANCE 13-; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION ?	PASS, 78%-22%
SILVERTHORNE	2F: SHALL TOWN OF SILVERTHORNE TAXES BE INCREASED BY \$100,000.00 IN CALENDAR YEAR 2014 AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR, BY THE IMPOSITION OF AN EXCISE TAX ON THE SALE OF MARIJUANA AND MARIJUANA PRODUCTS (AS SUCH ARE AUTHORIZED BY STATE LAW, (WITH THE EXCEPTION OF MEDICAL MARIJUANA AND PRODUCTS RELATED THERETO), COMMENCING JANUARY 1, 2014 AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER, WHICH TAX REVENUES SHALL BE EXPENDED FOR, BUT NOT BE LIMITED TO:  <ul style="list-style-type: none"> <li>• MENTAL HEALTH SUPPORT SERVICES WITHIN THE TOWN, AND</li> <li>• DUI ENFORCEMENT WITHIN THE TOWN,</li> </ul> AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND SPEND THE REVENUES FROM SUCH TAX, INCLUDING ALL INTEREST DERIVED THEREFROM, WITHOUT REGARD TO THE REVENUE RAISING, DEBT LIMITATION OR OTHER RESTRICTIONS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 72.1%-27.9%
	<b>Occupation Tax Measures</b>	
EAGLE	2F: SHALL THE TOWN OF EAGLE'S TAXES BE INCREASED BY \$50,000.00 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX UP TO \$5.00 FOR EACH SALES TRANSACTION BY ANY RETAIL MARIJUANA STORE, ANY RETAIL MARIJUANA CULTIVATION FACILITY AND ANY RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN OF EAGLE, EFFECTIVE JANUARY 1, 2014; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES OR ANY OTHER LAW?	PASS, 1298-643
SPRING 2014		
	<b>Sales Tax Measures</b>	
Black Hawk	Ballot Issue #1: Shall City taxes be increased by imposing a new sales tax of 5% on sale of retail marijuana & medical marijuana and retail marijuana & medical marijuana products.	PASS, 40-4
Silverton	REFERRED MEASURE A SHALL THE TOWN OF SILVERTON'S TAXES BE INCREASED BY \$20,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 1% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION INCLUDING PREVENTION OF UNDERAGE CONSUMPTION, AND OTHER GENERAL PURPOSES OF THE TOWN, WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 1%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER SPENDING, REVENUE-RAISING, OR OTHER LIMITATIONS PROVIDED BY LAW?	PASS, 348-64
	<b>Excise Tax Measures</b>	

Dillon	<p>SHALL THE TOWN OF DILLON TAXES BE INCREASED BY ONE HUNDRED THOUSAND DOLLARS (\$100,000) IN 2015 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING EFFECTIVE January 1, 2015, A NEW EXCISE TAX ON (1) the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility and (2) THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS permitted by Article XVIII, Section 16 of the Colorado Constitution but not on the sale of medical marijuana pursuant to Article XVIII, Section 14 of the Colorado Constitution, AT THE RATE OF FIVE PERCENT (which rate may be adjusted from time to time by the Council so long as it does not exceed five percent) OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE COUNCIL; AND SHALL THE REVENUE RECEIVED BY THE TOWN FROM THE COLLECTION OF SUCH NEW TAX BE USED TO PAY OR REIMBURSE THE TOWN FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE TOWN FOR ADEQUATE TRAINING, ENFORCEMENT, AND ADMINISTRATION OF ALL APPLICABLE MARIJUANA LAWS AND REGULATIONS, TO SUPPORT LOCAL DRUG AND ALCOHOL PROGRAMS AND FACILITIES, AND FOR OTHER GENERAL PURPOSES OF THE TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?</p>	PASS, 115-34
Fruita	<p>Referred Issue B: SHALL THE CITY OF FRUITA'S TAXES BE INCREASED BY \$100,000 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE), AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A MARIJUANA EXCISE TAX AT THE RATE OF 5% OF THE PRICE PAID FOR THE PURCHASE OF RETAIL MARIJUANA, RETAIL MARIJUANA PRODUCTS AND RETAIL MARIJUANA ACCESSORIES WITH SUCH REVENUE TO BE USED FOR ADDITIONAL COSTS INCURRED FOR ADEQUATE ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, AND ADMINISTRATION OF RETAIL MARIJUANA REGULATIONS AND OTHER GENERAL PURPOSES OF THE CITY; AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION?</p>	PASS, 1913-1425
Larkspur	<p>SHALL THE TOWN OF LARKSPUR, COLORADO ENACT ORDINANCE 7.85 TO ADOPT AN ADULT USE MARIJUANA EXCISE TAX OF 5% ON THE PRICE PAID FOR RETAIL MAIJUANA, RETAIL MARIJUANA PRODUCTS, AND RETAIL MARIJUANA ACCESSORIES TO COVER THE COST OF ADMINISTRATIVE AND ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY AS ALLOWED UNDER AMENDMENT 64 OF THE COLORADO CONSTITUTION?</p>	FAIL, 23-75
Silverton	<p>REFERRED MEASURE B</p> <p>SHALL THE TOWN OF SILVERTON TAXES BE INCREASED BY \$60,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A 3% WHOLESALE EXCISE TAX ON ALL MARIJUANA WHOLESALE TRANSACTIONS, WITH THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL AND MEDICAL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION INCLUDING PREVENTION OF UNDERAGE CONSUMPTION, AND OTHER GENERAL PURPOSES OF THE TOWN, WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHERVOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 3%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER SPENDING, REVENUE-RAISING, OR OTHER LIMITATIONS PROVIDED BY LAW?</p>	PASS, 331-79
<b>Occupation Tax Measures</b>		



Mancos	SHALL THE TOWN OF MANCOS TAXES BE INCREASED BY \$50,000 IN 2015 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JANUARY 1, 2015. A NEW OCCUPATION TAX ON THE OCCUPATION OF SELLING WITHIN THE TOWN RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION (BUT NOT ON THE SALE OF MEDICAL MARIJUANA PURSUANT TO ARTICLE VIII, SECTION 14 OF THE COLORADO CONSTITUTION), SUCH TAX TO BE IMPOSED AT A MAXIMUM RATE OF TEN DOLLARS PER SINGLE RETAIL TRANSACTION FOR THE SALE OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS WITHIN THE TOWN (WHICH TAX MAY BE ADJUSTED FROM TIME TO TIME BY THE BOARD OF TRUSTEES WITHOUT FURTHER ELECTIONS SO LONG AS IT DOES NOT EXCEED TEN DOLLARS PER RETAIL TRANSACTION) IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE BOARD OF TRUSTEES, PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF THE SALE OF RETAIL MARIJUANA IS PERMITTED WITHIN THE TOWN, AND NOTHING HEREIN SHALL BE CONSTRUED AS APPROVING THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS; AND SHALL THE PROCEEDS OF ANY SUCH TAXES AND INVESTMENT INCOME THEREON BE COLLECTED AND SPENT BY THE TOWN AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED AND SPENT BY THE TOWN?	PASS, 206-66
Sedgwick	ISSUE 1A SHALL TOWN OF SEDGWICK TAXES BE INCREASED BY \$1,000,000.00 (FIRST FULL FISCAL YEAR INCREASE) AND ANNUALLY THEREAFTER IN SUCH AMOUNTS AS ARE RECEIVED EACH YEAR FROM THE LEVY OF AN OCCUPATION TAX AT A RATE OF \$5.00 PER SALES TRANSACTION BY ANY RETAIL MARIJUANA STORE WITHIN THE TOWN OF SEDGWICK, TO COMMENCE JULY 1, 2014, AND WITH ALL REVENUES DERIVED FROM SUCH TAX TO BE COLLECTED, RETAINED AND SPENT FOR ANY LAWFUL MUNICIPAL PURPOSE; AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 27-4
Sedgwick	ISSUE 2A SHALL TOWN OF SEDGWICK TAXES BE INCREASED BY \$1,000,000.00 (FIRST FULL FISCAL YEAR INCREASE) AND ANNUALLY THEREAFTER IN SUCH AMOUNTS AS ARE RECEIVED EACH YEAR FROM THE LEVY OF AN OCCUPATION TAX AT A RATE OF \$100.00 PER SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY ANY RETAIL MARIJUANA CULTIVATION FACILITY WITHIN THE TOWN OF SEDGWICK, TO COMMENCE JULY 1, 2014, AND WITH ALL REVENUES DERIVED FROM SUCH TAX TO BE COLLECTED, RETAINED AND SPENT FOR ANY LAWFUL MUNICIPAL PURPOSE; AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 26-5
Fall 2014		
	<b>Sales Tax Measures</b>	
Basalt	SHALL THE TOWN OF BASALT, COLORADO, ACTING THROUGH ITS TOWN COUNCIL, BEGINNING JANUARY 1, 2015, BE AUTHORIZED TO IMPOSE AN ADDITIONAL MUNICIPAL SALES TAX OF 5% ON THE SAMPLE SALES OF RETAIL MARIJUANA AND MARIJUANA PRODUCTS WITH THE RESULTING SALES TAX RATE CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE BASALT TOWN COUNCIL, WITH THE RESULTING TAX REVENUES TO BE COLLECTED AND SPENT TO PAY DIRECT AND INDIRECT EXPENSES RELATED TO THE LICENSING AND REGULATION OF THE RETAIL MARIJUANA INDUSTRY, ENFORCEMENT OF MARIJUANA LAWS IN GENERAL, EDUCATION AND PUBLIC HEALTH PROGRAMS TO MITIGATE ANY NEGATIVE CONSEQUENCES ASSOCIATED WITH THE CONSUMPTION OF MARIJUANA AND MARIJUANA PRODUCTS, PROGRAMS TO PREVENT THE ILLEGAL DIVERSION OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS TO PERSONS UNDER THE AGE OF TWENTY-ONE (21); AND TO OTHERWISE PAY THE EXPENSES OF OPERATING AND IMPROVING THE TOWN AND ITS FACILITIES?	PASS, 970-375

Federal Heights	<p>3) SHALL THE CITY OF FEDERAL HEIGHTS' TAXES BE INCREASED BY (\$300,000) ANNUALLY BEGINNING IN 2015 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JANUARY 1, 2015, AN ADDITIONAL SALES TAX AT THE RATE OF FIVE PERCENT UPON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHIN THE CITY AS LEGALIZED BY ARTICLE XVIII, SECTION 16, OF THE COLORADO CONSTITUTION (WHICH RATE MAY BE ADJUSTED, FROM TIME TO TIME BY CITY COUNCIL, UPON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHOUT FURTHER VOTER APPROVAL SO LONG AS SUCH RATE DOES NOT EXCEED TEN PERCENT) WITH SUCH SALES TAX TO BE IN ADDITION TO THE APPLICATION OF THE CITY'S SALES TAX AND THE REVENUE RECEIVED BY THE CITY FROM THE COLLECTION OF THE SALES TAX TO BE USED TO PAY OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE CITY RELATED TO THE REGULATION OF THE USE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, TO SUPPORT LOCAL DRUG EDUCATION PROGRAMS, PREVENTION OF UNDERAGE CONSUMPTION OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND FOR OTHER GENERAL PURPOSES OF THE CITY, WITH THE REVENUE FROM SUCH TAX AND ANY EARNINGS FROM THE INVESTMENT THEREOF TO BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?</p>	PASS, 1175-1052
Gunnison	<p>SHALL THE CITY OF GUNNISON TAXES BE INCREASED BY \$150,000.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION AND ASSESSMENT OF AN ADDITIONAL SALES TAX IN THE AMOUNT OF FIVE PERCENT (5%) ON THE SALE OF MEDICAL MARIJUANA, MEDICAL MARIJUANA INFUSED PRODUCTS, RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AND AN EXCISE TAX IN THE AMOUNT OF FIVE PERCENT (5%) OF THE CASH VALUE OF THE TRANSACTION ON THE SALE BY A RETAIL MARIJUANA CULTIVATION FACILITY OR RETAIL MARIJUANA PRODUCTS MANUFACTURING FACILITY TO A LICENSED MARIJUANA ESTABLISHMENT OUTSIDE THE CITY OF GUNNISON, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX COLLECTED BE SPENT TO DEFRAY COSTS INCURRED IN REGULATING THE MARIJUANA INDUSTRY, FUNDING SOCIAL, RECREATIONAL, AND EDUCATIONAL PROGRAMS WITHIN THE COMMUNITY AS MAY BE DETERMINED BY THE CITY INCLUDING SUBSTANCE ABUSE PREVENTION, EDUCATION AND COUNSELING PROGRAMS, AND TO PROMOTE THE GENERAL PURPOSES OF THE CITY OF GUNNISON AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION?</p>	PASS, 974-472
Hot Sulphur Springs	<p>SHALL TOWN OF HOT SULPHUR SPRINGS TAXES BE INCREASED BY \$60,000 ANNUALLY IN THE FIRST FISCAL YEAR COMMENCING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, AND ONLY IN THE EVENT THAT THE TOWN BOARD OF TRUSTEES TAKES ACTION TO PERMIT THE RETAIL SALE OF MARIJUANA AND MARIJUANA INFUSED PRODUCTS WITHIN THE TOWN, BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW SALES TAX ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS DEFINED IN THE COLORADO RETAIL MARIJUANA CODE AND APPLICABLE TOWN ORDINANCES, AT THE RATE OF TEN PERCENT (10%) OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WHICH IS HEREBY APPROVED; WITH THE RATE OF SUCH SALES TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 15%?</p>	FAIL, 175-154
Lyons	<p>SHALL TOWN OF LYONS TAXES BE INCREASED BY \$95,000.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR COMMENCING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW SALES TAX ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS DEFINED IN THE COLORADO RETAIL MARIJUANA CODE AND APPLICABLE TOWN ORDINANCES, AT THE RATE OF THREE POINT FIVE PERCENT (3.5%) OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WHICH IS HEREBY APPROVED; AND SHALL THE REVENUE RECEIVED BY THE TOWN FROM THE COLLECTION OF SUCH NEW TAX BE USED TO PAY OR REIMBURSE THE TOWN FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE TOWN FOR ADEQUATE TRAINING, ENFORCEMENT, AND ADMINISTRATION OF ALL APPLICABLE MARIJUANA LAWS AND REGULATIONS, TO SUPPORT LOCAL DRUG AND ALCOHOL PROGRAMS AND FACILITIES, AND FOR OTHER GENERAL PURPOSES OF THE TOWN, WITH THE RATE OF SUCH SALES TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 10%; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION ?</p>	PASS, 548-154

Northglenn	SHALL CITY OF NORTHGLENN TAXES BE INCREASED BY FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) ANNUALLY IN THE FIRST FISCAL YEAR, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A NEW SALES TAX OF TWO PERCENT (2%) ON THE SALE OF RETAIL MARIJUANA AND MEDICAL MARIJUANA, AND RETAIL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS, WHICH SHALL BE IN ADDITION TO THE MUNICIPAL SALES TAX ON SUCH SALES, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO BE USED EXCLUSIVELY FOR THE CONSTRUCTION OF PUBLIC FACILITIES, INCLUDING, BUT NOT LIMITED TO, THE NORTHGLENN RECREATION CENTER, THE NORTHGLENN SENIOR CENTER, AND THE NORTHGLENN THEATRE AS A VOTER APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 6791-3926
Ouray	SHALL CITY OF OURAY'S TAXES BE INCREASED BY FIFTY-THREE THOUSAND DOLLARS (\$53,000.00) IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 10%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT BY THE CITY WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 59-41%
Paonia	SHALL THE TOWN OF PAONIA TAXES BE INCREASED BY \$50,000.00 IN 2015 (THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW TAX ON (1) THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AND (2) THE SALE WITHIN THE TOWN OF PAONIA RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE RATE OF EITHER OR BOTH TAXES BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED TEN PERCENT (10%), IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF RETAIL MARIJUANA ESTABLISHMENTS ARE PERMITTED WITHIN THE TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 481-286
Ramah	SHALL THE TOWN OF RAMAH TAXES BE INCREASED BY \$50,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW TAX ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED TEN PERCENT (10%), IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF RAMAH; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF RETAIL MARIJUANA ESTABLISHMENTS ARE PERMITTED WITHIN THE TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?	TIE, 28-28
Trinidad	SHALL CITY OF TRINIDAD TAXES BE INCREASED BY \$100,000.00 (FIRST FISCAL YEAR DOLLAR INCREASE) IN THE FISCAL YEAR COMMENCING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015 AND BY SUCH AMOUNTS AS MAY BE COLLECTED ANNUALLY THEREAFTER BY THE IMPOSITION ON JANUARY 1, 2015 OF A NEW SALES TAX ON THE RETAIL SALE OF MARIJUANA, MARIJUANA PRODUCTS AND MARIJUANA ACCESSORIES BY LICENSED MARIJUANA ESTABLISHMENTS AT A RATE OF FIVE PERCENT (5%), WITH SUCH ADDITIONAL REVENUES AS ARE GENERATED BY THE NEW TAX TO BE COLLECTED, RETAINED AND SPENT FOR THE PURPOSE OF FUNDING COMMUNITY DEVELOPMENT, PUBLIC SAFETY, YOUTH PROGRAMS, MUNICIPAL SERVICES AND OPERATIONS AND/OR OTHER LAWFUL GENERAL MUNICIPAL PURPOSES, AS A VOTER APPROVED REVENUE CHANGE, OFFSET AND EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 64%-36%
<b>Excise Tax Measures</b>		

Aurora	SHALL AURORA'S TAXES BE INCREASED BY \$2,400,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR OF SUCH INCREASE AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER FROM THE IMPOSITION OF A 5.0% EXCISE TAX ON THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA THAT IS SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY AND AN ADDITIONAL 2.0% SALES AND USE TAX ON THE SALE AND USE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE RATE OF SUCH SALES AND USE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 10%, AND SHALL THE REVENUES FROM SUCH TAXES BE COLLECTED, RETAINED, AND SPENT AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, SECTION 11-27 OF THE AURORA CHARTER, OR ANY OTHER LAW WHICH PURPORTS TO LIMIT AURORA'S REVENUES OR EXPENDITURES?	PASS, 53624-32124
Canon City	SHALL THE CITY OF CAÑON CITY TAXES BE INCREASED BY \$100,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW EXCISE TAX ON (1) THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AND (2) THE SALE WITHIN THE CITY OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION AT THE RATE OF FIVE PERCENT (5%) [ WHICH RATE MAY BE ADJUSTED FROM TIME TO TIME BY THE COUNCIL SO LONG AS IT DOES NOT EXCEED TEN PERCENT (10%) ] OF THE PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE COUNCIL OF CAÑON CITY; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF RETAIL MARIJUANA ESTABLISHMENTS ARE PERMITTED WITHIN THE CITY; AND SHALL THE REVENUE RECEIVED BY THE CITY FROM THE COLLECTION OF SUCH NEW TAX BE USED BY THE CITY TO MAINTAIN, REPAIR AND RECONSTRUCT PUBLIC STREETS WITHIN THE CITY; AND SHALL THE CITY BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 3801-2257
De Beque	SHALL THE TOWN OF DE BEQUE'S TAXES BE INCREASED BY \$300,000.00 IN CALENDAR YEAR 2015, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT CALENDAR YEAR, BY THE IMPOSITION OF AN EXCISE TAX ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS SUCH ARE AUTHORIZED BY STATE LAW AND BY THE TOWN OF DE BEQUE, COMMENCING JANUARY 1, 2015, AT THE RATE OF FIVE PERCENT (5%) OF THE PURCHASE PRICE PAID BY EACH PURCHASER OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHIN THE TOWN, WHETHER FROM THE SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AND/OR FROM THE SALE OF RETAIL MARIJUANA BY A RETAIL MARIJUANA STORE, AND SHALL ALL SUCH TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, NOT WITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN THE COLORADO CONSTITUTION OR OTHER APPLICABLE LAW?	PASS, 81-44
Hot Sulphur Springs	SHALL TOWN OF HOT SULPHUR SPRINGS TAXES BE INCREASED BY \$60,000 ANNUALLY IN THE FIRST FISCAL YEAR COMMENCING JANUARY 1, 2015, AND ENDING DECEMBER 31, 2015, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, AND ONLY IN THE EVENT THAT THE TOWN BOARD OF TRUSTEES TAKES ACTION TO PERMIT THE OPERATION OF RETAIL MARIJUANA CULTIVATION FACILITIES WITHIN THE TOWN, BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW EXCISE TAX OF 10% TO BE PAID TO THE TOWN WHEN UNPROCESSED RETAIL MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A RETAIL MARIJUANA CULTIVATION FACILITY; WITH THE RATE OF SUCH EXCISE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 15%?	FAIL, 175-152

Lafayette	<p>SHALL THE CITY OF LAFAYETTE TAXES BE INCREASED BY \$240,000 ANNUALLY BEGINNING IN 2015 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW EXCISE TAX UPON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY WITHIN THE CITY AND UPON THE SALE OR TRANSFER OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHIN THE CITY, ALL AS LEGALIZED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION, AT THE RATE OF FIVE PERCENT (WHICH RATE MAY BE ADJUSTED FROM TIME TO TIME BY THE CITY COUNCIL ON EITHER THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY OR UPON THE SALE OR TRANSFER OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS OR UPON BOTH SUCH SALES OR TRANSFERS WITHOUT FURTHER VOTER APPROVAL SO LONG AS SUCH RATE DOES NOT EXCEED TEN PERCENT), WITH SUCH EXCISE TAX TO BE IN ADDITION TO THE APPLICATION OF THE CITY'S SALES TAX, AND THE REVENUE RECEIVED BY THE CITY FROM THE COLLECTION OF THE EXCISE TAX TO BE USED TO PAY OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE CITY RELATED TO THE REGULATION OF THE USE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, TO SUPPORT LOCAL DRUG EDUCATION PROGRAMS, PREVENT UNDERAGE CONSUMPTION OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND FOR OTHER GENERAL PURPOSES OF THE CITY, AND WITH THE REVENUE FROM SUCH TAX AND ANY EARNINGS FROM THE INVESTMENT THEREOF TO BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?</p>	PASS, 4830-1741
Pueblo	<p>SHALL THE CITY OF PUEBLO'S TAXES BE INCREASED BY \$ 986,249 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) BEGINNING JANUARY 1, 2015 AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, THROUGH THE ADOPTION OF ORDINANCE NO. 8754 IMPOSING AN EXCISE TAX OF 8.0 % WHEN UNPROCESSED RETAIL MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A RETAIL MARIJUANA CULTIVATION FACILITY AND BY IMPOSING AN ADDITIONAL SALES TAX OF 4.3 % ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITH THE RATE OF EITHER OR BOTH TAXES BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF EITHER TAX DOES NOT EXCEED 15.0 % AND SHALL ALL REVENUES DERIVED FROM SUCH TAXES BE COLLECTED, RETAINED AND SPENT, NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW, AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY PURSUANT TO ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW AND ALLOWING SUCH REVENUE TO BE EXPENDED AS THE CITY COUNCIL SHALL DETERMINE?</p>	FAIL, 52-48%
Rifle	<p>SHOULD THE CITY OF RIFLE'S TAXES BE INCREASED BY \$250,000, BEGINNING JANUARY 1, 2015, AND BY SUCH AMOUNTS THAT ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX IN THE AMOUNT OF 5% OF THE MARKET RATE OF RETAIL MARIJUANA, UPON THE SALE OR TRANSFER OF RETAIL MARIJUANA FROM A RETAIL MARIJUANA CULTIVATION FACILITY WITHIN THE CITY OF RIFLE TO A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, A RETAIL MARIJUANA STORE, ANOTHER RETAIL MARIJUANA CULTIVATION FACILITY OR ANY OTHER PURCHASER OR TRANSFEREE, WITHIN OR WITHOUT THE CITY OF RIFLE; WITH THE MARKET RATE OF MARIJUANA TO EQUAL, IN ANY EVENT, THE AVERAGE MARKET RATE FOR RETAIL MARIJUANA UNDER C.R.S. § 39-28.8-101, AS THAT CODE SECTION MAY BE AMENDED; WITH THE RESULTING TAX REVENUES TO BE COLLECTED BY THE CITY AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY APPLICABLE REVENUE OR EXPENDITURE LIMITATION IMPOSED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	PASS, 1451-849
Silver Plume	<p>SHALL THE TOWN OF SILVER PLUMES TAXES BE INCREASED BEGINNING IN CALENDAR YEAR 2015, BY IMPOSING A NEW EXCISE TAX EFFECTIVE JANUARY 1, 2015, ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS SUCH ARE AUTHORIZED BY STATE LAW, AT THE RATE OF FOUR PERCENT OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE RATE OF TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 8% AND THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW?</p>	PASS, 99-7
<b>Occupation Tax Measures</b>		

Empire	SHALL THE TOWN OF EMPIRE'S TAX REVENUE BE INCREASED BY AN ESTIMATED \$1000 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX UP TO \$5.00 FOR EACH WHOLESALE TRANSACTION (NON-MEDICAL) OF MARIJUANA OR MARIJUANA PRODUCTS BY ANY ADULT USE MARIJUANA CENTER, MARIJUANA CULTIVATION FACILITY AND MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN OF EMPIRE, EFFECTIVE JANUARY 1, 2015; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES OR ANY OTHER LAW?	PASS, 70-35
Palisade	"SHALL THE TOWN OF PALISADE'S TAXES BE INCREASED BY \$200,000.00 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX IN THE AMOUNT OF \$5.00 FOR EACH SALES TRANSACTION THAT IS LESS THAN \$100.00, IN THE AMOUNT OF \$10.00 FOR EACH SALES TRANSACTION THAT IS \$100.00 OR OVER BUT LESS THAN \$500.00, AND IN THE AMOUNT OF \$25.00 FOR EACH SALES TRANSACTION THAT IS \$500.00 OR OVER INVOLVING THE SALE OR PURCHASE OF RETAIL MARIJUANA, RETAIL MARIJUANA PRODUCTS OR RETAIL MARIJUANA ACCESSORIES BY ANY RETAIL MARIJUANA STORE, ANY RETAIL MARIJUANA CULTIVATION FACILITY AND ANY RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN OF PALISADE, EFFECTIVE JANUARY 1, 2015; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES OR ANY OTHER LAW?	PASS, 60-40%
Spring 2015		
	There were no marijuana tax ballot actions in spring 2015 elections	
Fall 2015		
COMMERCE CITY	ISSUE NO.1SHALL THE CITY OF COMMERCE CITY TAXES BE INCREASED BY ONE HUNDRED THOUSAND DOLLARS IN THE FISCAL YEAR COMMENCING JANUARY 1, 2016, AND ENDING DECEMBER 31, 2016, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN EXCISE TAX ON THE SALE OF MARIJUANA AND MARIJUANA PRODUCTS AS SUCH ARE AUTHORIZED BY STATE LAW COMMENCING JANUARY 1, 2016 AT THE RATE OF FIVE PERCENT OF THE PRICE PAID BY THE PURCHASER, IN ACCORDANCE WITH CITY ORDINANCE 2050; AND SHALL THE CITY BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 63-37%
DENVER	2B May the City and County of Denver retain and spend all 2014 revenues derived from the special retail marijuana sales tax as originally approved by the voters on November 5, 2013, and continue to impose and collect the tax to the full extent permitted by the original voter approval?	Pass 81-19%
GEORGETOWN	SHALL THE TOWN OF GEORGETOWN TAXES BE INCREASED BY \$100,000 IN 2016 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JANUARY 1, 2016, A NEW OCCUPATION TAX ON THE OCCUPATION OF SELLING WITHIN THE TOWN RETAIL AND WHOLESALE MARIJUANA AND RETAIL AND WHOLESALE MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION, SUCH TAX TO BE IMPOSED AT A MAXIMUM RATE OF FIVE DOLLARS PER SINGLE RETAIL OR WHOLESALE TRANSACTION WITHIN THE TOWN (WHICH TAX MAY BE ADJUSTED FROM TIME TO TIME BY THE BOARD OF SELECTMEN WITHOUT FURTHER ELECTIONS SO LONG AS IT DOES NOT EXCEED FIVE DOLLARS PER TRANSACTION) IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER ADOPTED BY THE BOARD OF SELECTMEN; AND SHALL THE PROCEEDS OF ANY SUCH TAXES AND INVESTMENT INCOME THEREON BE COLLECTED AND SPENT BY THE TOWN AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES, OR ANY OTHER LAW?	Pass 52-48%
HAYDEN	REFERENDUM 2D SHALL THE TOWN OF HAYDEN'S TAXES BE INCREASED BY ONE HUNDRED FORTY THREE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$143,500) IN FISCAL YEAR 2016 (FIRST FULL FISCAL YEAR DOLLAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION OF AN EXCISE TAX IN THE AMOUNT OF SEVEN AND ONE-HALF PERCENT (7.5%) IN 2016 AND UP TO FIFTEEN PERCENT (15%) THEREAFTER ON THE SALE OR TRANSFER OF MARIJUANA (BOTH MEDICAL AND RETAIL) BY A MARIJUANA CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF SALE OR TRANSFER FROM THE CULTIVATION FACILITY, COMMENCING ON JANUARY 1, 2016; AND IN CONNECTION THEREWITH, SHALL THE FULL PROCEEDS OF SUCH TAX AT SUCH RATE AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE TOWN OF HAYDEN UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Pass 62-38%
LEADVILLE	2A SHALL CITY OF LEADVILLE TAXES BE INCREASED, COMMENCING JANUARY 1, 2018, BY \$150,000 ANNUALLY IN THE FIRST FISCAL YEAR ENDING DECEMBER 31, 2018, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW EXCISE TAX OF 5% OF THE AVERAGE MARKET RATE AS DETERMINED BY THE COLORADO DEPARTMENT OF REVENUE WHEN UNPROCESSED RETAIL MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A MARIJUANA CULTIVATION FACILITY; WITH THE RATE OF SUCH EXCISE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 10%, AND SHALL ALL REVENUES DERIVED FROM SUCH EXCISE TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES, OR ANY OTHER LAW?	Pass 61-39%



LOG LANE VILLAGE	<p>ZASHALL THE TOWN OF LOG LANE VILLAGE'S TAXES BE INCREASED BY five hundred thousand (\$500,000) ANNUALLY IN FISCAL YEAR 2016 (FIRST FULL FISCAL YEAR DOLLAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION OF AN EXCISE TAX IN THE AMOUNT OF ONE AND ONE HALF PERCENT (1.5%) ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF SALE OR TRANSFER FROM THE CULTIVATION FACILITY, COMMENCING ON JANUARY1, 2016; AND IN CONNECTION THEREWITH, SHALL THE FULL PROCEEDS OF SUCH TAX AT SUCH RATE AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVEDREVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE TOWNOF LOG LANE VILLAGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	Pass 58-42%
LYONS	<p>2B SHALL TOWN OF LYONS TAXES BE INCREASED, COMMENCING JANUARY 1, 2016, BY \$270,000.00 ANNUALLY IN THE FIRST FISCAL YEAR ENDING DECEMBER 31, 2016, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, A NEW EXCISE TAX OF 5% OF THE AVERAGE MARKET RATE AS DETERMINED BY THE COLORADO DEPARTMENT OF REVENUE WHEN RETAIL MARIJUANA IN ANY FORM IS FIRST SOLD OR TRANSFERRED BY A MARIJUANA CULTIVATION FACILITY OR MARIJUANA INFUSED PRODUCTS FACILITY; WITH THE RATE OF SUCH EXCISE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 10%, AND SHALL ALL REVENUES DERIVED FROM SUCH EXCISE TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES, OR ANY OTHER LAW?</p>	Pass 65-35%
MANITOU SPRINGS	<p>2E SHALL THE CITY OF MANITOU SPRINGS, COLORADO BE PERMITTED TO RETAIN AND EXPEND \$ 57,993 IN EXCESS REVENUE RECEIVED BY THE CITY FROM THE CITY'S SPECIAL RETAIL MARIJUANA SALES TAX AS ORIGINALLY APPROVED BY THE VOTERS ON NOVEMBER 5, 2013, WHICH EXCESS REVENUE WOULD OTHERWISE BE REFUNDED BY A TEMPORARY REDUCTION IN THE CITY'S SPECIAL RETAIL MARIJUANA TAX, PURSUANT TO THE REQUIREMENTS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?</p>	Pass 84-16%
MILLIKEN (measure to allow failed)	<p>Ballot Issue 2J SHALL THE TOWN OF MILLIKEN'S TAXES BE INCREASED BY \$50,000.00 BEGINNING IN 2016 (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX UP TO \$10.00 FOR EACH SALES TRANSACTION BY ANY RETAILMARIJUANA STORE, ANY RETAIL MARIJUANA CULTIVATION FACILITY AND ANY RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29 OF THE COLORADO REVISED STATUTES OR ANY OTHER LAW?</p>	Pass 54-46%
MOUNTAIN VIEW	<p>2A SHALL THE TOWN OF MOUNTAIN VIEW RETAIN THE EXCESS REVENUE RECEIVED BY THE TOWN FOR FISCAL YEAR 2014 FROM THE TOWN'S RETAIL MARIJUANA SALES TAX AS ORIGINALLY APPROVED BY THE VOTERS ON NOVEMBER 5, 2013, AND SHALL SUCH RETAINED TAXES AND ANY INVESTMENT INCOME THEREON CONSTITUTE VOTER-APPROVED REVENUE CHANGES AND BE COLLECTED AND SPENT BY THE TOWN WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?</p>	Pass 71-29%
PARACHUTE	<p>SHALL THE TOWN OF PARACHUTE'S TAXES BE INCREASED BY \$200,000.00 IN THE FIRST FULL FISCAL YEAR, BEGINNING JANUARY 1, 2016, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 5% ON UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA STORE, RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, OR OTHER RETAIL MARIJUANA CULTIVATION FACILITY, WITH THE RESULTING EXCISE TAX RATE CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED, RETAINED AND SPENT BY THE TOWN AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY APPLICABLE REVENUE OR EXPENDITURE LIMITATION IMPOSED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	Pass 107-57
PUEBLO	<p>QUESTION NO. 2B (EXCISE TAX ON MARIJUANA CULTIVATORS) SHALL THE CITY OF PUEBLO'S TAXES BE INCREASED BY \$850,000 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) BEGINNING JANUARY 1, 2016 AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, THROUGH THE ADOPTION OF ORDINANCE NO. 8903 IMPOSING AN EXCISE TAX OF 8.0 % WHEN UNPROCESSED RETAIL MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A RETAIL MARIJUANA CULTIVATION FACILITY WITH THE RATE OF THE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 15.0 % AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED, RETAINED AND SPENT, NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW, AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY PURSUANT TO ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW AND ALLOWING SUCH REVENUE TO BE EXPENDED AS THE CITY COUNCIL SHALL DETERMINE?</p>	Pass 12750-8737
SOUTH FORK (measure to allow failed)	<p>2. SHALL THE TOWN OF SOUTH FORK TAXES BE INCREASED BY AN ESTIMAED FIFTY THOUSAND DOLLARS (\$50,000.00) PER YEAR COMMENCING JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OF ANY MARIJUANA PRODUCT EFFECTIVE JANUARY 1, 2016, ON THE AUTHORIZED (UNDER STATE LAW) RETAIL SALE OF MARIJUANA WITHIN THE TOWN OF SOUTH FORK IN ANY FORM, INCLUDING BUT NOT LIMITED TO, MARIJUANA PRODUCTS AS DEFINED BY STATE LAW, WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED TEN PERCENT (10%) AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?</p>	Pass 126-82

STERLING	IF BALLOT QUESTION NO. 300 APPROVING THE ALLOWANCE OF THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, AND RETAIL MARIJUANA STORES IN THE CITY OF STERLING, IS PASSED BY THE VOTERS, SHALL CITY OF STERLING TAXES BE INCREASED BY \$600,000.00 FOR THE FIRST FULL FISCAL YEAR (2016), AND ANNUALLY THEREAFTER BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN EXCISE TAX OF 15 PERCENT IN 2016, AND THEREAFTER ON THE CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF TRANSFER FROM THE CULTIVATION FACILITY, AND AN ADDITIONAL SALES AND USE TAX OF 5 PERCENT IN 2016, AND THEREAFTER, WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 10 PERCENT ON RECREATIONAL MARIJUANA AS PROVIDED IN SAID BALLOT QUESTION NO. 300, WITH THE RESULTING REVENUES FROM THE EXCISE AND SALES AND USE TAX TO BE USED TO PAY OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE CITY RELATED TO THE REGULATION OF THE USE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND FOR OTHER GENERAL PURPOSES OF THE CITY; AND IN CONNECTION THEREWITH, SHALL THE FULL PROCEEDS OF SUCH TAXES AT SUCH RATES AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE CITY OF STERLING UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Fail 1375-1173
Spring 2016		
BLANCA	SHALL THE TOWN OF BLANCA'S TAXES BE INCREASED BY \$50,000 IN THE FIRST FULL FISCAL YEAR, BEGINNING MAY 1, 2016, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 5.0% OF THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA STORE OR RETAIL MARIJUANA PRODUCTS MANUFACTURER, WITH THE RESULT CAPABLE OF BEING INCREASED, LOWERED OR REVOKED AT THE SOLE DISCRETION OF THE BOARD OF TRUSTEES OF THE TOWN OF BLANCA SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 5.0 %, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT TO FUND THE ENFORCEMENT OF REGULATIONS ON THE MARIJUANA CULTIVATION AND INFUSED PRODUCT INDUSTRY AND FOR THE PURPOSE OF FUNDING MUNICIPAL SERVICES AND OTHER MUNICIPAL PURPOSES, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY OTHER LIMITATIONS PROVIDED BY LAW OR CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 33-8
CRESTONE	SHALL THE TOWN OF CRESTONE 'S TAXES BE INCREASED BY AN ESTIMATED FIFTY THOUSAND DOLLARS (\$50,000) PER YEAR COMMENCING APRIL 5, 2016 AND ENDING DECEMBER 31, 2016, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, THROUGH THE ADOPTION OF A RETAIL MARIJUANA STORE TAX AT THE RATE OF 5% ON THE PRICE PAID FOR THE PURCHASE OF RETAIL MARIJUANA AND MARIJUANA INFUSED PRODUCTS, WITH SUCH REVENUE TO BE USED FOR THE ADDITIONAL COSTS INCURRED FOR ADEQUATE ENFORCEMENT AND ADMINISTRATION OF RETAIL MARIJUANA REGULATIONS AND OTHER GENERAL PURPOSES OF THE TOWN; AND SHALL ALL REVENUES DERIVED FROM SUCH RETAIL MARIJUANA TAX BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE , NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 30-13
HOTCHKISS	2C BEGINNING JANUARY 1 017, SHALL THE TOWN OF HOTCHKISS TAXES BE INCREASE BY ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF TWO PERCENT (2%) ON THE SALE OF RETAIL AND MEDICAL MARIJUANA AND RETAIL AND MEDICAL MARIJUANA PRODUCTS, WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED TEN PERCENT(10%), ONLY IN THE EVENT THAT SUCH FACILITIES ARE PERMITTED IN THE TOWN OF HOTCHKISS BASED UPON AN AFFIRMATIVE VOTE OF THE QUALIFIED ELECTORS OF THE TOWN OF HOTCHKISS, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT BY THE TOWN OF HOTCHKISS WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Pass 185-102
PONCHA SPRINGS (measure to allow failed)	SHALL THE TOWN OF PONCHA SPRINGS TAXES BE INCREASED BY \$50,000.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION AND ASSESSMENT OF AN ADDITIONAL SALES TAX IN THE AMOUNT OF FIVE PERCENT (5%) ON THE SALE OF MEDICAL MARIJUANA, MEDICAL MARIJUANA INFUSED PRODUCTS, RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AND AN EXCISE TAX IN THE AMOUNT OF FIVE PERCENT (5%) ON THE CASH VALUE OF THE TRANSACTION ON THE SALE BY A RETAIL MARIJUANA PRODUCTS MANUFACTURING FACILITY TO A LICENSED MARIJUANA ESTABLISHMENT OUTSIDE THE TOWN OF PONCHA SPRINGS, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX COLLECTED BE SPENT TO DEFRAY COSTS INCURRED IN REGULATING THE MARIJUANA INDUSTRY, FUNDING SOCIAL, RECREATIONAL, AND EDUCATIONAL PROGRAMS WITHIN THE COMMUNITY AS MAY BE DETERMINED BY THE TOWN INCLUDING SUBSTANCE ABUSE PREVENTION, EDUCATION AND COUNSELING PROGRAMS, AND TO PROMOTE THE GENERAL PURPOSES OF THE TOWN OF PONCHA SPRINGS AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION?	Pass 138-102
SEDGWICK	SHALL TOWN OF SEDGWICK TAXES BE INCREASED BY \$500,000 (FIRST FULL FISCAL YEAR INCREASE) AND ANNUALLY THEREAFTER IN SUCH AMOUNTS AS ARE RECEIVED EACH YEAR THROUGH THE IMPOSITION OF AN EXCISE TAX IN THE AMOUNT OF TWO PERCENT (2%) ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF SALE OR TRANSFER FROM THE CULTIVATION FACILITY, COMMENCING ON JULY 1, 2016, WHICH IF APPROVED, SHALL REPLACE THE OCCUPATION TAX LEVIED ON SALES OR TRANSFERS OF RETAIL MARIJUANA BY RETAIL MARIJUANA CULTIVATION FACILITIES, AND WITH ALL REVENUES DERIVED FROM SUCH TAX TO BE COLLECTED, RETAINED AND SPENT FOR ANY LAWFUL MUNICIPAL PURPOSE; AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH EXCISE TAX AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Pass 29-3



SILVER CLIFF	Issue B: SHALL THE TAXES OF THE TOWN OF SILVER CLIFF BE INCREASED BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITONAL SALES TAX OF 10 % ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AND AN EXCISE TAX OF 10 % OF THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA FACILITY OR MARIJUANA PRODUCT MANUFACTURING FACILITY, ONLY IN THE EVENT THAT SUCH FACILITIES ARE PERMITTED IN THE TOWN OF SILVER CLIFF BASED UPON AN AFFIRMATIVE VOTE OF THE QUALIFIED ELECTORS OF THE TOWN OF SILVER CLIFF, WITH THE RESULTING SALES OR EXCISE TAX RATES BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE TOWN OF SILVER CLIFF BOARD OF TRUSTEES, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, NOTWITHSTANDING ANY OTHER LIMITATIONS PROVIDED BY LAW?	Pass 164-115
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