AN EMERGENCY ORDINANCE IMPOSING A MORATORIUM ON THE
OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA
PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING
FACILITIES OR RETAIL MARIJUANA STORES, WITHIN THE
INCORPORATED BOUNDARIES OF THE TOWN OF ARRIBA, COUNTY OF
LINCOLN, STATE OF COLORADO.

WHEREAS, the Town of Arriba, hereinafter referred to as the “Town”, by and
through its Board of Trustees, hereinafter referred to as the “Board”, has the
authority to exercise certain municipal powers for the incorporated Town,
pursuant to Colorado Revised Statutes, Title 31, Article 15, as well as other
statutory authority; and

WHEREAS, on November 6, 2012, the voters of Colorado approved the
adoption of Amendment 64, Personal Use and Regulation of Marijuana; and

WHEREAS, said Amendment 64 became effective on December 10, 2012,
upon the proclamation of the Governor, pursuant to Section 1(4) of Article V, of
the Colorado Constitution; and

WHEREAS, Amendment 64 requires the Department of Revenue to adopt
regulations governing the operation of marijuana establishments no later than
July, 2013; requires local governments to adopt regulations identifying the entity
within the local government responsible for processing license applications for
marijuana establishments no later than October 1, 2013; authorizes local
governments to adopt licensing procedures and regulations governing certain
aspects of the operation of marijuana facilities; and authorizes local governments
to prohibit the operation of marijuana establishments by adoption of an ordinance
or through an initiated or referred measure; and

WHEREAS, Amendment 64 permits the operation of marijuana
establishments only pursuant to license issued by the Department of Revenue
and / or a local government and does not require the Department of Revenue or
local governments to being processing license applications until October 1, 2013;
and

WHEREAS, marijuana establishments may not operate lawfully until the
adoption of licensing regulations; and

WHEREAS, the Board of Trustees of the Town of Arriba has determined
that there remains much unknown as to the licensing process, the potential
benefit or detriment of allowing marijuana facilities to be located within the Town,
the desires of the inhabitants, and other relevant questions; and
WHEREAS, the adoption of this ordinance as an emergency measure is necessary in order that the ordinance will take immediate effect and preclude the operation of marijuana establishments within the Town of Arriba, Colorado, in violation of the provisions of Amendment 64; and

WHEREAS, the Board finds it necessary to the public health, safety, and welfare to adopt this emergency ordinance imposing a moratorium on the operation of marijuana establishments pending adoption by the Department of Revenue of licensing regulations and the issuance of licenses pursuant to Amendment 64; adoption of regulations relating to the operation and licensing of marijuana establishments by the Town; and / or pending a determination whether the operation of marijuana facilities should be prohibited, whether by ordinance or an initiated or referred measure;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA, LINCOLN COUNTY, COLORADO;

Section 1. During the effective term of this emergency ordinance no person shall operate a marijuana establishment, as defined in Amendment 64, within the corporate limits of the Town of Arriba. No Town employee, agent, or officer, shall accept or process an application for a sales tax license, land use approval, building permit, or any other license or permit relating to the operation of a marijuana establishment.

Section 2. All ordinances heretofore passed and adopted by the Board of Trustees are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

Section 3. This ordinance shall take effect immediately upon passage, as provided by state statute and shall be published immediately after passage. This ordinance shall be effective up through October 15, 2014, unless sooner rescinded or amended.

Section 4. The Board hereby finds, determines and declares that this ordinance is necessary for the immediate preservation of the public peace, health, and safety.

Adopted and Approved this 25th day of September, 2013.

[Signature]
Mayor

[Signature]
Town Clerk