

**ORDINANCE NO. 2
SERIES 2010**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON EXTENDING THE TEMPORARY MORATORIUM ON THE ESTABLISHMENT OR OPERATION OF ANY BUSINESS THAT SELLS OR TRADES IN MEDICAL MARIJUANA AS DEFINED IN ARTICLE XVIII, SECTION 14, OF THE COLORADO CONSTITUTION, WITHIN THE CITY OF GUNNISON, AND ESTABLISHING A PENALTY FOR THE VIOLATION THEREOF, IMPOSED BY ORDINANCE NO. 7, SERIES 2009, TO OCTOBER 1, 2010.

WHEREAS, the City of Gunnison, Colorado, by the Adoption of Ordinance No. 7, Series 2009, placed a moratorium on the establishment or operation of any business that sells or trades in medical marijuana as defined in Article XVIII, Section 14, of the Colorado Constitution, for a period of six months to allow the State of Colorado to establish regulations and statutes, and for the City of Gunnison to review and develop ordinances to address the impact on the City of Gunnison; and

WHEREAS, the temporary moratorium imposed by Ordinance No. 7, Series 2009, will expire on March 22, 2010; and

WHEREAS, the first adopted Colorado State Statutes addressing medical marijuana and medical marijuana-related business will not occur prior to March 22, 2010; and

WHEREAS, the City of Gunnison has been unable to determine a clear direction from pending State legislation to draft local ordinances; and

WHEREAS, additional time is necessary to assess Colorado State Statutes approved during the first legislative term of 2010, and proposed for the second legislative term of 2010; and

WHEREAS, additional time will be needed to review, draft and adopt regulations and ordinances for the City of Gunnison affected by Colorado State Statutes concerning medical marijuana and business selling and trading in medical marijuana.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS THAT:

Section 1. The temporary moratorium on the establishment or operation of any business that sells or trades in medical marijuana as defined in Article XVIII, Section 14, of the Colorado Constitution, within the City of Gunnison, and establishing a penalty for the violation thereof, imposed by Ordinance No. 7, Series 2009, is hereby extended to October 1, 2010, or by further adoption of City of Gunnison Ordinances addressing businesses selling or trading in medical marijuana, whichever occurs earlier.

Section 2. The provisions of Ordinance No. 7, Series 2009, shall remain in full force and effect, except that the termination date for the temporary moratorium on the establishment or operation of business that sells or trades in

medical marijuana as defined in Article XVIII, Section 14, of the Colorado Constitution, within the City shall be extended as set forth in Section 1 hereof.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 23rd day of February, 2010, on first reading, and introduced, read, passed and adopted on second reading this 9th day of March, 2010.

Mayor

(SEAL)
ATTEST:

City Clerk
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