

**RESOLUTION NO. 5
SERIES 2011**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, REFERRING A BALLOT QUESTION TO THE REGISTERED ELECTORS OF THE CITY OF GUNNISON WHETHER THE OPERATION AND LICENSING OF MEDICAL MARIJUANA CENTERS, OPTIONAL PREMISES CULTIVATION OPERATIONS, AND MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS SHOULD BE ALLOWED IN THE CITY OF GUNNISON.

WHEREAS, at the November, 2000, General Election, the voters of the State of Colorado adopted Amendment 20 to the Colorado Constitution, (Article XVIII, Section 14) which authorizes the use and possession of medical marijuana for use in the treatment of debilitating medical conditions; and

WHEREAS, the Colorado General Assembly adopted House Bill 10-1284, codified as the Colorado Medical Marijuana Code, Sections 12-43.3-101, et. seq., C.R.S., which authorizes municipalities to adopt and enforce an ordinance licensing, regulating, or prohibiting the cultivation or sale of medical marijuana; and

WHEREAS, the City Council of the City of Gunnison, acting as the governing body, has unanimously voted to prohibit the operation of medical marijuana centers, optional premises cultivation operations, and medical marijuana-infused products manufacturers within the City of Gunnison; and

WHEREAS, the City Council of the City of Gunnison wishes to submit the question of whether to allow medical marijuana centers, optional premises cultivation operations, and medical marijuana-infused products manufacturers within the boundaries of the City of Gunnison to the registered electors at the next Regular Municipal Election of the City of Gunnison to be held on May 10, 2011.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, THAT:

Section 1. The following ballot question shall be referred to a vote of the registered electors of the City of Gunnison at the Regular Municipal Election to be held on May 10, 2011:

BALLOT QUESTION 1

SHOULD THE OPERATION OF MEDICAL MARIJUANA CENTERS (ALSO KNOWN AS MEDICAL MARIJUANA DISPENSARIES), OPTIONAL PREMISES CULTIVATION OPERATIONS, AND MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS BE ALLOWED IN THE CITY OF GUNNISON, COLORADO, SUBJECT TO SUCH RULES, REGULATIONS, AND RESTRICTIONS AS MAY BE ADOPTED BY THE CITY COUNCIL?

YES _____

NO _____

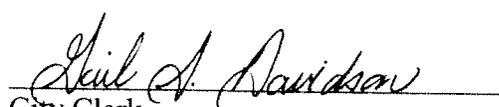
INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the City Council of the City of Gunnison held this 8th day of March, 2011.



Mayor

(SEAL)

ATTEST:



City Clerk