

ORDINANCE NO. 1158

**AN ORDINANCE OF THE TOWN OF BERTHOUD, COLORADO, AMENDING
THE BERTHOUD MEDICAL MARIJUANA CODE**

WHEREAS, the Town of Berthoud adopted by reference the Berthoud Medical Marijuana Code on March 27, 2012; and

WHEREAS, The Berthoud Medical Marijuana Code imposes reasonable regulations on Medical Marijuana Businesses operating or desiring to operate within the Town of Berthoud; and

WHEREAS, The Berthoud Medical Marijuana Code does not currently address whether medical marijuana grown within the Town by Medical Marijuana Businesses may be sold to Medical Marijuana Businesses without the Town; and

WHEREAS, the Town approves of the cultivation of medical marijuana within the Town of Berthoud to service the needs of medical marijuana patients within the Town; and

WHEREAS, the Town perceives a danger in allowing Medical Marijuana Businesses to cultivate medical marijuana within the Town for the purpose of selling said medical marijuana to businesses without the Town; and

WHEREAS, pursuant to C.R.S. § 12-43.3-310 the Town is authorized to enact reasonable regulations on Medical Marijuana Businesses within the Town that are more restrictive than regulations imposed by the State of Colorado;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF BERTHOUD, COLORADO, THAT THE BERTHOUD MEDICAL MARIJUANA CODE BE AMENDED TO INCLUDE THE FOLLOWING SECTION 10.

Section 10: Cultivation Requirements

(a) **Cultivation Requirements**. Medical Marijuana Businesses operating within the Town of Berthoud shall be limited to cultivating and selling medical marijuana and any of its byproducts directly to medical marijuana patients through a Medical Marijuana Center located in the Town of Berthoud. It shall be unlawful for any Medical Marijuana Business within the Town of Berthoud to sell medical marijuana that it cultivates within the Town to Medical Marijuana Centers located outside of the Town of Berthoud.

Health, Safety and Welfare. The Board of Trustees hereby finds, determines and declares that this Ordinance is necessary and proper for the health, safety and welfare of the Town of Berthoud and the inhabitants thereof, and shall become effective immediately upon adoption.

PASSED, ADOPTED, SIGNED AND APPROVED this 26th day of March, 2013.

TOWN OF BERTHOUD

By: 
David Gregg, Mayor

ATTEST:

By: 
Mary Cowdin, Town Clerk

Approved as to form:


Gregory Bell, Special Counsel