

RESOLUTION NO. 04-11

A RESOLUTION SETTING A BALLOT TITLE AND SUBMITTING TO THE ELECTORATE ON APRIL 5, 2011 A MEASURE REGARDING MEDICAL MARIJUANA IN THE CITY OF GRAND JUNCTION, COLORADO

RECITALS.

On October 4, 2010 the City Council by a majority vote adopted Ordinance No. 4437. That Ordinance prohibits the operation of medical marijuana businesses in the City limits and amends the Grand Junction Municipal Code by the addition of a new section prohibiting certain uses relating to marijuana. Ordinance No. 4437 is incorporated by this reference as if fully set forth.

On November 4, 2010, a petition containing 5,446 signatures was filed with the City Clerk. That filing protested the passage and suspended the effective date of Ordinance No. 4437.

On November 15, 2010 the City Clerk and her staff completed an inspection of the 278 petition sections. The City Clerk determined that of the 5,446 signatures submitted, 2,073 were valid City voters.

The City Charter §136 states

“a petition signed by registered electors of the city equal in number to at least ten per centum of the last preceding vote cast in the city for all candidates for Governor of the State of Colorado, be presented to the council, protesting against such ordinance taking effect, the same shall thereupon and thereby be suspended from taking effect, the council shall immediately reconsider such ordinance, and if the same be not entirely repealed, the council shall submit it, by the method provided in this article, to a vote of the registered electors of the city, either at the next general municipal election, or at a special election, which may, in their discretion, be called by them for that purpose, and such ordinance shall not take effect unless a majority of the registered electors voting on the same at such election, shall vote in favor thereof.”

The number of City voters who voted in the last gubernatorial election (2006) was 18,599 so 1,860 signatures were required for a valid petition.

On December 15, 2010 the City Council directed staff to prepare a ballot question placing Ordinance No. 4437 concerning medical marijuana on the regular municipal election scheduled for April 5, 2011.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING QUESTION BE PLACED ON THE

APRIL 5, 2011 BALLOT:

CITY OF GRAND JUNCTION REFERRED MEASURE A

Shall the City of Grand Junction prohibit the operation of medical marijuana businesses and amend the Grand Junction Municipal Code by the addition of a new section prohibiting certain uses relating to marijuana by Ordinance No. 4437, the title to which shall read:

AN ORDINANCE PROHIBITING THE OPERATION OF MEDICAL MARIJUANA BUSINESSES AND AMENDING THE GRAND JUNCTION MUNICIPAL CODE BY THE ADDITION OF A NEW SECTION PROHIBITING CERTAIN USES RELATING TO MARIJUANA

FOR THE ORDINANCE _____

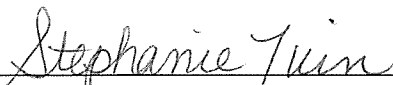
AGAINST THE ORDINANCE _____

Adopted this 5th day of January, 2011.



President of the Council

ATTEST:



City Clerk