

Trustee Bill No. 09
Series of 2017
Town of Foxfield

Introduced by Trustee Goddard

**A BILL FOR AN ORDINANCE AMENDING SECTIONS 16-4-60 AND 16-4-70 OF THE
FOXFIELD MUNICIPAL CODE TO FURTHER LIMIT THE NUMBER OF PLANTS THAT
MAY BE GROWN IN RESIDENTIAL STRUCTURES**

WHEREAS, the Town of Foxfield has previously adopted Sections 16-4-60 and 16-4-70 to regulate the growing of marijuana plants for both medical and recreational use in residential structure;

WHEREAS, the Colorado General Assembly passed House Bill 17-1220 ("HB 1220"), which provides for a State limitation of twelve (12) on the number of marijuana plants for both medical and recreational use that may be cultivated in a residential structure; and

WHEREAS, the Board of Trustees of the Town of Foxfield desires to amend the Foxfield Municipal Code for uniformity with the state law to have the same limits as set forth in HB 1220.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF FOXFIELD, COLORADO:

Section 1. Section 16-4-60, subsection (b)(2) of the Foxfield Municipal Code, is hereby amended to read as follows:

Sec. 16-4-60. Growing of medical marijuana in residential structures.

...

(b)(2) Such marijuana plants are cultivated, produced or possessed within a licensed patient's or registered caregiver's primary residence, as defined by paragraph (b)(8) below, *and no more than a total of twelve (12) total plants, whether for medical or for recreational use, may be cultivated within one primary residence.*

Section 2. Section 16-4-70 subsection (b)(2) of the Foxfield Municipal Code, is hereby amended to read as follows:

Sec. 16-4-70. Growing of marijuana in residential structures for personal use.

...

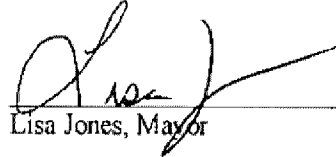
(b)(2) Such marijuana plants are possessed, grown or processed within the primary residence of the person possessing, growing, or processing the marijuana plants for personal use, as defined by paragraph (b)(8) below, *and no more than a total of twelve (12) total plants, whether for medical or for recreational use, may be cultivated within one primary residence.*

Section 3. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police powers of the Town of Foxfield, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

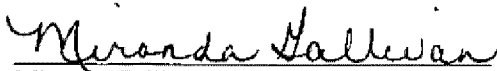
Section 5. Unless otherwise stated, this ordinance shall become effective thirty (30) days after final publication.

Adopted as Ordinance No. 09 Series of 2017, by the Board of Trustees of Foxfield, Colorado, and signed and approved by its Mayor or presiding officers this 16th day of November A.D. 2017.

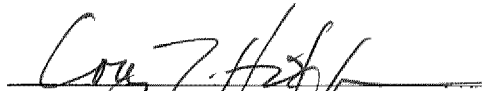


Lisa Jones, Mayor

ATTEST:



Miranda Gallivan, Town Clerk



Corey Y. Hoffmann, Town Attorney
(Approved as to Form)

