

City and County of Broomfield Ballot Question



League of Women Voters®
of Boulder County

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BALLOT QUESTION 1A PROHIBITION ON THE OPERATION OF MEDICAL MARIJUANA BUSINESSES

Proposed Ordinance 1928 – Prohibition on the Operation of Medical Marijuana Businesses. This ordinance prohibits the operation of medical marijuana businesses such as commercial medical marijuana centers, optional premises cultivation operations, and marijuana-infused products manufacturing facilities in the City and County of Broomfield. The ordinance also establishes penalties for violation in accordance with Chapter 1-12 of the Broomfield Municipal Code.

Background

In 2000, the state's voters approved an amendment to the Colorado Constitution that allows the use of medical marijuana in certain circumstances. The amendment allows individuals on a state registry and their caregivers to assert a defense to criminal prosecution for the use and/or possession of marijuana. Federal laws continue to prohibit the possession and sale of marijuana.

In May, 2010, a state law was approved that creates a statewide regulatory system and license requirements for businesses seeking to grow and sell medical marijuana. Local governments have the power to ban these facilities. In July, 2010, City Council adopted Ordinance 1928, banning Medical Marijuana Businesses (MMBs) in Broomfield. Petitioners presented signatures requiring the Council to reconsider Ordinance 1928 or bring the ordinance to the voters. Council elected to present the ordinance to the voters.

Major Provisions

The proposed Ordinance 1928 bans the operation of MMBs in the City and County of Broomfield. MMBs include commercial medical marijuana centers, cultivation operations, and manufacturing facilities for marijuana-infused products. The ordinance does not regulate patient use allowed under Colorado Amendment 20, nor does it regulate caregiver use that is not a commercial medical marijuana business.

If this ballot question is defeated by the voters, MMBs could be allowed in Broomfield. The City Council has enacted an additional ordinance, Ordinance 1929, which imposes a temporary moratorium on applications for MMBs until July 1, 2011. That will give the City and County of Broomfield a chance to develop regulations, and by that time, the State of Colorado is expected to have adopted a more-defined regulatory process.

A vote **for** the ordinance **prohibits** the operation of medical marijuana businesses in Broomfield.

A vote **against** the ordinance means that medical marijuana businesses are **not prohibited** in Broomfield.

Those IN FAVOR say

- Medical marijuana should be dispensed by a pharmacist.
- Additional tax revenue from MMBs is not a good reason to allow dispensaries.
- MMBs could lead to more crime, requiring more resources such as inspectors and police.
- Broomfield is a family-friendly community, and MMBs could make marijuana more easily accessible to children.

Those OPPOSED say

- A ban would cause citizens to use the black market.
- Sales tax from these products will be lost to other cities around Broomfield.
- Liquor and cigarettes are bad, but are not banned and are available around children.
- It is not feasible for all patients needing medical marijuana to grow their own.

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