

WHEREAS, § C.R.S. 30-15-401(1.7) states that “in addition to any other powers, a board of county commissioners may charge a fee for a local license and adopt resolutions or ordinances to establish requirements on businesses engaged in the storage, extraction, processing, or manufacturing of industrial hemp, as defined in section 35-61-101 (7), or industrial hemp products, as defined in section 25-5-426 (2) (g.5)...” and

WHEREAS, Industrial Hemp, or hemp, is defined within § C.R.S.35-61-101; and

WHEREAS, the Board of County Commissioners has determined the Elbert County Community Development Services Director (hereafter: CDS) is appropriately designated as the County’s principal entity charged with implementation of all requirements set forth below for industrial hemp cultivators and processors operating within the County and coordination with other elements of Elbert County Government necessary to implement the permitting, inspection, and enforcement of the requirements described below to include zoning and subdivision regulatory compliance; and

WHEREAS, the Board of County Commissioners has directed CDS to create and gain approval of a recording method, and compliance and/or validation process which may utilize CDA registration documents (“Colorado Industrial Hemp Registration Application”) and any subsequent CDA documents with the same intent.; and

WHEREAS, the Board desires to adopt this ordinance refining the regulations surrounding land use as it pertains to cultivation and processing of industrial hemp and hereby superseding and revoking all prior ordinances and resolutions or portions thereof inconsistent herewith.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO,

Section 1. Title.

1.1 This Ordinance shall be known and referred to as the "Elbert County Industrial Hemp Cultivation and Processing Ordinance," and may be cited and referenced as such.

Section 2. Purpose.

2.1 The purpose of this Ordinance is to promote the general public welfare and safety by imposing and enforcing reasonable and necessary restrictions on the cultivation of industrial hemp and processing of the same in Elbert County.

Section 3. No Non-conforming Use Status.

3.1 No person, business, activity or use involving the cultivation or processing of industrial hemp in the unincorporated areas of the County prior to the enactment of this Ordinance shall be

