

**CITY OF CORTEZ, COLORADO  
ORDINANCE NO. 1332, SERIES 2025**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF CORTEZ, COLORADO  
TO IMPOSE A TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE,  
PROCESSING, AND APPROVAL OF APPLICATIONS FOR LICENSES OR PERMITS  
FOR NATURAL MEDICINE HEALING CENTERS, CULTIVATION FACILITIES,  
PRODUCT MANUFACTURING, TESTING FACILITIES, AND ANY OTHER RELATED  
LICENSE OR PERMIT INVOLVING NATURAL MEDICINE, WHICH INCLUDES,  
WITHOUT LIMITATION, PSILOCYBIN OR PSILOCIN**

**WHEREAS**, the City of Cortez, Colorado (“City”) is a Colorado home rule municipality, duly organized and existing pursuant to Article 20 of the Colorado Constitution, the laws of the State of Colorado, and the Charter of the City of Cortez; and

**WHEREAS**, in 2022, Colorado voters approved Proposition 122 that legalized “natural medicine,” or plant or fungus-based psychedelic substances, including without limitation psilocybin and psilocin, (collectively “Natural Medicine”), for personal use and cultivation and the operation of state-licensed businesses known as “healing centers” and other medical spaces; and

**WHEREAS**, Proposition 122 allows local governments to regulate the time, place, and manner of the state-operation of licensed facilities, but does not allow local governments to ban or prohibit state-licensed facilities, or ban or prohibit the personal use of Natural Medicine in their communities; and

**WHEREAS**, pursuant to C.R.S. § 31-15-401, the City, by and through its City Council, possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety, and welfare; and

**WHEREAS**, C.R.S. § 29-20-101, *et seq.*, provides the City with the broad authority to plan for and regulate the use of land to best protect and promote the health, safety, and general welfare of the present and future inhabitants of the City, to guide future growth, development, and distribution of land uses within the City, and to issue a temporary moratorium when necessary on the acceptance of land use applications while engaging in the development of City codes; and

**WHEREAS**, pursuant to the authorities set forth above, the City is currently engaging in a process to develop amendments to the Cortez City Code and/or the Cortez Land Use Code regarding the adoption of time, place and manner regulations for Natural Medicine; and

**WHEREAS**, the City finds and determines that imposing a temporary moratorium on accepting, processing and approving applications for licenses or permits for Natural Medicine healing centers, cultivation facilities, product manufacturing, testing facilities, and any other related license or permit involving Natural Medicine for the next six months is both urgent and necessary to preserve the status quo in order to allow the City the time and ability to continue to engage in a thorough review, analysis, and drafting of comprehensive amendments to the Cortez City Code and/or the Cortez Land Use Code regarding the regulation of Natural Medicine, and to ensure appropriate time for public engagement regarding the same; and

**WHEREAS**, the City finds that the process of drafting and adoption of codes to regulate Natural Medicine risks being significantly delayed or altered in scope should the City continue to accept, process and approve applications for licenses or permits related to Natural Medicine prior to the adoption of the codes; and

**WHEREAS**, the City finds that there will be minimal impact of a temporary moratorium on the acceptance, processing and approval of applications for licenses or permits for Natural Medicine healing centers, cultivation facilities, product manufacturing, testing facilities, and any other related license or permit involving Natural Medicine for the next six months; and

**WHEREAS**, a temporary moratorium for six months is a reasonable length of time and no longer than necessary for the City to properly review, research, develop, ensure appropriate time for public engagement, adopt, and implement any applicable recommendations, amendments, and regulations for the time, place and manner regulations of Natural Medicine; and

**WHEREAS**, the City also finds and determines that the subject regulations concerning Natural Medicine are necessary to the immediate preservation of the public health, safety, and welfare and that this Ordinance should therefore become effective upon adoption on second reading.

**NOW, THEREFORE, BE IT ORDAINED BY THE CORTEZ CITY COUNCIL AS FOLLOWS:**

**RECITALS INCORPORATED:** The foregoing recitals are incorporated herein as conclusions, facts, determinations, and findings by the Cortez City Council.

**MORATORIUM:** Effective immediately, upon the effective date of this Ordinance, the title to Chapter 4 of the Cortez Code of Ordinances shall be amended to read “LIQUOR, MARIJUANA AND NATURAL MEDICINE CODES,” and a new Article IV shall be added to Chapter 4 entitled “Cortez Natural Medicine Code.” A new Chapter 4, Article IV, Section 4-300 is hereby adopted to read as follows: Sec. 4-300. – Moratorium. A moratorium is imposed upon the submission, acceptance, review, processing, public hearing, and approval of licenses or permits relating to Natural Medicine healing centers, cultivation facilities, product manufacturing, testing facilities, and any other related license or permit involving Natural Medicine, including, without limitation, psilocybin and psilocin. No such applications shall be submitted or accepted by the City and no such applications shall be reviewed, processed, or approved during the period of the temporary moratorium set forth herein. City Staff and City Council are directed to develop and amend regulations appropriate to the regulation of Natural Medicine prior to the expiration of this moratorium period. If such regulations are adopted prior to the expiration of this six-month moratorium, this six-month moratorium will terminate upon such adoption of the regulations. This temporary moratorium does not apply to complete applications submitted prior to and accepted by the City before the effective date of this Ordinance.

**REPEALER:** All orders, bylaws, ordinances, and resolutions of the City, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

SEVERABILITY: If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

RECORDING AND AUTHENTICATION: Upon adoption hereof, this Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and the City Clerk.

EFFECTIVE DATE: This ordinance shall be effective upon publication after final passage on second reading.

PUBLIC HEARING: This ordinance shall be considered for second or final reading on the 25<sup>th</sup> day of February, 2025, at the hour of 7:30 p.m. in the City Council Chambers in City Hall, Cortez, Colorado, at which time and place all persons may appear and be heard concerning the same.

PASSED, ADOPTED AND APPROVED ON FIRST READING THIS 11<sup>th</sup> DAY OF FEBRUARY, 2025.

CITY OF CORTEZ

ATTEST:

  
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LINDA L. SMITH, CITY CLERK

  
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RACHEL B MEDINA, MAYOR

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS 25<sup>th</sup> DAY OF FEBRUARY, 2025.

CITY OF CORTEZ

ATTEST:

  
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LINDA L. SMITH, CITY CLERK

  
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MATT KEEFAUVER, COUNCILMEMBER

APPROVED AS TO FORM:

  
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J. PATRICK COLEMAN, CITY ATTORNEY