



RESOLUTION No. 16-083

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

**RESOLUTION AMENDING RESOLUTION NO. 16-038
REGARDING THE BALLOT QUESTION FOR THE BALLOT
MEASURE REGARDING RESTRICTIONS ON MARIJUANA
CULTIVATION SCHEDULED FOR THE JUNE 7, 2016,
GENERAL ELECTION**

WHEREAS, on January 12, 2016, the Board of Supervisors adopted Resolution No. 16-038 calling an election and submitting an Ordinance amending subsections G-IV 5.4(C) and G-IV 5.4(E) of Article 5 of Chapter IV of the Nevada County General Code regarding Restrictions on Marijuana Cultivation (the "Ordinance") to the voters of the County of Nevada for consideration at the statewide general election on June 7, 2016; and,

WHEREAS, there has been significant community confusion regarding the proposed Ballot Measure and its legal effect; and

WHEREAS, the Board of Supervisors desires to clarify the effect of the proposed ballot measure and to amend and provide further direction regarding the ballot question to be presented to the voters on June 7, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Nevada County Board of Supervisors that:

1. The foregoing recitals are adopted as findings of the Board of Supervisors as though set forth fully herein.
2. Paragraph 3 of Resolution No. 16-038 is hereby amended and replaced to read as follows:

"Pursuant to Elections Code section 9140, the Board of Supervisors hereby submits to the voters of the County of Nevada, the following Measure:

COUNTY OF NEVADA MEASURE _____

Shall an ordinance be adopted which (a) bans outdoor cultivation, commercial cultivation and other commercial cannabis activities, (b) limits indoor cultivation to 12 plants per parcel in residential and rural areas, (c) prohibits indoor marijuana cultivation in unpermitted structures and areas used or intended for human occupancy, and (d) allows marijuana cultivation only by qualified patients and primary caregivers and only for medicinal purposes?

Yes _____
No _____

3. All other paragraphs, terms and provisions of Resolution No. 16-038 shall remain in full force and effect.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 9th day of February, 2016, by the following vote of said Board:

Ayes: Supervisors Nathan H. Beason, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 



Dan Miller, Chair

2/9/2016 cc: Counsel*
Sheriff*
Elections* (1)