

JUL 26 2018

**RESOLUTION NO. 2018 - R**

**A RESOLUTION OF THE TOWN OF EATONVILLE, WASHINGTON, PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE TOWN AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2018, OF A NONBINDING ADVISORY VOTE ON WHETHER THE TOWN COUNCIL SHOULD BAN RECREATIONAL MARIJUANA RELATED BUSINESSES IN THE TOWN; AND REQUESTING THE PIERCE COUNTY AUDITOR TO CONDUCT THAT GENERAL ELECTION**

**WHEREAS**, in 2012, Washington State voters passed Washington State Initiative 502 (I-502), which legalized the production, processing and retail sale of recreational marijuana and marijuana-infused products; and

**WHEREAS**, I-502, which is codified at 69.50 RCW, establishes laws regulating the licensing of recreational marijuana producers, processors and retailers; and

**WHEREAS**, under State law the Town is permitted to enact zoning regulations that prohibit recreational marijuana related businesses, or confine them to specific zones; and

**WHEREAS**, on March 12, 2018, the Eatonville Town Council passed Ordinance 2018-2, imposing a moratorium on the establishment, location, operation, licensing, or maintenance of facilities, businesses, or any other activities involving the production, processing, or retail sale of recreational marijuana or marijuana-infused products in order to allow for an advisory vote to inform the council as to the will of the residents of the Town; and

**WHEREAS**, the Town council desires that a nonbinding advisory vote be taken at the municipal general election in the Town, to be held on November 6, 2018; now, therefore;

**THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

**Section 1.** The Town Council of the Town of Eatonville hereby requests and calls for the Pierce County Auditor to conduct and hold an election on November 6, 2018, in the Town of Eatonville for the purpose of submitting to the qualified voters of the Town a nonbinding advisory vote on whether the Town Council should amend its zoning regulations to ban the production, processing or retail sale of recreational marijuana or marijuana-infused products. The Pierce County Auditor, as ex officio supervisor of elections in Pierce County, is hereby requested to assume jurisdiction of and to call and conduct such election and to submit to the qualified electors of the Town the advisory vote set forth in Section 2 below. The Mayor and/or Town Attorney are authorized to modify

the advisory vote as directed by the Pierce County Auditor or Pierce County Prosecuting Attorney, as long as the intent of the advisory vote remains clear and consistent with the intent of this Resolution as approved by the Town Council.

**Section 2.** The proposition to be submitted at the general election on November 6, 2018, shall be in the form of a ballot title and explanatory statement, which have been prepared by the Town Attorney, to read as follows:

**TOWN OF EATONVILLE  
ADVISORY VOTE NO. 1  
RECREATIONAL MARIJUANA BUSINESSES**

**Ballot Title:** The Town of Eatonville Council passed Resolution 2018-R calling for a nonbinding advisory vote on recreational marijuana related businesses. Should the Eatonville Town Council amend the Town’s zoning regulations to ban recreational marijuana businesses within the Town?

Yes.....□

No.....□

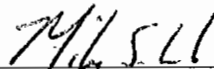
**Explanatory Statement:** The Town Council would like to hear from voters on whether the Town should ban recreational marijuana businesses. Under State law, the Town of Eatonville may prohibit recreational marijuana businesses within the Town. Recreational marijuana businesses are currently prohibited by temporary moratorium. Banning recreational marijuana businesses would prohibit the Town from receiving State collected recreational marijuana tax revenue pursuant to RCW 69.50.540. The outcome of this vote is advisory only and non-binding on the Town.

**Section 3.** The Town Attorney is authorized and directed to make such revisions in the statement of the advisory vote as required by the Pierce County Auditor and the Prosecuting Attorney for Pierce County.

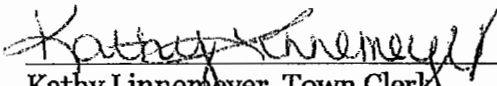
**Section 4.** The Town Clerk is authorized and directed to file a certified copy of this Resolution with the Pierce County Auditor.

**Section 5.** The Town Attorney is authorized to take such additional steps as are required to cause the election on the nonbinding advisory vote to occur.

PASSED by the Town Council of Town of Eatonville and attested by the Town Clerk  
in authentication of such passage this 9<sup>th</sup> day of July, 2018.

  
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Mike Schaub, Mayor

ATTEST:

  
\_\_\_\_\_  
Kathy Linnemeyer, Town Clerk