

RESOLUTION NO. 2026

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ADOPTING A TEMPORARY MORATORIUM UPON THE APPLICATION, ACCEPTANCE, PROCESSING, AND/OR APPROVAL OF ANY REQUEST TO PROWERS COUNTY FOR A PERMIT, LICENSE, AND/OR FOR ANY OTHER PROWERS COUNTY AUTHORIZATION OF ANY NATURE RELATED TO OR IN ANY WAY CONNECTED WITH THE ESTABLISHMENT AND/OR OPERATION OF AN ENTERPRISE OR BUSINESS THAT PROPOSES TO SELL OR DISPENSE OR THAT SELLS OR DISPENSES PSYCHEDELIC MUSHROOMS AND THREE (3) PLANT BASED PSYCHEDELIC SUBSTANCES-DIMETHYLTRYPTAMINE, IBOGAINE, AND MESCALINE PURSUANT TO ARTICLE 18, SECTION 14 OF THE COLORADO CONSTITUTION.

WHEREAS, the voters of the State of Colorado voted to adopt Proposition 122 (“Proposition”), which established the “Natural Medicine Health Act of 2022” (“Act”); and

WHEREAS, the Act under C.R.S Sec. 12-170-104, includes Psilocybin and Psilocin, and plant-based psychedelic substances Dimethyltryptamine (DMT), Ibogaine, and Mescaline as “natural medicine” and defines a “healing center” as a facility licensed by the state licensing authority that permits a facilitator to provide and supervise natural medicine services for a participant; and

WHEREAS, the Act decriminalizes the possession, growing, sharing, and use, but not the sale of Psilocybin and Psilocin, and plant-based psychedelic substances Dimethyltryptamine (DMT), Ibogaine, and Mescaline; and

WHEREAS, the Act allows supervised use of the psychedelic mushrooms by individuals aged 21 and over at licensed facilities; and

WHEREAS, the Act prohibits local governments from banning licensed facilities, services, and use of natural psychedelic substances permitted, while allowing local governments to regulate the time, place, and manner of operation of these facilities; and

WHEREAS, DORA and DOR have recently issued regulations pertaining to the Natural Medicine Act and the County requires an appropriate amount of time to thoroughly review such regulations to determine what, if any, additional regulations can and/or need to be adopted by the County; and

WHEREAS, Prowers County does not currently have any zoning regulations addressing Healing Centers and Natural Medicine facilities and operations but is currently in process of writing zoning regulations for consideration and adoption by the Board; and

WHEREAS, in light of the foregoing, the Prowers County Board of County Commissioners (“Board”) wish to institute a six-month moratorium on the submission, acceptance, processing, and/or approval for the establishment of a business that cultivates, processes, dispenses natural medicine and the establishment of any businesses, occupation, or operation for Healing Centers or Natural Medicine in Prowers County after the date of adoption of the Resolution; and

WHEREAS, this moratorium of limited duration will allow for zoning regulations and law enforcement policy to be drafted that will be consistent with both the State’s objective and the needs of Prowers County; and

WHEREAS, the Board believes this moratorium to be in the best interest of the health, safety and welfare of the residents of Prowers County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PROWERS COUNTY, COLORADO, AS FOLLOWS;

Section 1. The foregoing recitals are incorporated herein by reference.

Section 2. Temporary Moratorium and Restrictions. Upon the adoption and execution of this Resolution, a moratorium is hereby imposed. During the effective term of this Resolution, there shall be no submission, acceptance, processing, or approval of any applications/requests to Prowers County for the establishment of a business that cultivates, processes, or dispenses natural medicine or the establishment of any business, occupation, operation of Healing Centers or Natural Medicine Operations or facilities as defined by Colorado Revised Statutes. The moratorium so adopted by this Resolution shall commence upon the date of its passage and execution by the Board of County Commissioners and shall continue for a one hundred eighty (180) day period thereafter.

Section 3. Termination. This Moratorium shall terminate on the 26th day of November 2026, unless it is terminated at an earlier date or extended by further Resolution by the Prowers County Board of County Commissioners.

Section 4. Severability. The provisions of this Resolution are hereby declared to be severable. If any section, paragraph, clause, or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of the Resolution.

Section 5. Repealer. All prior orders, resolutions, or ordinances in conflict with this Resolution are hereby repealed, only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

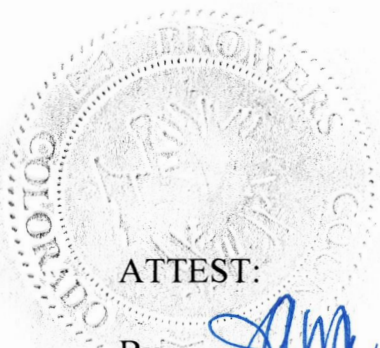
PASSED AND ADOPTED this 26th day of May 2026.

THE BOARD OF COUNTY COMMISSIONERS
OF PROWERS COUNTY, COLORADO

Roger Stagner
Roger Stagner, Chairman

Ty Harmon
Ty Harmon, Commissioner

/Absent/
Ron Cook, Commissioner



ATTEST:

By Jana Coen
Jana Coen, County Clerk