

CHAPTER 8

SECTION 4

Marijuana

Subsections:

- 8-4-1 License and Review Fees.
- 8-4-2 Supplemental Regulations.

(Section re-enacted by Ord 5-2013)

8-4-1 LICENSE FEES.

(A) The local application and license fees for all Medical Marijuana licenses issued, and applications submitted, pursuant to Title 12, Article 43.3, CRS, for Medical Marijuana Licenses, shall be enacted by Town Council Resolution.

(B) The local application review fee for all Retail Marijuana businesses, with licenses to be issued by the state pursuant to Article 43.4, Title 12, CRS, shall be enacted by Town Council Resolution. (Ord 2-2019)

(C) In addition to the above fees, the applicant/licensee shall reimburse the Town for all out-of-pocket costs incurred during review of the application, or license, including legal fees, consultant fees, postage, notice and publishing costs. The Town shall bill the applicant/licensee upon completion of the application or review process and completion of any conditions thereof. No application or license shall be finally approved and forwarded to the State until the bill is paid. Each bill shall be overdue 30 days after its date. Bills not paid by the due date shall accrue interest at the rate of 1½ % per month or part thereof. Such fees may be certified to the County Treasurer for collection as delinquent charges or collected in any other lawful manner.

(D) The Town Council may revise such amounts by resolution based on costs incurred by the Town in the administration and enforcement of Medical and Retail Marijuana licensing and related provisions.

8-4-2 SUPPLEMENTAL REGULATIONS.

(A) The Supplemental Regulations of this Section are promulgated as authorized by Title 12, Article 43.3 and 43.4, CRS.

(B) All Medical Marijuana licenses issued pursuant to Title 12, Article 43.3, CRS, or approved pursuant to Article 43.4, CRS, must comply with applicable requirements of Town ordinances, including building and zoning regulations, and this Section, and the performance standards of the I-1 and I-2 Zoning Districts or General Commercial Zoning Districts, and in accordance with the minimum licensing standards of said Article 43.3 or Article 43.4.

(C) The Town Council shall be the local licensing authority for the Town for Medical Marijuana licenses. The Town Manager shall review and act upon all Medical Marijuana license applications without hearing. Disciplinary actions pursuant to Part 6, Article 12-43.3, CRS shall be conducted before the Town Council.

(D) The Town Manager is hereby designated as the entity responsible for processing procedures and reviewing state Retail Marijuana licenses for compliance with Town ordinances and regulations pursuant to Section 16 of Article XVIII of the Colorado Constitution and Article 43.4, Title 12, CRS. No local Retail Marijuana licenses shall be issued by the Town.

(E) The number of licenses in the Town are limited as follows:

- (1) The total number of Medical Marijuana Center and Retail Marijuana store licenses combined is limited to 4.
- (2) Optional Premises Cultivation licenses are limited to one for each Town licensed Medical Marijuana Center and one for each Town licensed Medical Marijuana Infused Products Manufacturer.
- (3) The total number of Medical Marijuana Infused Products Manufacturing and Marijuana Product Manufacturing Facility Licenses combined is limited to 2.
- (4) Marijuana Cultivation Facility Licenses are limited to two, and are further restricted to a Retail Marijuana Store licensee or a Marijuana Product Manufacturing Facility licensee, which are located within the Town. (Ord 2-2014)
- (5) Marijuana Testing Facility licenses are limited to 2.
- (6) In the event all of the licenses allowed by any of Paragraphs 1 to 5 above have common substantial financial interests, an additional license may be issued so long as it does not have any substantial financial interest in it, in common with the others.

(F) Marijuana Cultivation Facility Licenses and Optional Premises Cultivation Licenses are limited to 3,600 plants. (Ord 2-2014)