



DENVER
THE MILE HIGH CITY

Illegal Growing and Distribution of Marijuana

Excise and Licenses
Office of Marijuana Policy

Growing marijuana in a home:

- **Denver Zoning Code 11.8.4.1**

- “In all zone districts, where permitted with limitations, the growing of marijuana shall comply with the following:
 - A. No more than 6 plants may be grown for each registry identification card holder or for each adult 21 years or older residing in a dwelling unit, not to exceed 12 plants per dwelling unit.
 - B. Growing and/or storage of marijuana shall occur within a completely enclosed structure.
 - C. Growing and/or storage of marijuana shall not occur in a common area associated with the dwelling unit.
 - D. Growing shall be for personal use only by persons residing in the dwelling unit; retail or wholesale sales of goods or products derived from the growing of marijuana and any off-site distribution of such plants or derived products are prohibited.”

Growing marijuana outside of a home:

- **Denver Revised Municipal Code: 38-178. - Non-licensed *marijuana* cultivation.**
 - “It shall be unlawful for any person, alone or in concert with other persons, to possess or cultivate more than thirty-six (36) *marijuana* plants on any zone lot in the city, except in a licensed *marijuana* cultivation facility and in compliance with all applicable state and city laws, and all rules and regulations promulgated thereunder.” (amended in March 2015)

- Beginning in 2014, a cross-departmental inspection model was developed for responding to and enforcing the existing laws for non-licensed marijuana cultivation.
 - Included:
 - Denver Police Department
 - CPD Neighborhood Inspection Services
 - CPD Electrical and Building
 - DFD Fire Prevention Bureau
- Office of Marijuana Policy has been monitoring and tracking issues with non-licensed marijuana cultivation since 2014 and recently established an internal coordinated team to examine closer.

- Non-licensed MJ Grows Inspections Team convened in August 2016 to identify and address issues related to illegal growing and distribution of marijuana.
 - Working Group includes:
 - ❖ Office of Marijuana Policy
 - ❖ City Attorney's Office
 - ❖ Denver Police Department
 - ❖ Denver Fire Department
 - ❖ Community Planning and Development (Building and Zoning)
 - ❖ One hearing officer
 - ❖ City Attorneys Office
 - Team members compiled data, issues, and concerns from their specific work area.

- Non-Licensed MJ Grows Inspections Team has been engaged in the following activities:
 - Working with agencies to collect and tabulate data on home grow complaints
 - Meeting with stakeholders to obtain information on issues and concerns
 - Researching cities and counties with restrictions on non-licensed MJ grows
 - Reconvening the team to review information and beginning to develop possible solutions

- Non-Licensed MJ Grows Inspections Team will continue work:
 - Explore pros and cons of possible solutions
 - Develop proposed solutions
 - If non-legislative, will begin implementing
 - For solutions that require legislative action:
 - Internal approval (Policy Review Committee)
 - Outreach to industry, community and City Council
 - Legislative process through City Council
 - Goal to complete by end of Q1 2017



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Questions?