

Protections for the public - Marijuana Consumption		
Protection Measure	Description	Department or Agency Responsible
Clean Indoor Air Act	<ul style="list-style-type: none">•The Colorado Clean Indoor Air Act (C.R.S. 25-14-202) prohibits smoking tobacco and marijuana in most indoor areas open to the public...and places of employment.•2018 state legislative session there was one bill that would permit DCAs and exclude them from the CCIA. - Failed•2019 state legislative session there is a bill that will include vaping and ecigarettes in the CCIAA	Colorado Department of Public Health and Environment (C.R.S. 25-14-202);
No visibility to the public	<ul style="list-style-type: none">•Marijuana consumption occurring within a DCA is not visible to the public from a place where children congregate or from any public place (Sec. 3.01(d) of Rules Governing Marijuana Designated Consumption Areas).•Public place is defined as a place to which the public or a substantial number of public have access without restriction (Section 1.03 (y)of Rules Governing Marijuana Designated Consumption Areas).	<ul style="list-style-type: none">•I300, Sec.6-310(b)•Excise and License, (Sec. 3.01(d) of Rules Governing Marijuana Designated Consumption Areas)• (Section 1.03 (y)of Rules Governing Marijuana Designated Consumption Areas).
Requirement for a needs and desires hearing	<ul style="list-style-type: none">•Required by Excise and License for all applicants of a DCA, and can be requested by the community for a special events permit.	<ul style="list-style-type: none">•Excise and License - Rules Governing Marijuana Designated Consumption Areas
Requirement of neighborhood support	<ul style="list-style-type: none">•Must have support or non-opposition from an RNO or other qualifying neighborhood organization	<ul style="list-style-type: none">•I300 Sec. 6-303•I300 Sec. 6-304•Excise and License - Rules Governing Marijuana Designated Consumption Areas
Distance requirements	<ul style="list-style-type: none">•Original I300 language prohibited DCAs from being within 1000 feet of a school, the 1000 feet language falls into alignment with federal practices. In 2012 the federal government shut down 47 marijuana dispensaries that were within 1000 feet of schools.•Excise and License increased distance requirements to include: childcare facilities and city-owned pools and recreation centers, as well as, addiction treatment facilities, and residential zone district. Excise and License includes this language in Article III. Section 3.02.	<ul style="list-style-type: none">•I300 Sec. 6-311(a)•Excise and License Rules Governing Marijuana Designated Consumption Areas, (Sec. 3.02)•Federal Government (DEA)
Application/Permit Fee	<ul style="list-style-type: none">•Application and permit fees are \$1000 each.	<ul style="list-style-type: none">•I300 Sec. 6-315•Excise and License Rules Governing Marijuana Designated Consumption Areas
Not allowed on liquor-licensed premises	<ul style="list-style-type: none">•According to state law, marijauana cannot be sold or consumed in an establishment with a liquor-license. Excise and license includes this language in Article III. Section 3.03	<ul style="list-style-type: none">•State Laws and Rules (Marijuana Enforcement Division within Department of Revenue), Excise and License (Rules and Regulations, Article III Sec. 3.03)
Not allowed on marijuana-licensed premises	<ul style="list-style-type: none">• According to state law, marijuana cannot be consumed in a marijuana-licensed premise such as a dispensary. This requires DCAs to be BYOC.	<ul style="list-style-type: none">•State Laws and Rules (Marijuana Enforcement Division within Department of Revenue), Excise and License (Rules and Regulations, Article III Sec. 3.03)
Only marijuana-licensed businesses allowed to sell marijuana, so it must be bring your own cannabis	<ul style="list-style-type: none">•DCAs are currently BYOC	<ul style="list-style-type: none">•I300 Sec. 6-309(a) (b)•Excise and License - Rules Governing Marijuana Designated Consumption Areas, Sec. 3.03(e)(f)•Marijuana Enforcement Division within DoR

Protections to the public from special events	<ul style="list-style-type: none">•Applicants are required to submit their special event permit application 120 days in advance of their event. Excise and License determined the 120 day deadline due to a need to extend the timeline in which it takes to process applications, notify the public, and address public concerns. (Sec. 6.02(b) of Rules Governing Marijuana Designated Consumption Areas)•Inability to have alcohol and cannabis at the event•Limit to 10 special events/individual/year	<ul style="list-style-type: none">•Excise and License (Sec. 602(b))▪ State Laws and Rules (MED)
Age restrictions	<ul style="list-style-type: none">•I300 language, in accordance with state law, also created age restrictions for patrons of DCAs. Individuals 21 and over can consume marijuana in an DCA.	<ul style="list-style-type: none">•I300 Sec.6-309(c)(d)•Excise and License Rules Governing Social Consumption Sec 5.01(a)▪ State Laws and Rules (Marijuana Enforcement Division within Dept. of Revenue)
Building Requirements	<ul style="list-style-type: none">•I300 language required that when a business was applying for a social consumption permit they must have the following: a designated consumption area plan, a responsible operations plan, a health and sanitation plan, and a community engagement plan•Excise and License includes this language in its rules and regulations	<ul style="list-style-type: none">•I300▪ Excise and License Rules and Regulations Governing Social Consumption Article V
Operational Requirements	<ul style="list-style-type: none">•I300 language required permit holders to adhere to the following: clear signage delineating where the social consumption area is•Smoking of cannabis is not visible from the public right-of-way or a place where children congregate•Adhere to the Colorado Clean Indoor Air Act•Odor mitigation•E&L expanded on these requirements and added specific waste removal requirements in Article V. Operational Requirements	<ul style="list-style-type: none">•I300▪ Excise and License Rules and Regulations Governing Social Consumption Article V

▪ Within the Rule Governing Marijuana Designated Consumption Areas an eligible neighborhood organization is defined as (i) a registered neighborhood organization (RNO) that has been in existence for more than 2 years, (ii) a business improvement district, or (iii) any other type of association of residents and owners of real property. This requirement for neighborhood support provides extra protections for residents near a designated consumption area (DCA) because the DCA must remain accountable and in good faith with the neighborhood in order to maintain its permits.

▪ Furthermore, requiring the support of an established RNO makes it more difficult for DCAs to fabricate neighborhood support by forming a shell RNO for the purposes of showing they have community support.