

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. ▪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 occuring 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	▪Required by Excise and License for all applicants of a DCA, and can be requested by the community for a special events permit.	▪Excise and License - Rules Governing Marijuana Designated Consumption Areas
Requirement of neighborhood support	▪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	▪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	▪According to state law, marijuana cannot be sold or consumed in an establishment with a liquor-license. Excise and License includes this language in Article III. Section 3.03	▪State Laws and Rules (Marijuana Enforcement Division within Department of Revenue)
Not allowed on marijuana-licensed premises	▪ According to state law, marijuana cannot be consumed in a marijuana-licensed premise such as a dispensary. This requires DCAs to be BYOC.	▪State Laws and Rules (Marijuana Enforcement Division within Department of Revenue)
Only marijuana-licensed businesses allowed to sell marijuana, so it must be bring your own cannabis	▪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	▪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	▪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	▪I300 ▪ E&L Rules Governing Social Consumption
Operational Requirements	▪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	▪I300 ▪E&L Rules Governing Social Consumption

▪ 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.