

Rules and Regulations Governing Retail Marijuana Establishments

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Section 1. Authority for Rules and Regulations

These rules and regulations are authorized by Article XVII, Section 15-628 of the City Code, and shall be available for public review at the Office of the City Clerk of the City of Fort Collins.

Section 2. General

2.1 These rules and regulations set forth the terms and conditions under which retail marijuana establishments may operate within the City of Fort Collins.

2.2 Retail marijuana establishments are subject to the requirements set forth in Article XVII, Section 15 of the City Code; Article XVIII, Section 16 of the Colorado Constitution; the Colorado Retail Marijuana Code; and the Colorado Retail Marijuana Enforcement Division Rules and Regulations.

Section 3. The Retail Marijuana Licensing Authority

3.1 The City Manager shall designate in writing the Retail Marijuana Licensing Authority (the Authority).

3.2 The duties and powers of the Authority are as set forth in Article XVII, Division 2 of the City Code.

3.3 Rules and regulations promulgated by the Authority pursuant to Article XVII, Section 15-606(d) of the City Code shall be set out in a separate document.

Section 4. Interpretation of Terms

4.1. For the purpose of interpreting Section 15-608(a) of the City Code, a licensed medical marijuana center “in good standing with state and local licensing authorities” shall mean a center with no pending violation(s) or current suspended sentence as a result of a violation(s) of Article XVI, Chapter 15 of the City Code, Article XVIII, Section 14 of the Colorado Constitution, the Colorado Medical Marijuana Code, or the Colorado Marijuana Enforcement Division Rules and Regulations, except that:

- a. a retail marijuana store may continue to operate during any suspension actively served by the medical marijuana center; and

- b. if a medical marijuana center license is revoked by the Colorado Marijuana Enforcement Division and/or the Authority, the retail license issued by the City of Fort Collins for that same location must be surrendered within two (2) business days of the effective date of the revocation by the Authority.

Amended November, 2017

Section 5. Relocation of an Existing License to Fort Collins from Another Location in Colorado [entire section added November, 2017]

An application from a licensee wanting to move an existing medical marijuana license to Fort Collins from another location in Colorado pursuant to Section 12-43.4-309(12)(a) of the Colorado Revised Statutes, will be processed in the same manner as an application for a new license.

Section 6. Application Processing; Time Limit [entire section added November, 2017]

6.1 Any applicant submitting an application to the City Clerk may be requested to provide additional information in connection with the investigation and review of the application. Additional information may include, but is not limited to:

- Modifications to the floor plan
- Amendments to a lease
- Properly executed documents
- Corrections of mistakes in documents
- Missing documents
- Information on individual owners, investors, and the manager

6.2 An application must be complete before it will be transmitted to the Retail Marijuana Licensing Authority for consideration.

6.3 The potential for outdated information within a pending application increases as time passes. Therefore, any application still pending 120 days from the date of application will be returned to the applicant, along with a refund of the license and application fee, less five hundred dollars (\$500) or the total amount of the application fee, whichever is less. Said amount retained by the City shall be used to offset the cost of staff time vested in the application during the 120-day period.


For the purposes of this rule 6.3, "date of application" shall mean the date the application was date stamped as received by the Fort Collins City Clerk's Office. [paragraph added March, 2018]

6.4 An applicant may file a new application at any time that is complete and current in all respects, including full license and application fees.

Section 7. Application for Renewal of License

7.1 A licensee may submit an application for renewal of a license no sooner than 90 days prior to the expiration date of the license.

APPROVED:



Darin A. Atteberry, City Manager

8/7/19

Date