

ORDINANCE NO. 2023-04

AN ORDINANCE AMENDING ARTICLE IV – MARIJUANA BUSINESSES OF CHAPTER 8 – BUSINESSES AND BUSINESS LICENSES TO CREATE SEC. 8-112 – RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSE OF THE LOG LANE VILLAGE MUNICIPAL CODE

WHEREAS, the Town of Log Lane Village, has received requests by marijuana businesses to allow marijuana consumption on the premises of the business; and

WHEREAS, the Town of Log Lane Village Municipal Code does not currently address retail marijuana hospitality and sales business licenses; and

WHEREAS, the Town of Log Lane Village, has determined that it is in the best interest of the Town to approve marijuana hospitality and sales business licenses; and

WHEREAS, the Board of Trustees has determined that it is appropriate to amend the Log Lane Village Municipal Code, Chapter 8 Businesses and Business Licenses, Article IV Marijuana Businesses to include Sec. 8-112 Retail Marijuana Hospitality and Sales Business Licenses;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LOG LANE VILLAGE, COLORADO AS FOLLOWS:

Section 1. Licensing Requirements.

Retail Marijuana Hospitality and Sales Business Licenses are approved and may be issued to allow for the sale and on-premises consumption of regulated marijuana at a fixed location, subject to these provisions and the Colorado Marijuana Code.

Section 2. Definitions.

“Consumption Area” means a designated and secured area within the Licensed Premises of a Licensed Hospitality Business where consumers can use and consume marijuana and where no one under the age of 21 is permitted. A Consumption Area may, but is not required to, be part of a Restricted Access Area.

“Licensed Hospitality Business” means a Marijuana Hospitality Business or Retail Marijuana Hospitality and Sales Business.

“Retail Marijuana Hospitality and Sales Business” means a facility, which cannot be mobile, licensed to permit the consumption of only the retail marijuana or retail marijuana products it has sold pursuant to the provisions of an enacted, initiated, or referred ordinance or resolution of the local jurisdiction in which the licensee operates.

Section 3. A retail marijuana hospitality and sales business licensee shall not:

- (a) Engage in multiple sales transactions to the same patron during the same business day when the business's employee knows or reasonably should have known that the sales transaction would result in the patron possessing more than the sales limit established by the state licensing authority;
- (b) Allow on-duty employees of the business to consume any marijuana in the licensed premises;
- (c) Distribute or allow distribution of free samples of marijuana in the licensed premises of the business;
- (d) Sell any retail marijuana or retail marijuana products that contain nicotine or, the sale of alcohol.
- (e) Allow the consumption of alcohol on the licensed premises;
- (f) Allow the smoking of tobacco or tobacco products in the licensed premises of the business;
- (g) Allow the use of any device using any liquid petroleum gas, a butane torch, a butane lighter, or matches in the licensed premises if prohibited by local ordinance or resolution;
- (h) Allow any activity that would require an additional license in the licensed premises of the business, including but not limited to manufacturing or cultivation activity;
- (i) Knowingly permit any activity or acts of disorderly conduct;
- (j) Sell, serve, or permit the sale or serving of retail marijuana or retail marijuana products to any patron who shows signs of visible intoxication;
- (k) Permit rowdiness, undue noise, or other disturbances or activity offensive to the average citizen or to the residents of the neighborhood in which the licensed premises is located; or
- (l) Admit into the licensed premises of a retail marijuana hospitality and sales business any person who is under twenty-one years of age.
- (m) Retail Marijuana Hospitality and Sales Businesses shall not sell Retail Marijuana or permit the consumption or use of Retail Marijuana on its Licensed Premises, between the hours of 2:00 a.m. and 7:00 a.m., Mountain Time, Monday through Sunday.
- (n) Marijuana Hospitality Businesses shall not permit the consumption or use of marijuana on its Licensed Premises, between the hours of 2:00 a.m. and 7:00 a.m., Mountain Time, Monday through Sunday.
- (o) Allow any person to consume or display marijuana, marijuana concentrate, or marijuana product outside of a consumption area or any place that is visible from outside of the consumption area.

Section 4. A retail marijuana hospitality and sales business licensee shall:

- (a) Track all of its retail marijuana and retail marijuana products from the point that they are transferred from a retail marijuana store, retail marijuana products manufacturer, or retail marijuana cultivation facility to the point of sale to its patrons;
- (b) Limit a patron to one transaction of no more than the sales limit set by the state licensing authority;
- (c) Before allowing a patron to leave the licensed premises with any retail marijuana or retail marijuana products, package and label the retail marijuana or retail marijuana products in accordance with procedures developed by the business that comply with state law;
- (d) Operate the business in a decent, orderly, and respectable manner;
- (e) Require all employees of the business to successfully complete an annual responsible vendor training program
- (f) Require all employees of the business to have a valid responsible vendor designation

- (g) Ensure that the display and consumption of any retail marijuana or retail marijuana product is not visible from outside of the business;
- (h) Educate consumers of marijuana by providing informational materials regarding the safe consumption of marijuana. The materials must be based on the requirements established by the marijuana educational oversight committee and on the relevant research from the panel of health-care professionals appointed pursuant to state law;
- (i) Maintaining a record of all educational materials required by law in the licensed premises for inspection by state and local licensing authorities and law enforcement; and
- (j) If an emergency requires law enforcement, firefighters, emergency medical service providers, or other public safety personnel to enter a retail marijuana hospitality and sales business, ensure that all employees and patrons of the business cease all sales, consumption, and other activities until such personnel have completed their investigation or services and have left the licensed premises.
- (k) A retail marijuana hospitality and sales business and its employees may remove an individual from the business for any reason, including a patron who displays any visible signs of intoxication.
- (l) A retail marijuana hospitality and sales business may purchase retail marijuana or retail marijuana products from any retail marijuana store, retail marijuana cultivation facility, or retail marijuana products manufacturer.

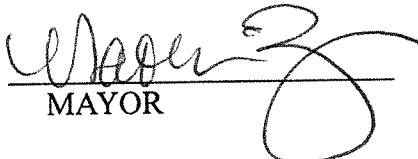
Section 5. Severability. Should any one or more sections or provisions of this Ordinance or of any of the primary or secondary codes adopted by reference be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or the codes adopted by reference hereby, the intention being that the various sections and provisions are severable.

Section 6. Interpretation. This Ordinance shall be so interpreted and construed as to effectuate its general purpose.


Section 7. Effective Date. This ordinance shall take effect thirty (30) days after publication as provided by law.

PASSED, ADOPTED AND APPROVED THIS 14th DAY OF JUNE, 2023.

TOWN OF LOG LANE VILLAGE

BY: 
MAYOR

ATTEST:


TOWN CLERK