

**TOWN OF PARACHUTE
ORDINANCE NO. 734-2017**

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 6.11 OF THE MUNICIPAL CODE TO INCLUDE NEW CLASSES OF LICENSES AUTHORIZED BY THE COLORADO GENERAL ASSEMBLY.

WHEREAS, the Town of Parachute (“Parachute” or the “Town” is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter; and

WHEREAS, by Article XVIII, Sections 14 and 16 of the Colorado Constitution, the voters of the State authorized the possession and use of marijuana for medical and retail/recreational purposes; and

WHEREAS, by HB 16-1211, the Colorado general assembly authorized the licensing of marijuana transporters, including the licensed premises of marijuana transporters; and

WHEREAS, the Colorado Marijuana Enforcement Division authorizes the licensing of off-premises storage facilities for medical and retail marijuana; and

WHEREAS, the Town has exercised its right of local control in setting forth a system for the permitting and regulation of medical and retail marijuana businesses in the Town; and

WHEREAS, the Parachute Board of Trustees finds and declares that it is in the interest of the public health, safety, and welfare to establish a system of licensing and regulation of medical and retail marijuana transporters and off-premises storage within the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Town of Parachute Board of Trustees hereby amends Section 6.11.030 of the Parachute Municipal Code consistent with the following, with double underlined text added and ~~strike through language deleted~~:

6.11.030 Definitions.

“Medical marijuana establishment” means a medical marijuana-infused products manufacturer facility, an optional premises cultivation operation, a medical marijuana transporter licensed premises, a medical marijuana off-premises storage facility, or a medical marijuana testing facility.

“Retail marijuana establishment” means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana testing facility, a retail marijuana transporter licensed premises, a retail marijuana off-premises storage facility, and or retail marijuana product manufacturing facility.

“Off-premises storage facility” means an extension of the licensed premises of any medical marijuana optional premises cultivation facility, medical marijuana infused-products manufacturer, medical marijuana testing facility, medical marijuana transporter, retail marijuana cultivation facility, retail marijuana testing facility, retail marijuana product manufacturing facility, retail marijuana store, or retail marijuana transporter that is used for the temporary storage of sealed packages or containers of marijuana or marijuana products and which is physically separated from marijuana establishment’s primary licensed premises.

Section 3. The Town of Parachute Board of Trustees hereby amends Section 6.11.040 of the Parachute Municipal Code consistent with the following, with double underlined text added and ~~strike through language deleted~~:

6.11.040 Classes of licenses authorized.

For the purpose of regulating the cultivation, manufacture, transportation, distribution, offering for sale, and sale of retail marijuana or retail marijuana products, and subject to the provisions of this chapter, the Town authorizes issuance of licenses in each of the following classes: ~~of medical marijuana establishments~~

- (a) a medical marijuana-infused products manufacturing; ~~or~~,
- (b) ~~an~~ optional premises cultivation; ~~operation~~,
- (c) medical marijuana off-premises storage facility;
- (d) medical marijuana transporter, in instances where the applicant seeks the location of a licensed premises in the Town; or
- (e) medical marijuana testing facility;
- (f) retail marijuana cultivation facility ~~ies~~;
- (g) retail marijuana testing facility ~~ies~~;
- (h) retail marijuana product manufacturing ~~facilities~~;
- (i) retail marijuana off-premises storage facility;
- (j) retail marijuana transporter, in instances where the applicant seeks the location of a licensed premises in the Town; and
- (k) retail marijuana stores.

Medical marijuana centers are not authorized.

Section 4. The Town of Parachute Board of Trustees hereby amends Section 6.11.050 of the Parachute Municipal Code consistent with the following, with double underlined text added and ~~strike through language deleted~~:

6.11.050 Location limitations of medical and retail marijuana establishments.

C. No medical marijuana establishment or retail establishment shall be located within one hundred fifty feet (150') of another medical marijuana establishment or retail marijuana establishment, except:

1. ~~For a s~~Shared licensed premises licensed as a dual business operation by the state of Colorado pursuant to the retail marijuana regulations and medical marijuana regulations.
2. ~~For a e~~Co-located licensed operation permitted by the medical marijuana regulations or retail marijuana regulations.
3. ~~For m~~Medical marijuana-infused products manufacturing~~er facilities,~~ optional premises cultivation operations, medical marijuana testing facilities~~y,~~ medical marijuana transporter licensed premise, medical marijuana off-premises storage facilities, retail marijuana cultivation facilities~~y,~~ retail marijuana products manufacturing~~er facilities,~~ and retail marijuana testing facilities~~y,~~ retail marijuana transporter licensed premises, and retail marijuana off-premises storage facilities establishments located in the General Industrial (GI), Light Industrial (LI), and Neighborhood Commercial (NC) Zone Districts.
4. If ~~e~~One (1) medical marijuana-infused products manufacturer, one (1) optional premises cultivation operation, one (1) medical marijuana testing facility, one (1) medical marijuana off-premises storage facility, one (1) medical marijuana transporter licensed premises, one (1) retail marijuana store, one (1) retail marijuana cultivation facility, one (1) retail marijuana products manufacturing facility, one (1) retail marijuana off-premises storage facility, one (1) retail marijuana transporter licensed premises, and/or one (1) retail marijuana testing facility with distinct licensed premises ~~are~~ located on a single parcel. Under such circumstances, each license shall not be required to be held by a single licensee.

Section 4. The Town of Parachute Board of Trustees hereby amends Section 6.11.240 of the Parachute Municipal Code consistent with the following, with double underlined text added and ~~strike through language deleted~~:

6.11.240 Additional standards for medical and retail marijuana establishments.

C. Performance Standards. In addition, all medical marijuana establishments and retail marijuana establishments shall comply with the following requirements:

1. No licensed premises shall be managed by any person other than the licensee, ~~or the establishment manager listed on the application,~~ or a licensed business operator. Such licensee or establishment manager shall be responsible for all activities that occur within the licensed premises.

2. There shall be posted in a conspicuous location in each medical marijuana establishment and retail marijuana establishment legible signs as follows:

g. The name and contact information for the owner or owners and any manager or operator of the medical marijuana establishment or retail marijuana establishment; and

5. Method of storage and transportation.

a. It shall be unlawful to store medical or retail marijuana in any location other than a medical marijuana-infused products manufacturing facility, optional premises cultivation operation, medical marijuana testing facility, medical marijuana transporter licensed premises, medical marijuana off-premises storage facility, retail marijuana cultivation facility, retail marijuana products manufacturing facility, retail marijuana testing facility, retail marijuana transporter licensed, or retail marijuana off-premises storage facility.

b. A transporter licensed premises may be used only for storage or transportation of the finished goods inventory of a licensed medical or retail marijuana establishment.

c. An or off-premises storage facility may be used only for storage of finished goods inventory of the associated medical or retail marijuana establishment.

d. It shall be unlawful for any person to possess unsealed packages or containers of marijuana or marijuana product, to open sealed packages or containers of marijuana or marijuana product, or to re-package marijuana or marijuana product in any transporter licensed premises or off-premises storage facility.

e. It shall be unlawful for any person to sell, cultivate, manufacture, process, test, or consume any marijuana or marijuana product in any transporter licensed premises or off-premises storage facility.

Section 5. The Town of Parachute Board of Trustees hereby adds the following fees to Appendix A, Section IV of the Municipal Code:

Marijuana	
Retail Marijuana Off-Premises Storage Facility	
New Application	\$5,000.00
Renewal Application	\$2,000.00
Medical Marijuana Off-Premises Storage Facility	
New Application	\$5,000.00
Renewal Application	\$2,000.00
Retail Marijuana Transporter	
New Application	\$5,000.00
Renewal Application	\$2,000.00
Medical Marijuana Transporter	
New Application	\$5,000.00
Renewal Application	\$2,000.00

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of 2 to 0 of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 19th day of October, 2017 and approved by the Mayor on the 19th day of October, 2017.

BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO



By:

Roy McClung
Roy McClung, Mayor

ATTEST:

Lucy Cordova
Lucy Cordova, Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

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was introduced before the Board of Trustees on October 19, 2017; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on October 19, 2017, and approved by the Mayor on October 19, 2017.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this 19 day of October, 2017.

TOWN OF PARACHUTE

Lucy Cordova
Lucy Cordova, Town Clerk