



# MARIJUANA BUSINESS LICENSES WHEN IS A MODIFICATION OF PREMISES IS REQUIRED

## WHAT IS A MODIFICATION OF PREMISES

Marijuana Enforcement Division rules M 303 and R 303 specify that a modification of premises application is required when a licensed premises is materially or substantially altered. Denver considers the following actions to be material and substantial:

- Changing the square footage of the building/licensed premises
- Altering the layout of the facility (including modifying doorways, adding/removing walls) or any other action that would require a building permit.
- The addition or reconfiguration of a point of sale location
- The addition or replacement of electrical fixtures for the purpose of increasing power for cultivation activities.
- The addition or removal of a cultivation or MIP facility from the premises
- The addition, alteration, or removal of extraction equipment, including any extraction ventilation system components
- Additions, alteration or deletion of any enrichment system(s)

Please note - applications for Modification of Premises must be submitted and approved *in concept* by both Denver Excise and Licenses and the Marijuana Enforcement Division before any modification can be made.

## WHAT IS NOT A MODIFICATION OF PREMISES

There are several common 'modifications' that businesses make to their premises/floor plans that Denver does not consider to be material and substantial.

- Adding or removing security cameras.
- Adding a red line to designate the licensed premises, a green line to designate the limited access area, or labels to designate the restricted access areas *when such clarifying elements did not previously exist on the last approved floor plan.*
- Alterations made to a premises/floor plan while another licensing action is already in process (i.e. during a Modification of Premises, Transfer of Location, or application for a new license).
  - For example, if a licensee is working through a Modification of Premises, and the Fire Department asks for a doorway to be sealed off, the applicant would need to update the floor plan they had originally turned in with their Modification of Premises application.

These modifications should be made via a Request to Amend Floor Plan application.

## WHEN IN DOUBT - ASK

If there is any doubt as to whether a proposed modification is considered material and substantial, please feel free to e-mail [marijuanainfo@denvergov.org](mailto:marijuanainfo@denvergov.org) for clarification.

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