

# **Social Consumption Advisory Committee (SCAC)**

**Meeting 1: January 18, 2017**

## **1. Welcome and Introductions**

## **2. Purpose of SCAC:**

Provide suggestions to the City and County of Denver on potential rules and regulations to implement the *Neighborhood Approved Cannabis Consumption Pilot Program Initiative* (Initiative 300). Adoption of the final rules and regulations is the responsibility of Department of Excise and Licenses after a public hearing process allowing for review and public comment.

## **3. Time Commitment:**

SCAC will meet twice a month for about 3 months.

## **4. Process:**

At each meeting, the SCAC will review and discuss options for potential social consumption rules and regulations on specific regulatory topics, and provide comments and recommendations to the City. SCAC members will be provided with a list of topics to be discussed in advance of each meeting, including how Initiative 300 or other areas of law address that topic as well as other suggestions. The suggestions provided are for the purposes of initiating and guiding the discussion. The SCAC members may make suggestions in addition to what is being provided. SCAC members will also be able to submit additional comments in writing.

## **5. Topics:**

The City developed a comprehensive list of topics for the SCAC to discuss based on:

- Language in the voter-approved *Neighborhood Approved Cannabis Consumption Pilot Program Initiative*;
- The City and County of Denver's existing rules, regulations and ordinances governing medical and retail marijuana;
- State laws governing medical and retail marijuana;
- State and local rules and regulations governing liquor; and
- The Cole Memo – which provided the federal government's guidance regarding marijuana enforcement in those states which have legalized marijuana; and
- Marijuana rules and regulations in those states which have legalized marijuana.

The topics developed represent a very broad “menu” of options for rules and regulations and are meant to stimulate discussion. The list is not a set of suggestions for implementation.

## **6. City Goals for Implementation:**

- Enact this new law responsibly and thoughtfully.
- Ensure the health, safety and well-being of our city.
- Meet the needs of residents, businesses, neighborhoods and visitors.

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### **Meeting 1: January 18, 2017**

#### **7. Public Input:**

SCAC meetings are open to the public. Time will be reserved at the end of each SCAC meeting to allow members of the public to provide comments. People interested in speaking will be required to sign-up during the meeting and will be allotted 2 minutes each. A separate public hearing on the final rules and regulations will be held prior to adoption.

#### **8. Ground Rules of Meetings:**

- The SCAC is an advisory group; the final rules and regulations will be adopted by the Department of Excise and Licenses.
- Each member is an equal participant in the process and has equal opportunity to voice opinions and contribute ideas.
- SCAC members accept the responsibility to come to the meetings prepared for the discussions.
- SCAC members must recognize the legitimacy of the interests, concerns, and goals of others, whether or not he/she agrees with them. SCAC members must commit to treating each other, and those who attend the meetings, with respect, civility, and courtesy.

#### **9. Overview of *Neighborhood Approved Cannabis Consumption Pilot Program Initiative***

Terminology, definitions, types of permits, implementation process

#### **10. Meeting 1 Discussion Topics:**

- Proximity Restrictions
- Location Restrictions
- Unlawful Acts

#### **11. Public Comment**

**Social Consumption Advisory Committee (SCAC)**  
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<b>Proximity Restrictions</b>			
<b>Initiated Ordinance</b>	<b>Other Restrictions for MJ Businesses</b>	<b>Prohibited by Law</b>	<b>Other Suggestions?</b>
<p><b>Sec. 6-311. Zoning, location, and setback requirements.</b></p> <p>(a) A designated consumption area may not be located or operated within one thousand (1,000) feet of any school, with the distance computed by direct measurement in a straight line from the nearest property line of the land used for school to the nearest portion of the building, structure, or enclosure in which the designated consumption area is located.</p>	<ul style="list-style-type: none"> <li>• May not be located within 1,000 feet of any alcohol or drug treatment facility (<i>CCD MMJ and RMJ Ordinances</i>)</li> <li>• May not be located within 1,000 feet of any child care establishment (<i>CCD MMJ and RMJ Ordinances</i>)</li> <li>• May not be located within 1,000 feet of any other licensed retail marijuana store or medical marijuana center (<i>CCD MMJ and RMJ Ordinances</i>)</li> </ul>		

**Social Consumption Advisory Committee (SCAC)**  
**Meeting 1: January 18, 2017**

<b>Location Restrictions</b>			
<b>Initiated Ordinance</b>	<b>Other Restrictions for MJ Businesses</b>	<b>Prohibited by Law</b>	<b>Other Suggestions?</b>
<p><b>Sec. 6-311. Zoning, location, and setback requirements.</b></p> <p>(b) A designated consumption area shall not require specific zoning permits, and shall be permitted in any zone lot where the underlying business or event is permitted.</p>	<ul style="list-style-type: none"> <li>Any place where children congregate (<i>Cole Memo – “preventing the distribution of MJ to minors” and Section 6-310 of I-300</i>)</li> <li>MMJ Centers and RMJ Stores not allowed in any residential zone districts or in any MS-2, MS-2x, MX-2, MX-2A or MX-2x zone district or in any location where retail sales are prohibited (<i>CCD MMJ and RMJ Ordinances</i>)</li> </ul>	<ul style="list-style-type: none"> <li>Existing licensed MJ businesses cannot allow consumption of MJ on site (<i>CRS 43.3-901 (1) (a) and 12-43.4-901 (1)</i>)</li> <li>No Liquor Licensed Premise can allow consumption of MJ on site (<i>CO Liquor Rule 47-900</i>)</li> </ul>	<ul style="list-style-type: none"> <li>Schools</li> <li>Childcare establishments</li> </ul>

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<b>Unlawful Acts</b>			
<b>Initiated Ordinance</b>	<b>Other Restrictions for MJ Businesses</b>	<b>Prohibited by Law</b>	<b>Other Suggestions?</b>
<p><b>Sec. 6-309. Unlawful acts.</b></p> <p>(a) It shall be unlawful for a permittee, employee, or agent thereof under this article to directly or indirectly sell, provide, transfer, or distribute cannabis within or around a designated consumption area unless otherwise permitted by state law.</p> <p>(b) It shall be unlawful for any person to directly or indirectly sell, provide, transfer, or distribute cannabis for remuneration within a designated consumption area, unless otherwise permitted by state law.</p> <p>(c) It shall be unlawful for any person under twenty-one</p>			<ul style="list-style-type: none"> <li>• Unlawful for any owner, manager or employee to consume marijuana or marijuana products while working within the designated consumption area</li> <li>• Unlawful for Permittee to allow the cultivation, processing, manufacturing, storage, sale or distribution of marijuana or marijuana products within the Designated Consumption Area</li> </ul>

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<p>(21) years of age to be hired or employed to supervise or work within a designated consumption area.</p> <p>(d) It shall be unlawful for a permittee to admit persons who are not at least twenty-one (21) years of age into a designated consumption area. Proof of age shall be verified in a manner similar to that which is required for the purchase and sale of alcohol.</p> <p>(e) It shall be unlawful for any person to possess more than one ounce of cannabis at any time within a designated consumption area. unless a greater amount is permitted by state law.</p>			