Social Consumption Advisory Committee (SCAC) Mtg. 4

Meeting 4: March 10, 2017
9-11:30am

1. Introductions

2. Review/Summary of Comments from Meeting 3:
   - Operational Requirements
     - Standardized placard/signage
     - Visibility
     - Driving under the influence
     - Age Verification
   - Community Support
     - Definition and qualifications
     - Dual Consumption

3. Discussion Topics:
   - Application Requirements- continued from previous meeting
     ✓ liability requirements, non-transferable permits
   - Operational Requirements – Plan and Employee Training to:
     ✓ Prevent illegal distribution of MJ and MJ products within DCA
     ✓ Address concerns about driving under the influence of cannabis
     ✓ Verify age of patrons
   - Restrictions on Access to Designated Social Consumption Area

4. Future Meetings:
   - April 6, 2017, 9-11:30 am, Webb Building Room 4.G.2

5. Public Comment
### Application Requirements

<table>
<thead>
<tr>
<th>Initiated Ordinance</th>
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<th>Prohibited by Law</th>
<th>Other Suggestions?</th>
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| **Sec. 6-308. Application** – *All application requirements included in the initiated ordinance were presented at meeting #2 (February 8, 2017)* | • Note: Application Requirements in initiated ordinance are very similar to those for other MJ businesses in Denver |                   | • Required to have liability insurance and/or bonds? *(suggested at 2/8/17 meeting)*  
• A permit is issued to the person/entity and location identified on the application and is non-transferable. A permit is not valid at any other location nor may any other person, entity or organization exercise the privileges of the permit. |

### Operational Requirements

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| **Sec. 6-308. Application.**  
(c) A responsible operations plan shall include the following information:  
(1) A detailed written operations plan, describing how the applicant’s employees and agents would prevent underage persons from entering the designated consumption area; and | • Video Recording system for all areas of Designated Consumption area *(CCD MMJ and RMJ Ordinances)* |                   | • Operational Plan shall include planned and documented employee training to:  
✓ Prevent illegal distribution of MJ and MJ products within Designated Consumption Area |
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| (2) The applicant’s employee training manual or employee policy addressing issues related to the consumption of both alcohol and cannabis, as applicable, as well as strategies and procedures for identifying and responding to the potential over-intoxication of consumers. | • MJ waste plan which includes a detailed description of how employees will handle any waste produced (*State law and CCD MMJ and RMJ Ordinances for MJ waste disposal*)  
• Odor Control Plan to the Manager of Department of Environmental Health (*CCD Odor Ordinance*) | ✓ Address concerns about DUID  
✓ Verify age of patrons (DCAs required to card all patrons) | |

**Sec. 6-310. Operational requirements** - Provisions applicable to all permittees.

(a) Designated consumption areas must be clearly marked with conspicuous signage measuring not less than forty (40) square inches in size that includes the statement "NO ENTRY UNDER 21" in all upper case letters not less than one (1) inch high.

(b) The permit holder shall ensure that any outside smoking of cannabis occurring at the street level is not visible from a public right-of-way or a place where children congregate.

(c) All cannabis consumption permitted within a designated consumption area must comply with the requirements of the Colorado Clean Indoor Air Act.
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<td>(d) The permit holder shall make reasonable accommodations to ensure that persons immediately outside of an indoor designated consumption area are not subject to cannabis odor caused by cannabis consumption occurring within an indoor designated consumption area.</td>
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<td>(e) The permit holder must comply with restrictions on advertising set forth in the evidence of community support submitted with the permit holder's application for a cannabis consumption permit, as well as any other reasonable restrictions set forth by the city by ordinance.</td>
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### Public/Private

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<td>Sec. 6-316. Rules and regulations. (a) The director may make such reasonable rules and regulations as may be necessary for the purpose of administering and enforcing the provisions of this article and any other ordinances or laws relating to and affecting the issuance and operation of cannabis consumption permits as described herein. Such rules and regulations shall not frustrate the intent of this ordinance to permit all types of businesses or events that otherwise meet the requirements of this articles to receive a cannabis consumption permit.</td>
<td>• Amendment 64: “nothing in this section shall permit consumption that is conducted openly or publicly” *&lt;br&gt;• State Criminal Law: prohibits “open and public” consumption or use of MJ CRS §18-18-406(5)(b)(II)&lt;br&gt;• Denver Law: prohibits the display or consumption of MJ that is done “openly and publicly” * DRMC §38-175&lt;br&gt;• I-300 excludes from the definition of the term, “openly” any MJ consumption that occurs in a designated consumption area but does not exclude MJ consumption that occurs in a DCA from the definition of the term “publicly”</td>
<td>• Proposed State Bill: SB 17-184**</td>
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*Both state and local law define a public place as a “place to which the public, or a substantial number of the public, has access”: CRS §18-1-901(n) and DRMC §38-175(b)(3)  
- Includes streets and highways, transportation facilities, schools, places of amusement, parks, playgrounds and the common areas of public and private buildings or facilities  
- Includes any outdoor location where the MJ consumption is clearly observable from a public place

**Proposed new State law (SB 17-184): Open and public = “a place not protected from unaided observation lawfully made from outside its perimeter not involving a physical intrusion; and a place to which the public; including, but not limited to, highways, transportation facilities, places of amusement, parks, playgrounds, and the common areas of public buildings and facilities that are generally open or accessible to members of the public without restriction”