ESSENTIAL INFORMATION
March 2016

Colorado Local Retail Marijuana Regulations: A Compilation from 2016

Prepared by the Colorado Department of Public Health and Environment, Prevention Services Division, Retail Marijuana Education Program

SUMMARY
This map identifies variation in state laws that address retail marijuana regulations at a local level in Colorado.

ABOUT LOCAL REGULATIONS FOR COLORADO RETAIL MARIJUANA & THE DATA
In November 2000, Colorado voters approved Amendment 20 to the State Constitution, legalizing medical marijuana in Colorado for registered patients and caregivers (C.O. Const. art. XVIII, §14). Ten years later, in November 2010, Colorado established the Colorado Medical Marijuana Code, which established the rules surrounding the use and sale of medical marijuana in Colorado (Colo. Rev. Stat. § 12-43.3-101).

Following the Colorado Medical Marijuana Code, in November 2012, Colorado voters passed Amendment 64 to the State Constitution, authorizing the retail sale of marijuana through a permitting and regulatory process. With the passage of Amendment 64, Colorado became the first state to legalize recreational marijuana (C.O. Const. art XVIII § 16). Amendment 64 legalized purchasing, private use and limited possession of recreational marijuana for individuals over age 21. In addition, Amendment 64 put restrictions on growth for personal use and possession limits based on residency status.

Colorado is a local control state allowing counties and municipalities to enforce stricter regulations than State regulations.

The Colorado Marijuana LawAtlas Map is the first step to examine, review and catalog Colorado county- and local-level marijuana ordinances to then identify potential public health implications of different regulatory frameworks. In addition, this tool aims to inform Colorado residents and tourists, law enforcement and policymakers on the varying differences in laws across the state.

This dataset is cross-sectional and captures laws in effect as of March 1, 2016.

NAVIGATING THE DATA
There are two ways to navigate the data using the interactive map: by selecting a state from the map or by selecting criteria that detail the characteristics of the laws.
Option 1 – State by state: Using the map, click on the state of interest. A table will appear with details about that state’s law.

Option 2 – Multiple states: To view the law across multiple states, you may use the questions to filter through various criteria. Clicking on a question will expand the answers/criteria for you to select. In some cases, secondary questions may appear after answering one of the primary questions — these secondary questions dig deeper into the detail of that specific area of the law. The map will change based on the criteria you select.

The primary questions addressed can be found below. For more information on the dataset’s variables, please visit the project’s codebook, which can be found on the dataset homepage at LawAtlas.org.

1. Regulatory status of the county and/or municipality (allow, ban or moratoria)
2. Type of licenses allowed or prohibited in ordinance which could be a combination of several licenses (retail marijuana store and sales, retail marijuana cultivation, retail marijuana infused product manufacturer, retail marijuana testing facility, only allowing current medical establishments to sell retail marijuana)
3. License and ordinance information for joint locations
4. Zoning information
5. Density setback of marijuana establishments from youth-serving organizations, parks, another marijuana establishment and any other applicable setbacks placed on marijuana establishments
6. Hours of sale for medical and retail marijuana establishments
7. County or municipal regulation on personal grows for private use for those twenty-one (21) years and older
8. Home occupation allowances
9. Requirements in the ordinance on retail marijuana establishments including security requirements, signage, size of store, indoor/outdoor growing restrictions, and product display restrictions
10. Nuisance and abatement regulations and penalties
11. Ordinance definitions including but not limited to; ‘openly or publicly’, retail marijuana establishment, retail marijuana store, retail marijuana cultivation, retail marijuana infused product manufacturer, retail marijuana testing facility, vaping/edibles lounge, marijuana accessories, THC

Along with the responses, there are a few interactive symbols that appear in the columns:

- Clicking on a red gavel symbol will display the full text of all statutes and regulations related to the topic within the chosen jurisdiction that have been included in the dataset. These are the legal texts that have been used to answer the questions displayed above.

- Clicking on a red statute symbol will display the specific statutory and/or regulatory citations supporting that selected characteristic of the law. Each citation is also click-
able, and clicking on the citation text will display the text of the law linked to that citation.

Clicking on a question mark symbol, or “caution note,” will reveal unique features of the statutory and/or regulatory law(s). These “caution notes” alert users to important differences and greater detail about the criteria selected.

ADDITIONAL INFORMATION


This collection of laws does not provide legal advice nor does it address enforcement of laws, administrative policies, case law, or any other sources of law. Should you have a specific question about youth sports traumatic brain injury laws in your state, please contact an attorney in your jurisdiction.