

TITLE IV

BUSINESS REGULATIONS

CHAPTER 4

MARIJUANA

(Ordinance 2013-01, Effective 2/15/13)

- 4-4-1 Definitions. As used in this Code, the following words, terms, and phrases shall have the indicated meanings:
- A. Marijuana Cultivation Facility means an entity licensed to cultivate, prepare, and package marijuana and sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.
 - B. Marijuana Product Manufacturing Facility means an entity licensed to purchase marijuana, manufacture, prepare and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores but not to consumers.
 - C. Marijuana Testing Facility means an entity licensed to analyze and certify the safety and potency of marijuana.
 - D. Medical Marijuana Center shall mean a person licensed to operate a business as described in the Colorado Medical Marijuana Code that sells medical marijuana and medical marijuana-infused products to registered patients or primary caregivers as defined in Amendment 20, but is not a primary caregiver.
 - E. Medical Marijuana-Infused Product shall mean a product infused with medical marijuana that is intended for use or consumption other than by smoking, including, without limitation, to edible products, ointments, and tinctures.
 - F. Medical Marijuana-Infused Products Manufacturer shall mean a person licensed pursuant to the Colorado Medical Marijuana Code to operate a business manufacturing medical marijuana-infused products.
 - G. Optional Premises Cultivation Operation shall mean a person licensed pursuant to the Colorado Medical Marijuana

Code to grow and cultivate medical marijuana for a purpose authorized by Amendment 20.

- H. Person shall mean a natural person, partnership, association, company, corporation, limited liability company, or other organization or entity, or a manger, agent, owner, director, servant, officer, or employee thereof.
- I. Retail Marijuana Store means an entity licensed to purchase marijuana from marijuana cultivation facilities and marijuana and marijuana products from marijuana product manufacturing facilities and to sell marijuana and marijuana products to consumers.

4-4-2 Medical Marijuana Centers, Medical Marijuana-Infused Products Manufacturers, and Optional Premises Cultivation Operations Prohibited.

- A. It is unlawful for any person to operate, cause to be operated, or permit to be operated a Medical Marijuana Center, Medical Marijuana-Infused Product Manufacturing facility or operation, or Optional Premises Cultivation facility or operation, and all such uses are hereby prohibited in any location within the Town, or with any area hereinafter annexed to the Town.

4-4-3 Marijuana Cultivation Facilities, Marijuana Product Manufacturing Facilities, Marijuana Testing Facilities or Retail Marijuana Stores Prohibited.

- A. It is unlawful for any person to operate, cause to be operated, or permit to be operated Marijuana Cultivation Facilities, Marijuana Product Manufacturing Facilities, Marijuana Testing Facilities or Retail Marijuana Stores and all such uses are hereby prohibited in any location within the Town, or with any area hereinafter annexed to the Town.

4-4-4 Penalty

- A. A violation of the provisions of this Subsection shall be punishable as follows:
 - 1. By a fine of not more than three hundred dollars (\$300.00) or imprisonment for not more than 90 days or by both such fine and imprisonment;
 - 2. Each and every day a violation of the provisions of this Subsection is committed, exists, or continues shall be deemed a separate offense;

3. The Town is specifically authorized to seek an injunction, abatement, restitution or any other remedy necessary to prevent, enjoin, abate, or remove the violation; and
4. Continuing violations of this Subsection are declared to be a nuisance and the Town is authorized to seek to abate such nuisance under Title VIII of this Code.
5. Any remedies provided for herein shall be cumulative and not exclusive, and shall be in addition to any other remedies provide by law or in equity.