

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5144

**AN ORDINANCE TO AMEND TITLE 5 ADDING CHAPTER 10 TO THE GRAND JUNCTION MUNICIPAL CODE CONCERNING CANNABIS PRODUCT MANUFACTURING FACILITY AND CANNABIS INFUSED-PRODUCT MANUFACTURER BUSINESS LICENSING AND REGULATIONS**

**RECITALS:**

With Ordinance No. 5064 (“Ordinance”) the City Council adopted *inter alia* cannabis business licensing regulations. The Ordinance amended the Grand Junction Municipal Code (“GJMC”) to include time, place, and manner restrictions for operating regulated cannabis businesses in the City while protecting the public health and safety through reasonable limitations on business operations. Regulated cannabis businesses include retail and/or co-located retail and medical cannabis businesses.

On December 21, 2022, City Council adopted Ordinance No. 5117 which amended Ordinance No. 4599 and its codification in the Grand Junction Municipal Code (GJMC) at 5.15.010 *et. seq.*, subject to the provisions of Ordinance No. 5064, allowing regulated cannabis businesses to be operated in the City. Regulated cannabis businesses may include retail and/or co-located retail and medical cannabis businesses.

The Council has broadened its discussion of cannabis businesses/business operations and has considered the allowance for cannabis product manufacturing facilities and the regulation of the same. In general, those businesses manufacture cannabis products intended for consumption in concentrated form for smoking, or for consumption other than by smoking, such as edible products, ointments, and tinctures and are required to have both a state and local license to be a “product manufacturer”.

Medical product manufacturers may transact only with medical cannabis cultivation and sales licenses, and likewise for retail. Those businesses may generate jobs for their processing and packaging activities, depending on the type of product manufactured, scale of operation, and the degree of automation. There is no sales or excise tax on manufactured products (excise tax is to be collected on the first sale or transfer of unprocessed retail cannabis by a retail cultivation facility within the City).

This ordinance proposes amendments to the GJMC to include cannabis product manufacturing facilities and cannabis infused-product manufacturers to be licensed and regulated by the City. The City’s licensing and operational restrictions are generally those provided by the *Colorado Marijuana Code* and the various provisions of the *Colorado Rules and Regulations* promulgated thereunder, as amended. However, with the

Ordinance the City does also establish and provide additional restrictions, including but not limited to:

- A) Disallowing retail sales by a Manufacturing Business unless the premises is already licensed as a Regulated Cannabis Store; and,
- B) Requiring each Cannabis product manufacturing facility and Cannabis infused-product manufacturer business to provide no less than an annual compliance report detailing the means and methods used for extraction, heating, washing or otherwise changing the form of the Cannabis plant, which report shall be accompanied by a third-party report prepared by a Registered Design Professional, as defined by the International Fire Code, or other professional approved by the fire code official, confirming safety requirements are met; and,
- C) Require an annual inspection(s) by law enforcement and/or building and fire officials; and,
- D) Require all Manufacturing to occur indoors together with the storage and processing of Cannabis, Cannabis products, Cannabis accessories and paraphernalia all of which shall not be visible from the exterior of the building; and,
- E) All manufacturing facilities shall be closed to the public; and,
- F) All persons, including employees, entering, and exiting, manufacturing facilities shall always be documented by the facility manager or owner.

Zoning and land use regulations, requirements, standards, or restrictions shall be separately determined by the City Council with amendments to GJMC Title 21 and the *Use Table* therein, together with the adoption and implementation of a zoning overlay to regarding use by right, conditional use or prohibition of Cannabis product manufacturing facilities and Cannabis infused-product manufacturer businesses in specific zone districts.

Amendments to the International Fire Code and/or International Building Code shall be separately determined by the City Council. Certain amendments may be necessary or required to address equipment that may be necessary to control the safety and odor of Cannabis product manufacturing businesses. These Codes, together with amendments, shall be incorporated herein by reference.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

In accordance with the Recitals and as provided herein, Title 5, Chapter 10 of the Grand Junction Municipal Code is established as follows (deletions, of which there are none, are shown in ~~strike through~~; additions are shown as underlined):

#### 5.10.00 CANNABIS PRODUCT MANUFACTURING

##### 5.10.010 Purpose and Legislative Intent; Incorporation of Law by Reference.

On January 20, 2021, the City Council approved Resolution 09-21, the adoption of which referred a ballot question to the regular municipal election on April 6, 2021, to repeal Referred Measure A contingent on and subject to voter approval of taxation of Cannabis businesses. The voters approved the April 2021 ballot measures and by and with such authority, City Council intends to regulate the use, possession, and distribution of Cannabis in a manner that is consistent with Article XVIII, Sections 14 and 16 of the Colorado Constitution and the Colorado Marijuana Code, C.R.S. § 44-10-101, et seq. With the adoption of this Chapter, any provisions of the City's Code that conflict with this Chapter shall be superseded.

Article XVIII, Section 16(5)(g) of the Colorado Constitution authorizes a system of state licensing for businesses engaging in the regulated sale of marijuana, collectively referred to as "regulated marijuana establishments". This provision allows a municipality within its jurisdiction to prohibit licensing of regulated marijuana establishments; regulate the time, place, and manner in which regulated marijuana establishments may operate; and limit the total number of regulated marijuana establishments.

The authority of localities to prohibit or regulate regulated marijuana establishments within their respective jurisdictions, including the authority to engage in local licensing of marijuana establishments is also provided in various provisions of the Colorado Marijuana Code. The Colorado Marijuana Code, among other things, affords municipalities the option to determine whether to license certain regulated marijuana establishments within their respective jurisdictions. Consistent with its lawful authority, this Chapter affirmatively authorizes licensing and regulating Cannabis related businesses in the City of Grand Junction and designates a local licensing authority to issue and process applications submitted for such license(s) within the City.

This Chapter is adopted pursuant to the constitutional and statutory authority referenced above, as well as the City's Charter and home rule authority to adopt and enforce ordinances under its police powers all to preserve the public health, safety and general welfare. By adopting this Chapter, the City intends to implement provisions of the Colorado Marijuana Code and any rules and regulations thereunder except to the extent that more restrictive or additional regulations may be set forth herein.

The purposes of this Chapter are to:

- (1) provide time, place, and manner restrictions for operating Cannabis product manufacturing facilities and Cannabis infused-product manufacturing businesses (Manufacturing Businesses) in the City;
- (2) protect public health and safety through reasonable limitations on Manufacturing Business operations as they relate to air quality, security for the business and its personnel, and other health and safety concerns;
- (3) impose fees to defray some of the costs to the City of licensing Manufacturing Businesses;
- (4) adopt a mechanism for monitoring compliance with the provisions of this Chapter;
- (5) create regulations that address the needs of the residents, the Manufacturing Businesses, and the City and to coordinate with laws enacted by the State of Colorado regarding Cannabis; and,
- (6) issue Cannabis product manufacturing facility and Cannabis infused-product manufacturer business licenses only to Applicants that demonstrate the intent and capability to comply with the law.

This Chapter is to be construed to protect the interests of the public over the interests of the Manufacturing Businesses. Operation of a Manufacturing Business(es) is a revocable privilege and not a right in the City. There is no property right for any person and/or business entity to have a Cannabis product manufacturing facility or Cannabis infused-product manufacturer business license in the City.

Nothing in this Chapter is intended to promote or condone the production, distribution, or possession of Cannabis in violation of any applicable law.

#### 5.10.011 Applicability.

This Chapter, together with all other titles and chapters of the Grand Junction Municipal Code (GJMC), and any resolution(s) and/or administrative regulation(s) of the City shall govern all Applications submitted for Manufacturing Business licensing and/or zoning submitted on and after the effective date.

#### 5.10.012 Applicability of State and other Laws.

- (a) Except as otherwise specifically provided herein, this Chapter incorporates and adopts the requirements and procedures set forth in the Colorado Marijuana Code and the provisions of the Colorado Rules and Regulations promulgated thereunder, as amended, and the provisions of GJMC Title 5 Chapter 13 relating

to the definition of terms, licensing, sales, hours of sale, records, security requirements, inspection, prohibited acts, reporting requirements, duty to supplement, renewals, modifications of premises, compliance monitoring, and violations and penalties as set out in full therein and herein. In the event of any conflict between the provisions of this Chapter and the provisions of the Colorado Marijuana Code or any other applicable state or local law, the more restrictive provision shall control. Manufacturing Business licensees shall comply with and conduct their business in compliance with all applicable state and local law(s), rule(s) and regulation(s), and the terms and conditions of licensure. Noncompliance with any applicable state or local laws, rules or regulations shall be grounds for suspension, revocation or non-renewal of any license issued hereunder and/or imposition of fine(s), and/or fine(s) in lieu of suspension, and other allowable sanction(s).

- (b) Compliance with any applicable state law or regulation shall be deemed additional requirements for issuance of any license and conduct of any business under this Chapter, and noncompliance with any applicable law or regulation shall be grounds for suspension, revocation or non-renewal of any license issued hereunder and/or imposition of fines and other allowable sanctions.
- (c) If the state prohibits the sale or other distribution of Cannabis through a regulated business(es), any license issued hereunder shall be deemed immediately revoked by operation of law.

#### 5.10.013 Definitions.

The definitions set forth in Article XVIII, Subsections 14(2) and 16(2) of the Colorado Constitution, as well as the definitions found in the Colorado Marijuana Code, the Colorado Code of Regulations, the Department of Revenue Regulated Marijuana Enforcement Division Rules, and regulations as amended, and GJMC Title 5 Chapter 13 are adopted herein unless by reference specifically amended hereby.

“Cannabis manufacturer” shall mean a business licensed as a Product Manufacturer to purchase cannabis, manufacture, prepare, and package cannabis products, and wholesale cannabis and cannabis products to other licensed cannabis businesses for wholesale. Extraction of cannabis is permitted in this use category.

“Cannabis Manufacturing Business” is a Cannabis Manufacturer or Post-Extraction Cannabis Processor.

“Extraction” shall mean the process of separating and concentrating desired constituents from plant material via solvent or mechanical based methodologies. This includes, but is

limited to, hydrocarbon, CO2, alcohol/ethanol, agitation, heat and pressure, ice water, bee-assisted, and conversion methods.

“Post-extraction cannabis processor” shall mean a business licensed as a Product Manufacturer that utilized cannabis previously extracted and/or manufactured off-site to infuse into products, prepare, and package products intended for wholesale. No on-site extraction is permitted in this use category.

#### 5.10.014 License Required.

- (a) It shall be unlawful for any person to engage in any form of Cannabis product manufacturing facility or Cannabis-infused product manufacturer business in the City without a license to operate issued pursuant to the requirements of this Chapter while concurrently holding a license in good standing from the State and in compliance with any and all applicable laws.
- (b) No Manufacturing Business shall operate without obtaining any other license(s) or permit(s) required by any federal, state, or local law, by way of example, retail food business license, or any applicable zoning, or building occupancy permit.
- (c) No two or more Manufacturing Businesses may be treated as one premise unless approved as Co-located businesses.
- (d) The license(s) required to lawfully conduct business must be always in full force and effect, all applicable fees and taxes must be paid in full, and all conditions of the license Application be satisfied in order to lawfully conduct a Manufacturing Business. Every license applies to the person/entity named thereon and the activity(ies) authorized by the license and the location where the sale and/or possession occurs. Failure to maintain a current, valid license shall constitute a violation of this Chapter.
- (e) It shall be unlawful for any person to exercise any of the privileges granted by a license other than the person(s) issued the license.
- (f) It shall be unlawful for any person(s) granted a license to allow any other person to exercise any privilege granted under the license.
- (g) It shall be unlawful for any person to operate any Manufacturing Business in the City without a license issued by the City and the State licensing authorities pursuant to the Colorado Marijuana Code, this Chapter, and other applicable provisions of the GJMC and applicable law.

- (h) The issuance of a City license pursuant to this Chapter does not create an exception, defense, or immunity to any person in regard to any potential criminal liability the person may have for the production, distribution, storage, transportation or possession of Cannabis.
- (i) All persons who are engaged in or who are attempting to engage in the distribution, and/or sale of Regulated Cannabis in any form shall do so only in strict compliance with the terms, conditions, limitations, and restrictions in Section 14 and 16 of Article XVIII of the Colorado Constitution, state law, the Colorado Marijuana Rules, the GJMC, and all other laws, rules, and regulations.

#### 5.10.015 Cannabis Licensing Authority.

For the purpose of regulating and controlling the licensing and the sale of regulated Cannabis in the City, the Cannabis Licensing Authority (hereinafter referred to as Authority) as established in GJMC 5.13.015 shall oversee all licensing matters pertaining to Manufacturing Business.

#### 5.10.016 Application process/requirements.

- (a) Applications. All Applications for a Manufacturing Business license authorized by this Chapter shall be submitted to the City Manager upon forms provided by the Authority and shall include supplemental materials as required by this Chapter, the Colorado Marijuana Code, GJMC 5.13 and any rules and regulations adopted pursuant thereto. To the extent any of the foregoing materials have been included with the Applicant's State license Application and forwarded to the City by the State, the Authority may rely upon the information forwarded by an Applicant without requiring resubmittal of the same material(s) in conjunction with the City Manufacturing Business License Application.
- (b) The Authority may, at the Authority's discretion, require additional information and/or documentation for the consideration of an application for a Manufacturing Business license as the Authority may deem necessary to enforce the requirements of the Colorado Marijuana Code and this Chapter.
- (c) The general procedures and requirements for licenses, as more fully set forth in Chapter 5.04 of the Grand Junction Municipal Code, shall apply to Manufacturing Business. To the extent of conflict between the provisions of this Chapter and Chapter 5.04, the provisions of this Chapter shall control for Cannabis product manufacturing and Cannabis infused-products manufacturer businesses.
- (d) The City Manager will provide public notice of any open Application period.
- (e) Initial Application.

1. The Applicant for a Manufacturing Business license shall provide a written zoning verification from City Community Development Department Director that states the location proposed for licensing complies with any and all zoning laws of the City, and any restrictions on location set forth in this Code. If the Director makes a determination that the proposed license location would be in violation of any zoning law or other restriction on location set forth in the GJMC and/or any Administrative Regulation(s) construing the same, then the Director shall, no later than ten (10) working days from the date the Applicant requested the zoning verification, notify the Applicant in writing that the proposed license location cannot be verified to be in compliance. As provided by the GJMC, the Applicant may appeal the Directors decision.
  2. The Applicant shall submit to the State Marijuana Enforcement Division an Application for a Manufacturing Business.
  3. After submitting the State application, the Applicant shall schedule a pre-application meeting with the City Clerk's office to hand deliver a copy of their State application and to receive any additional local licensing requirements.
  4. The Applicant shall submit the State application, City's Application, and any additional forms or documents supporting documentation to the City Clerk's Office.
  5. The Application/process requirements of GJMC 5.13.016(e) shall apply to Cannabis product manufacturing facility and Cannabis infused-products manufacturing businesses.
- (f) Incomplete Application. Upon review of an Application, the City Manager shall provide a notice of initial determination to the Applicant in writing as to whether the Applicant's Application is complete and if found to be incomplete that the Applicant may supplement its Application so long as the Application is made complete within the Application period.
- (g) Denial of Initial Application. The City Manager may deny any Application that does not meet the requirements of this Chapter, the Colorado Marijuana Code, or any other applicable state or City law or regulation. In addition to prohibition(s) on persons as licensees found in the Colorado Marijuana Code, should the Applicant fail to affirm any information or representation(s) as required by GJMC 5.13.016, or the City discovers evidence that any affirmation was contrary, false, misleading or incomplete, such shall constitute full and adequate grounds for denial of any Application.



1. Notice of denial. If, after investigation and discovery, the City Manager determines that the Application will be denied, the City Manager shall:
  - a. Provide notice in writing to the Applicant that the Application is denied and reasons for the denial;
  - b. Notify the State in writing of the City Manager's decision to deny the Application.
2. Appeal of Denial. An Applicant may appeal the City Manager's decision of denial by submitting a written request on a form provided by the City, received by the City Manager within 10 days of the date on the written notice of denial. The appeal request shall include any legal and factual support for the appeal. An appeal hearing will be set before the Hearing Officer for a written appeal. The Hearing Officer shall only review and consider those issues specifically addressed in the written appeal.

#### 5.10.017 Classes of licenses authorized.

The Authority, in its sole discretion, may issue and grant to the Applicant a local license from any of the following classes, and the City hereby authorizes issuance of the licenses of the following classes by the state licensing authority in locations in the City, subject to the provisions of this Chapter:

- (a) Cannabis product manufacturing facility
- (b) Cannabis infused product manufacturer.

#### 5.10.018 Requirements for Issuance of a Manufacturing Business License.

The Authority shall not issue a Manufacturing Business license except when each of the following requirements have been met:

- (a) The City Manager approved the Applicant's initial Application; and,
- (b) The Hearing Officer finds in writing the Application to be complete, and after a public hearing confirms licensure;
- (d) The Applicant submitted all documents to the Authority that it provided to the State for marijuana business licensure; and,
- (e) At the time of issuance of a Manufacturing Business license, the Applicant has paid all fees; and,
- (f) The Applicant and the Applicant's owner(s) are in compliance with all federal, state, and local laws.

5.10.019 Fees.

- (a) A nonrefundable Application Fee shall be paid to the State upon Application to the State for a Cannabis Manufacturing Business license.
- (b) The Applicant shall pay the required Application and License Fees to the City at the time of Application for a City Manufacturing Business license. The license fee may be refunded if an Application is withdrawn by the Applicant or denied by the City Manager or Hearing Officer. The City Manager will refund to the license fee within 30 days of the date of the withdrawal, denial of the Application. The Application Fee is nonrefundable.
- (c) Renewal, change of location, inspection and all other fees may be imposed as necessary for the administration, regulation and implementation of this Code, and those fees shall be set by City Council resolution.
- (d) License and Application Fees shall be set City Council resolution, and as deemed necessary, adjusted to reflect the direct and indirect costs incurred by the City in connection with the adoption, administration, and enforcement of this Code.
- (e) In addition to fees and any other monetary remedy provided by this Code, the City shall have the right to recover all sums due and owing hereunder by any civil remedy available at law.

5.10.020 No vested rights; commencement of operations.

- (a) Notwithstanding anything contained in this Chapter, an Application initially approved for consideration of licensure and found to be complete by the Hearing Officer, or in the event a license is issued, creates no vested right(s) to the license or the renewal of a license, and no property right in the license or the renewal of a license is created.
- (b) If a Manufacturing Business license does not commence operations within 12 months of licensure, the license shall be deemed forfeited and the business may not commence operation, unless the Authority has granted an extension pursuant to section §5.13.022(e).
- (c) It shall be unlawful for the owner of a building to allow the use of any portion of the building by a Manufacturing Business unless the tenant has a valid Manufacturing Business license or has applied for one and been awarded such license. No Cannabis may be located on any premises until a Manufacturing Business license has been issued by the City and the State. If the City has an

articulable reason to believe that a Manufacturing Business is being operated unlawfully on any premises, it shall be unlawful for the owner of the premises to refuse to allow the City access to the portion of the premises in which the Manufacturing Business is suspected to be located.

#### 5.10.021 Public Hearing and Notice Requirements.

- (a) The public hearing procedure shall apply to any Application that has been first approved by the City Manager for any Manufacturing Business and to any Application for license renewal if the renewal Application is referred to the Authority by the City Manager pursuant to GJMC 5.13.035.
- (b) Public notice of the Application shall be given as follows or as more particularly required by C.R.S. 44-10-303 as applicable.
  - 1. Posting a sign by the Applicant on the premises for which an Application has been made, not less than 14 days prior to the public hearing, stating the date of the Application, the date of the hearing, the name and address of the Applicant and such information as may be required to fully apprise the public of the nature of the Application. The City Clerk shall provide the sign to the Applicant for posting. If the building in which the Cannabis product manufacturing business is to be located is in existence at the time of the Application, any sign posted shall be placed to be conspicuous and plainly visible to the public.
  - 2. Publication of notice by the City Manager not less than 14 days prior to the public hearing, in the same manner as the City posts notice of other public hearing matters.
- (c) Any decision of the Authority, acting by and through the Hearing Officer, approving or denying an Application for a Manufacturing Business license shall be in writing stating the reasons therefor and a copy of such decision shall be mailed by certified mail to the Applicant at the address shown in the Application and to the State licensing authority.

#### 5.10.022 Insurance.

- (a) All Applicants must provide at time of application a binder for worker's compensation insurance as required by state law and general liability insurance with minimum limits of \$1,000,000 per occurrence and a \$2,000,000 aggregate limit.
- (b) Licensee shall always maintain in force and effect worker's compensation insurance as required by state law and general liability insurance with minimum limits of \$1,000,000 per occurrence and a \$2,000,000 aggregate limit.

(c) Insurance shall:

1. Provide primary coverage;
2. Carry limits as provided in this Chapter;
3. Issue from a company licensed to do business in Colorado having an AM Best rating of at least A-VI; and,
4. Be procured and maintained in full force and effect for duration of the license.

(d) Licensee shall be required to maintain insurance under this section and shall annually provide the City a certificate of insurance evidencing the existence of a valid and effective policy. The certificate shall show the following:

1. The limits of each policy, the name of the insurer, the effective date and expiration date of each policy, the policy number, and the names of the additional insureds; and,
2. A statement that licensee shall notify the City of any cancellation or reduction in coverage within seven days of receipt of insurer's notification to that effect. The licensee shall forthwith obtain and submit proof of substitute insurance in the event of expiration or cancellation of coverage within 30 days.

#### 5.10.023 Public health and labeling requirements.

- (a) All Cannabis and Cannabis products sold or otherwise distributed by a Manufacturing Business licensee shall be labeled in a manner that complies with the requirements of the Colorado Marijuana Code and all applicable rules and regulations promulgated thereunder.
- (b) All Cannabis and Cannabis products sold or otherwise distributed by a Manufacturing Business licensee shall be accompanied by a warning that advises the purchaser that it contains Cannabis and specifies the amount of Cannabis in the product, that the Cannabis is intended for regulated use solely by the person to whom it is sold, and that any resale or redistribution of the Cannabis or Cannabis products to a third person is prohibited. In addition, the label shall comply with all applicable requirements of the State of Colorado and any other applicable law.

#### 5.10.024 Operational Standards.

All Manufacturing Businesses shall comply with the applicable state and local laws, rules, and regulations, as now in effect or as may be amended. In addition, a Manufacturing Business licensee shall comply with the operational standards in GJMC 5.13, as applicable, as well as any other additional requirements. Failure to comply with any State

or local law, rule or regulation or any operational standard(s) may be grounds to suspend or revoke any license and impose civil penalties as applicable.

- (a) Retail sales are not permitted from the Manufacturing Business premises unless the premises is already licensed as a Regulated Cannabis Store. Only the ten licenses issued under GJMC Chapter 5.13 may be permitted to co-locate with a Manufacturing Business; and,
- (b) Each Manufacturing Business shall provide no less than an annual compliance letter or report by a Registered Design Professional (RDP), as defined in the City's adopted International Fire Code, or other professional approved by the fire code official. A letter is acceptable if the person providing the letter states that the person has knowledge of the means and methods used for the extraction, heating, washing and/or otherwise changing the form of the Cannabis plant, Cannabis oil, or testing of any Cannabis and confirming that no change has occurred since the last permit(s) were issued by the Grand Junction Fire Department for such use. The compliance report is required if there has been any changes since the last permit(s) and it shall detail the changes and the means and methods for the extraction, heating, washing and/or otherwise changing the form of the Cannabis plant, Cannabis oil, or testing of any Cannabis certifying that the operation complies with applicable laws and adequately protects the business and adjacent properties and persons.
- (c) Each Manufacturing Business is required to have an annual inspection(s) by law enforcement and fire department personnel. The building official may inspect the Manufacturing Business at such intervals as deemed appropriate by the City Manager.
- (d) Each Manufacturing Business is required to conduct all production, manufacturing, and sales indoors shall not be visible from the exterior of the building. Similarly, all Cannabis and Cannabis products shall be kept indoors and shall not be visible from the exterior of the building. All Cannabis or Cannabis products ready for sale and/or distribution shall be in a sealed or locked cabinet or refrigerator except when being accessed for distribution; and
- (e) All Manufacturing Business facilities shall be closed to the public; and,
- (f) All persons, including employees, entering, and exiting, Manufacturing Business facilities shall be documented by the facility manager or owner at all times. All visitors must be tracked in an entry log identifying the visitor's name, entry and departure times, and purpose of the visit. Visitors must be always escorted by a manager or owner.


5.10.025 Inspections.

- (a) In addition to the periodic inspection requirements of GJMC 5.13.024, Cannabis product manufacturing facility and Cannabis infused-product manufacturer businesses must allow unannounced inspection of the licensed premises, including any places of storage where Cannabis or Cannabis products are stored, sold, dispensed, or tested are subject to inspection by the City (including but not limited to the Grand Junction Police Department and Grand Junction Fire Department) and Mesa County Building Department, during all business hours and other times of apparent activity, for the purpose of inspection or investigation. When any part of the licensed premises consists of a locked area, upon demand to the licensee, such area must be available for inspection without delay, and upon request by the City, the licensee shall open the area for inspection.
- (b) For purposes of Rule 241 of the Colorado Rules of Municipal Procedure, inspections of Cannabis product manufacturing facility and Cannabis infused-product manufacturer businesses and recordings from security cameras in such businesses are part of the routine policy of inspection and enforcement of this chapter for the purposes of protecting the public safety, individuals operating and using the services of Cannabis product manufacturing facility and Cannabis infused-product manufacturer businesses, and the adjoining properties and neighborhood. This section shall not limit any inspection authorized under any other provision of law or regulation, including those of police, fire, building, and code enforcement officials. Application for a Cannabis product manufacturing facility and Cannabis infused-product manufacturer business constitutes consent of the business as public premises without a search warrant, and consent to seizure of any surveillance records, camera recordings, reports, or other materials required as a condition of such business license without a search warrant.

Introduced on first reading the 5<sup>th</sup> day of April 2023 and ordered published in pamphlet form.

Adopted on second reading this 3<sup>rd</sup> day of May 2023 and ordered published in pamphlet form.

ATTEST:

  
\_\_\_\_\_  
Amy Phillips  
City Clerk

  
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President of City Council



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5144 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 5<sup>th</sup> day of April 2023 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 3<sup>rd</sup> day of May 2023, at which Ordinance No. 5144 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 9<sup>th</sup> day of May 2023.

  
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Deputy City Clerk

Published: April 07, 2023  
Published: May 06, 2023  
Effective: June 05, 2023

