

**CITY OF GUNNISON, COLORADO
MARIJUANA ESTABLISHMENT LICENSE APPLICATION**

?? FREQUENTLY ASKED QUESTIONS ??

Where do I start?

- Your first step is to **have an allowed location** for your anticipated business. This is required for both the State of Colorado and the City of Gunnison Applications. You can't get either license if you don't have a premise to license. If you don't know if your selected location is zoned for marijuana businesses, contact the Community Development Office at 970.641.8090. A City map showing the allowed locations for marijuana establishments in the City can be found at: <http://www.gunnisonco.gov/departments/planning/index.php>
- The next step is to **contact the State of Colorado Marijuana Enforcement Division** (MED) and start the process for your State License. This is for both a retail (recreational) marijuana-type license and a medical marijuana-type license. The State MED website address is: <https://www.colorado.gov/enforcement/marijuanaenforcement>
- **Pick up your City of Gunnison Marijuana Establishment License Application** at the City Clerk's Department of City Hall, 201 W. Virginia Avenue in Gunnison. The required application and licensing fees are paid at the City Clerk's Department.
- **Schedule an application meeting with the Community Development (CD) Department** to discuss the facility site requirements and land development code regulations regarding land use and facility operation regulations. A completed Site Development Application is required for each marijuana establishment. The application is available online at: http://www.gunnisonco.gov/government/city_clerk/marijuana_licensing.php and click on Marijuana Establishment Site Development Application. CD is located on the second floor of City Hall, 201 West Virginia Avenue in Gunnison or call 970.641.8090 to set up the meeting.
- The completed City license application contains approval by all applicable City Departments. An application without the required departmental approvals will be deemed incomplete.
- The complete application packet must contain the completed State of Colorado Marijuana License Application forms for the type of facility you intend to operate. An application without the required supporting documentation will be deemed incomplete and will be given back to the applicant. Incomplete applications cannot proceed to the City Council public hearing stage and subsequent consideration for approval.

Where can I find the City of Gunnison Regulations?

- City Marijuana Regulations are located on the City Website: www.cityofgunnison-co.gov and are outlined in Ordinance No. 5, Series 2015. Application and licensing fees for marijuana establishments are found in Resolution No. 12, Series 2015, and are found on the City website.
- The Ordinance regulations are included in Titles 3, 8, and 14 of the *Gunnison Municipal Code*, and in the *City of Gunnison Land Development Code*. These documents are available on the City Website or in the City Clerk's Department of City Hall.
- Other applicable Building, Plumbing, Electrical, Wastewater Discharge and other construction-related codes may apply.

Where can I find the State of Colorado Regulations?

- Marijuana Establishments in the State of Colorado are governed by the Colorado State Constitution (Article XVIII Sections 14 and 16), Colorado Revised Statutes (C.R.S. 44-11-101 et seq for medical marijuana and C.R.S. 44-12-101 et seq for retail marijuana) and the Code of Colorado Regulations promulgated by the Colorado Marijuana Enforcement Division.
- Information regarding marijuana establishments licensing and regulations of the State of Colorado can be found on the Colorado Department of Revenue Marijuana Enforcement Division (MED) website at <https://www.colorado.gov/enforcement/marijuanaenforcement> or by calling the MED at 303.205.8421.

What Other Regulations may apply?

- If a new building is being constructed or an existing building is being renovated for the utilization as a licensed marijuana establishment, City-adopted building, fire, electrical, plumbing and mechanical codes will apply. Contact the City Building Official at 970.641.8151 for information on these requirements.

How is the City of Gunnison and State Licensing processes connected?

- Basically, you can't operate a marijuana establishment in the City of Gunnison without an approved license from both the City and the State of Colorado.

What types of marijuana establishments are allowed in the City of Gunnison?

- All classes of marijuana licenses – both medical and retail (recreational) – as allowed/defined by the State of Colorado, are allowed in the City of Gunnison.

How many license types can an entity hold?

- An entity can only hold one of each class of marijuana license; i.e. a corporate entity or individual can only have one retail marijuana license but could also have a retail marijuana products manufacturing establishment license.

How many total licenses are allowed within the City of Gunnison?

- The City of Gunnison did not limit the total number of marijuana licenses that can be issued within the City. Approved Zoned locations were determined in the City's regulations. If a premise is located within an approved zone and the building meets the City regulations, then a license can potentially be issued. The number of licenses will be predicated upon the locations available and what the business market will bear in the community.

How long will licensing take?

- It is anticipated a City license will take approximately 3 months to process. This is similar to the time it takes for a new liquor license in the City. Much of the timeframe is dependent upon the completeness of the application submitted to both the State MED and the City. If a building is built or remodeled to house a marijuana facility, that may increase the license processing time.

How long is a City of Gunnison Marijuana Facility License valid?

- City-issued Marijuana Facility licenses are valid for one year and must be renewed annually.

What other City licenses are required to operate a marijuana establishment?

- If medical or retail marijuana is sold at retail, or any infused marijuana product or associated marijuana use produce is sold at retail to the public, City sales tax must be collected. If a marijuana manufactured or grown product is sold wholesale to a vendor outside of the City, excise tax must be collected and remitted to the City. For collection and remittance of both sales and excise tax, a City sales tax license is required. This license is good for one year and can be obtained on the City website: http://www.gunnisonco.gov/departments/finance/sales_tax.php or at the City Finance Department at City Hall or by calling 970.641.8161.

More information needed? Contact:

CITY CLERKS DEPARTMENT

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