



TOWN OF NEDERLAND

MEDICAL MARIJUANA BUSINESS LICENSE

INFORMATION AND APPLICATION

All businesses related to the medical marijuana industry must have a medical marijuana business license.

- Approval of your business license application is required prior to operating a business. The application should be submitted early in the process to ensure your proposed business and building is compliant with the Town Code. Our staff is here to guide you through the process, so the earlier you contact us, the better we can outline the Town's business requirements. Applications are available on our web page, <http://nederlandco.org/working/doing-business/>, or at Town Hall.
- Separate business locations require separate business licenses. Owners of multiple locations or types of medical marijuana businesses must complete an application for each location.
- **All Business Licenses must be renewed ANNUALLY.**

Special requirements exist for Medical Marijuana Businesses. Medical marijuana businesses are governed by extensive state and local laws. We strongly advise that you consult with an attorney for assistance with the state licensing process. Rules governing medical marijuana businesses in Nederland are contained within Ordinance 690, available for review on the Town's website at <http://nederlandco.org/board-of-trustees/ordinances/>. Please review this ordinance, as it provides guidance concerning where medical marijuana businesses may be located and other rules that are pertinent to operating an MMJ business in Nederland. *It is your responsibility to be familiar with local ordinances governing medical marijuana businesses and to abide by them at all times.*

All medical marijuana applicant business owners must provide to the Town Clerk, upon request, a complete copy of the applicant's state medical marijuana application, as submitted to the state licensing authority.

Certain approvals are required for all new businesses. The license applicant is responsible for contacting the following entities and obtaining approval before a business license can be issued. It is best to make these contacts early to avoid late surprises.

- Town of Nederland Planning and Zoning Department: Please contact Deputy Town Cynthia Bakke at Town Hall at 303.258.3266, ext. 22 or cynthiab@nederlandco.org.
- Building Department: The Town of Nederland contracts with SAFEbuilt for building inspections. Please go to: <http://nederlandco.org/building/> to apply for a building permit.
- Fire Department: New businesses are required to obtain a fire safety inspection from the Nederland Fire Department. Please call 303.258.9161 to schedule a business license inspection.

All retail businesses must obtain a State sales tax license and submit collected taxes in accordance with State law. Information on obtaining a license can be found at <http://www.colorado.gov/cs/Satellite/Revenue/REVM/1176842266427>. For more information on sales tax obligations, please contact Eva Forberger, Town Treasurer at 303.258.3266 (ext. 21) or evaf@nederlandco.org.

Town sign code requires review and approval before signage, including temporary signs, can be erected. Please check with the Planning/Building Department before constructing or erecting any sign for your business. We understand that signs are expensive, so to prevent costly mistakes, we recommend acquiring approval prior to manufacturing your sign. All signs require an approved sign permit prior to displaying. There are lighting standards for signs in the Town Code as well, and an electrical permit may be required.

- **Temporary Banners/Signs:** Businesses are given an opportunity to display a temporary banner/sign for up to 30 days per calendar year. The banner/sign may not exceed an aggregate size of 10 square feet and must be located on the property of the business.

Lighting is regulated by Town Code. The Town Code provides standards to minimize the effects of lighting on surrounding properties while meeting functional and security needs. In general, all of the light generated must be downward lighting. The Planning/Building Department can assist you with this Town Code.

Remodeling, additions, renovations, or changes of use to a building require Town approvals. Please check with the Planning/Building Department staff prior to making any changes your property. All commercial remodeling, renovations and additions require approved construction documents and a building permit, and all inspections must be complete before a license is issued. Changing the use of any space i.e. office space to retail space, residential to commercial, retail to restaurant, etc., requires approved construction documents and a building permit. Town officials charged with enforcing the Nederland Municipal Code may conduct inspections during business hours and may not be denied access.

- **Exterior alterations:** All zoning districts have specific requirements. The Planning/Building Department staff can help you determine what is allowable under the Town of Nederland Land Use Code and what permits or applications may be necessary for any exterior alterations.

Town Hall staff will be happy to answer your questions and help guide you through our application process. Town Hall is open weekdays, 9am – 5pm. Stop by Town Hall at 45 West First St., call us at 303.258.3266, or contact the Town Clerk, Michele Martin, at michelem@nederlandco.org.

Summary Checklist for Getting a Medical Marijuana Business License in Nederland:

- ✓ Obtain and complete a medical marijuana business application from the State of Colorado, Department of Revenue. Applications are available at <http://www.colorado.gov/cs/Satellite/Rev-Enforcement/RE/1251575119584>.
- ✓ Obtain and complete a Nederland medical marijuana business license application, available online at <http://nederlandco.org/working/doing-business/> or from the Town Clerk at 45 W. First St. ***Please read it carefully.***
- ✓ Review and familiarize yourself with the Nederland Medical Marijuana Business License Ordinance 690, available online at <http://nederlandco.org/board-of-trustees/ordinances/>. You are responsible for knowing and abiding by this ordinance at all times.
- ✓ Obtain approval from the Planning and Zoning Division by contacting the Deputy Town Clerk, Cynthia Bakke, at 303.258.3266 or cynthiab@nederlandco.org.
- ✓ Obtain approval from the Building Department by applying for a building permit at: <http://nederlandco.org/building/>.
- ✓ Obtain approval from the Nederland Fire Protection District by scheduling a life safety inspection with the Fire Inspector. Call 303.258.9161 to schedule an inspection.
- ✓ Complete a sign permit application, if needed.
- ✓ Obtain a sales tax license from the State of Colorado. <http://www.colorado.gov/cs/Satellite/Revenue/REVX/1176842266427> The Town Treasurer, Eva Forberger, is available if you have additional questions regarding your sales tax obligations. She can be reached at 303.258.3266, ext. 21 or at evaf@nederlandco.org.
- ✓ Submit the completed application, including all necessary attachments and a sign permit application (if needed), to the Town Clerk's office, in person at Town Hall, 45 West First Street; by mail at Nederland Town Clerk, P.O. Box 396, Nederland, CO 80466; or by attaching a scanned document and emailing the application to teresam@nederlandco.org. Submit your fees via a check payable to "Town of Nederland."



TOWN OF NEDERLAND

MEDICAL MARIJUANA BUSINESS LICENSE

APPLICATION

| | | |
|---|--|---|
| dba (Doing Business As) Name: | Business Legal Name: | Business Phone Number(s): |
| | | |
| Business Mailing Address: | Physical Business Address: | Landlord Name & Mailing Address: |
| | | |
| Business Manager and Date of Birth: | Business Manager's Address and Phone #: | E-Mail : |
| US Citizen: YES NO | | |
| Business Owners (all must be listed) and Dates of Birth: | Business Owners Addresses and Phone #s: | Owners' Social Security Numbers: |
| US Citizens: YES NO | | |
| Hours of Operation: | Days of Operation: | Business Square Footage: |
| | | |
| Nature of Business (as you would like it described on your license): | | |
| | | |

TYPE OF BUSINESS:

Retail Medical Marijuana Center Optional Premises for Cultivation Infused Product Facility

TYPE OF OWNERSHIP:

Corporation Limited Liability Company Partnership Sole Proprietorship Franchise
 Non-profit Corporation (Proof of 501(c)(3) required,) Other _____

STATE LICENSES (COPIES MUST BE ATTACHED TO THIS APPLICATION, IF AVAILABLE):

State Medical Marijuana License # _____

State Health Department License # _____

State Sales Tax # _____ (registered Nederland as home base)

FEIN # _____

REQUIRED DECLARATIONS:

1. Have any of the owners of this business been denied a medical marijuana business license or had such a license revoked or suspended? If yes, please explain on a separate sheet of paper. Yes No
2. Have any of the owners of this business been convicted of a felony pursuant to any state or federal law regarding the possession, distribution, or use of a controlled substance within the last 5 years? If yes, please explain on a separate sheet of paper. Yes No
3. Are any of the owners or manager under twenty-one (21) years of age? Yes No
4. Does business utilize any hazardous, toxic or flammable materials? If so, please list out which kind and quantities. Yes No
5. Is your business a change of use or occupancy for this location? (If a **change of use**, then two sets of registered design professional stamped plans are required.) Yes No
6. Will there be ANY remodeling or building alterations? Yes No
7. Have you applied for a building permit? Yes No
8. Will you be installing a new sign or changing an existing sign? Yes No
9. Have you applied for a sign permit? Yes No

REQUIRED APPROVALS:

1. Town of Nederland Planning and Zoning Department:

Please contact Deputy Town Clerk Cynthia Bakke at Town Hall at 303.258.3266, ext. 22.

ZONING District: _____ Zoning Use Correct? Yes No Conforming Sign: Yes No

Approved Denied Held, reason _____

Planning Signature: _____ Date: _____

Sign Permit Issued: Yes No Date: _____

Comments:

2. Town of Nederland Building Department (SAFEbuilt):

Please go to: <http://nederlandco.org/building/> to apply for a building permit.

\$75 Inspection Fee applied: _____ Change of Occupancy or Use? Yes No

OLD Occupancy: _____ NEW Occupancy: _____

OLD Use: _____ NEW Use: _____

Building Official Signature: _____ Date: _____

Comments:

3. Nederland Fire Department:

Please contact Pete Oxnard at the Nederland Fire Department, at 303.258.9161, to schedule a “Medical Marijuana Business License” Inspection. Approved Denied Held

Reason if held _____

Fire Inspector Signature: _____ Date: _____

Comments:

FEE SCHEDULE:

| | | |
|-----|---|--------------|
| 1. | New license application for medical marijuana centers, optional premises for cultivation, or infused product facilities NOT associated with an existing medical marijuana business within the Town: | \$ 575.00 |
| 2. | New license application for optional premises for cultivation associated with an existing medical marijuana business within the Town: | \$ 575.00 |
| 3. | New license application for an infused product facility associated with an existing medical marijuana business within the Town: | \$ 575.00 |
| 4. | Annual medical marijuana center renewal, no changes: | \$ 575.00 |
| 5. | Annual optional premises for cultivation renewal, no changes: | \$ 575.00 |
| 6. | Annual infused product license renewal, no changes: | \$ 575.00 |
| 7. | Change of ownership license renewal: | \$ 0 |
| 8. | Change of location license renewal: | \$ 0 |
| 9. | Change in corporate structure renewal: | \$ 150.00 |
| 10. | Change in financial interest renewal: | \$ 150.00 |
| 11. | Safebuilt Inspection Fee for medical marijuana centers, infused product facilities, premise cultivations | \$ 75.00 |
| 12. | Criminal background check (per person, per application packet; no duplicate fees for MMC and OPC licenses if applications are processed together) | Actual Costs |

REQUIRED ATTACHMENTS:

- Complete copy of the State Medical Marijuana application, as submitted to the State licensing authority
- Copies of Additional Licenses
- Copies of Articles of Incorporation or Operating Agreements
- Lease or Deed for Premises, listing the business as the Owner or Lessee
- Floor plan diagram, drawn to scale, showing public and private areas, as well as secured areas for marijuana storage.
- Completed fingerprint form(s) for all managers and owners.
- All necessary Town fees, in checks payable to the Town of Nederland.

PLEASE READ CAREFULLY AND INITIAL THE FOLLOWING STATEMENTS:

_____ 1. I have obtained and examined a copy of Ordinance 690 of the Town of Nederland, pertaining to medical marijuana business licensing, and I agree to abide by and conform to all of the conditions of any license issued to me thereunder.

_____ 2. I understand an approved and issued business license is required to conduct business within the Town of Nederland. I fully understand and will comply with all the rules and regulations of the Town of Nederland Municipal Code. It is my responsibility to acquire all necessary approvals for this application, and to submit a completed application *annually* with appropriate fees to the Town Clerk. Finally, this application is complete and correct to the best of my knowledge.

_____ 3. I understand that I may be required to supply to the Town Clerk, upon request, a complete copy of my state medical marijuana application, as submitted to the State licensing authority.

_____ 4. I understand that the Town accepts no legal liability in connection with the approval and subsequent operation of the medical marijuana business.

_____ 5. I understand that by accepting a medical marijuana business license issued pursuant to Ordinance 690 of the Town of Nederland, the licensee, jointly and severally if more than one, agrees to indemnify and defend the Town, its officers, elected officials, employees, attorneys, agents, insurers, and self-insurance pool against all liability, claims, and demands, on account of injury, loss, or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the operation of the medical marijuana business that is the subject of the license. The licensee further agrees to investigate, handle, respond to, and to provide defense for an defend against, any such liability, claims, or demands at its expense, and to bear all other costs and expenses related thereto, including court costs and attorney fees.

PLEASE SIGN AND DATE BELOW

Signature of Applicant

Print Applicant Name

Title

Date

FOR OFFICE USE ONLY

Paid Received By: _____ Date Received: _____

Application Approved or Denied

Clerk Signature _____

If Denied, please state reason: