

CITY ATTORNEY'S OFFICE



# Marijuana License Types


CITY COUNCIL MEETING – April 4, 2023

City Staff Representatives: Alicia R. Calderón, City Attorney  
Michael Martinez, City Manager

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## Medical and Retail – Cultivation Facility Licenses

**Medical**

- Only issued to person who cultivates medical marijuana for sale/distribution

**Retail**

- Only issued to person who cultivates retail marijuana for sale/distribution
- Shall remit any applicable tax due
- Accelerator cultivator licensee may operate on the premises

**Both**

- Shall track cultivated marijuana from seed/immature plant to wholesale purchase
- May provide sample of products to licensed testing facilities
- Products may not be consumed on the cultivation facility premises
- May receive centralized distribution permit to authorize temporary storage for the sole purpose of transfer to stores
- Shall not store concentrate or products for more than 90 days
- Shall only obtain medical marijuana seeds/immature plants from own medical marijuana

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## Hospitality Licenses

**Hospitality**

- Licensed premises where marijuana is consumed.

**Retail Hospitality**

- Licensed premises where marijuana may be sold and consumed.

**Both**

- Retail food business may apply for license
- Not authorized to engage in manufacture of medical marijuana-infused products or retail marijuana products or to add marijuana to foods produced/provided.
- In case of emergency, all consumption and other activities ceases until

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## Medical and Retail – Products Manufacturer Licenses

**Medical**

- May issue to person who manufactures medical marijuana products
- Shall have written agreement contract with medical marijuana store/products manufacturer
- Shall not be exempt from local sales tax

**Retail**

- May issue to person who manufactures retail marijuana products
- Shall not accept any retail marijuana purchased from retail cultivation facility unless evidence of paid taxes
- May sell to retail hospitality and sales business

**Both**

- May cultivate its own marijuana, if obtains cultivation facility license
- Must be prepared on licensed premises
- Products may not be consumed on the cultivation facility premises
- Must meet sanitary standards

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## Medical and Retail – Store Licenses

**Medical**

- Only issued to person selling medical marijuana
- Sale shall be immediately recorded in seed-to-sale inventory tracking system
- May contract with medical marijuana products manufacturer licensee

**Retail**

- Only issued to person selling retail marijuana or retail products
- May cultivate its own retail marijuana, if it obtains cultivation facility license
- Shall not accept any retail purchased from a retail cultivation facility unless evidence of applicable taxes paid
- May transact with retail marijuana products manufacturer licensee
- May sell retail marijuana and products to retail marijuana hospitality and sales business licensee
- May obtain delivery permit

**Both**

- Shall track all marijuana and products from point of transfer to point of sale
- Products sold are prepackaged and clearly labeled
- Sale limits
- Sale verification

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## Medical and Retail – Testing Facility Licenses

**Medical**

- May issue to person who performs testing and research on medical marijuana, industrial hemp products, medical marijuana products.
- Facility may develop and test medical marijuana products.

**Retail**

- May issue to person who performs testing and research on retail marijuana and industrial hemp.
- Facility may develop and test retail marijuana products, industrial hemp, and industrial hemp products.

**Both**

- Shall not have any interest in licensed marijuana store, cultivation facility, products manufacturer

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### Options for City Council

Brighton City Council has the following options in this matter:

- Approve the Resolutions directing staff to prepare an ordinance amending the *Brighton Municipal Code* to allow for the operation of certain marijuana businesses within the City.
- Deny the Resolutions.

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