

# Marijuana

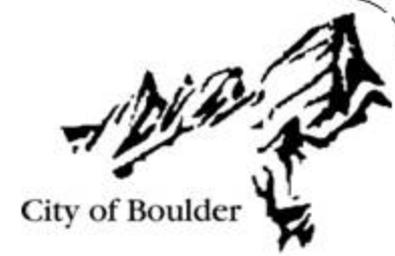
November 10, 2015

# The Marijuana Industry's Image of City Staff

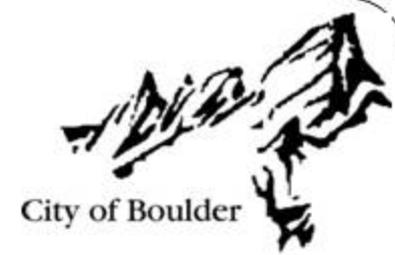
City of Boulder



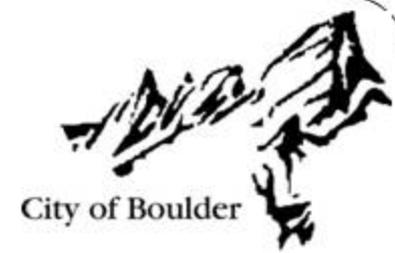
# City Staff's Image of the Marijuana Industry



# Where we would like to be



# Staff Proposed Changes



- Clarify that Seeds Can be Sold
- Regulation of Home Extraction of THC
- Allowing Transport between Cultivation Facilities
- Clarifying that the Sale of Logo Items is Permitted
- Clarifying Carbon Offsets

# October 20

City of Boulder



- Amended Proposed Ordinance to allow for administrative hearings for revocation or suspension.
- Did not adopt an amendment allowing any advertising related to a charitable event.

# Additional Amendments

## Tonight

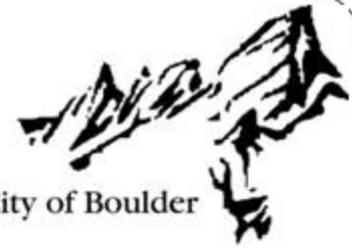
City of Boulder



- Emergency language to make administrative hearing provision effective immediately.
- Language eliminating advertising restriction, but replacing it with state law test.

# Charitable Sponsorship Exemption

City of Boulder



- Ordinance 7877, adopted November 1, 2012
- Added as part of a loosening of advertising rules suggested by the industry at a meeting intended to improve the marijuana code.
- Boulder adopted Denver's language.

# Denver's Interpretation

City of Boulder

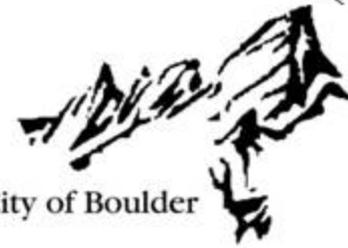


The prohibition on advertising also does not apply to advertising that is purely incidental to the sponsorship of a charitable event. Thus, it is permissible for the name of a marijuana business to accompany an advertisement for a charitable event that the marijuana business is sponsoring as long as the name of the marijuana business is just mentioned as the sponsor in connection with the event, and is not to be an advertisement for the marijuana business itself.

Denver Marijuana Industry Bulletin: Advertising Laws,  
Dec 17, 2014

# State Regulations

City of Boulder

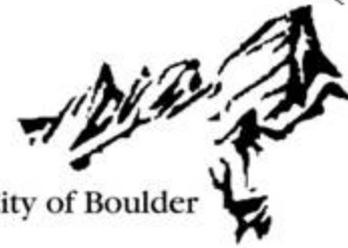


B. Outdoor Advertising Generally Prohibited. Except as otherwise provided in this rule, it shall be unlawful for any Retail Marijuana Establishment to engage in Advertising that is visible to members of the public from any street, sidewalk, park or other public place, including Advertising utilizing any of the following media: any billboard or other outdoor general Advertising device; any sign mounted on a vehicle, any hand-held or other portable sign; or any handbill, leaflet or flier directly handed to any person in a public place, left upon a motor vehicle, or posted upon any public or private property without the consent of the property owner.

1 Colo. Code Regs. § 212-2.1111

# Exception

City of Boulder

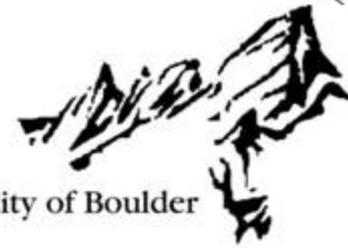


A Retail Marijuana Establishment may sponsor a charitable, sports, or similar event, but a Retail Marijuana Establishment shall not engage in Advertising at, or in connection with, such an event unless the Retail Marijuana Establishment has reliable evidence that no more than 30 percent of the audience at the event and/or viewing Advertising in connection with the event is reasonably expected to be under the age of 21.

1 Colo. Code Regs. § 212-2.1115

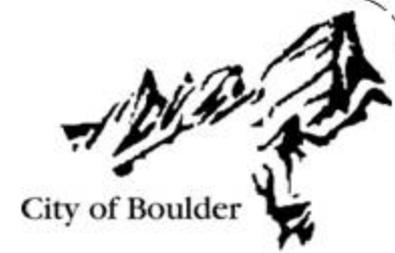
# Why do we care?

City of Boulder



- For every 10 tobacco ad sightings a teen sees, their risk of starting to smoke increases by almost 40%.
- Adolescents who received tobacco promotional items, or would be willing to use tobacco promotional items, started smoking at a younger age than those who did not.
- Thirty percent of 3-year-olds and nearly all (91%) 6-year-old children could correctly match a picture of Joe Camel with a picture of a cigarette.
- Owning or wanting alcohol promotional items has the strongest association with adolescent drinking.
- Youth who reported seeing any ads for medical marijuana were twice as likely to intend to use marijuana as youth who reported never seeing an ad
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- A 1996 study in the Journal of Marketing found that teenagers are three times as sensitive as adults to cigarette advertising.

# Staff Recommendation



- Allow for the creation of a marijuana advisory committee to address the major policy issues.
- Do not change the advertising limitation.
- Do not change the provision related to revocations.