

NOTICE OF PUBLIC HEARING  
BEFORE THE  
CITY AND COUNTY OF BROOMFIELD

**DATE:** April 8, 2025  
**TIME:** 6:00 p.m.  
**PLACE:** Council Chambers, George Di Ciero City & County Building  
One DesCombes Drive  
Broomfield, Colorado 80020

Notice is hereby given that a public hearing will be held before the City and County of Broomfield on

**ORDINANCE NO. 2267**

An ordinance amending the Broomfield Municipal Code to permit the sale of non-marijuana infused consumable food and drink at marijuana establishments.

Be it ordained by the City Council of the City and County of Broomfield, Colorado:

**Section 1.**

Section 5-42-040 of the Broomfield Municipal Code is amended as follows:

5-42-040 - License required.

- (A) All persons who are engaged in or who are attempting to engage in the distribution, testing and/or sale of marijuana in any form shall do so only in strict compliance with the terms, conditions, limitations, and restrictions in Section 14 and Section 16 of Article XVIII of the Colorado Constitution, state statute, the Colorado Marijuana Rules, this code, and all other state and local laws and regulations.
- (B) Within the city, it is unlawful for any person to sell or to possess for sale any marijuana product unless licensed to do so, unless the license required is in full force and effect, and all applicable fees and taxes have been paid in full and the license applies to the person and location where the sale or possession occurs.
- (C) No license may be issued to authorize marijuana product sales anywhere other than at a fixed location that is designated in the license application and approved license.
- (D) Any person selling marijuana without a license is a per se nuisance.
- (E) All marijuana business locations must be licensed separately.
- (F) **A marijuana business may only sell retail marijuana, retail marijuana products, marijuana accessories, nonconsumable products such as apparel, and marijuana-related products such as childproof packaging containers, hemp products, and food, including food that is not infused with marijuana or hemp product or extracts, but a marijuana business shall not sell or give away cigarettes or alcohol. All food sold must be commercially prepared by a person or entity other than the licensee, prepackaged, and require no preparation other than heating within its original container or package. The marijuana business shall not sell food in excess of twenty percent of the store's annual gross revenues.**

**Section 2.**

Section 5-42-250(M) of the Broomfield Municipal Code is amended as follows:

5-42-250 - Operational requirements.

...

(M) Reporting of source, quantity, and sales. The records to be maintained by each marijuana establishment shall include the source and quantity of any marijuana distributed, produced, or possessed within or from the premises. Such reports shall include the following information, at a minimum, for both acquisitions from wholesalers and sales transactions:

- (1) Date, weight, type of marijuana, and dollar amount or other consideration of transaction;
- (2) For wholesale transactions, the sales and use tax license number of the seller from the State of Colorado and city, if any; and
- (3) The amount of marijuana within the marijuana establishment. Each year, with the licensee's application for license renewal, the licensee shall submit a report to the authority with this information for the prior operational year. The secretary of the authority may designate the form of the report-; and
- (4) For food not infused with marijuana or hemp, the annual gross revenue from sales of such food and the annual gross revenue of the marijuana establishment as a whole.**

### Section 3.

Section 5-42-260 of the Broomfield Municipal Code is amended as follows:

5-42-260 - Unlawful acts.

(A) Any person who pleads guilty or no contest to or who, after trial, is found guilty of violating any of the following shall be subject to penalties pursuant to the general penalties set forth in section 1-12, B.M.C. It is unlawful for any person to:

...

(34) Distribute any consumable product, other than bottled water, ~~that is not a marijuana-infused product~~ not in strict compliance with state statute, the Colorado Marijuana Rules, this code, and all other state and local laws and regulations.

...

**(37) Consume any food sold by the marijuana establishment, other than water, in any restricted access area.**

### Section 4.

This ordinance is effective seven days after publication following final passage.

Introduced and approved after first reading on March 25, 2025, and ordered published in full.

APPROVED AS TO FORM:  
/s/ Nancy Rodgers  
City and County Attorney

*Bold type indicates new material to be added to the Broomfield Municipal Code.  
Dashes through words indicate deletions from the Broomfield Municipal Code.*