

TOWN OF PALISADE, COLORADO

ORDINANCE NO. 2024-06

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE V OF THE PALISADE MUNICIPAL CODE CONCERNING SIGNAGE AND ADVERTISING FOR RETAIL MARIJUANA ESTABLISHMENTS

WHEREAS, in 2017, the Town adopted regulations regarding signage and advertising for retail marijuana establishments; and

WHEREAS, since the adoption of these regulations, the cannabis industry has matured and become more established; and

WHEREAS, the Board of Trustees finds that updating the code to allow for more flexibility in signage can better accommodate the needs of cannabis businesses while maintaining a balanced approach that addresses community concerns; and

WHEREAS, the Board of Trustees desires to amend Chapter 6, Article V of the Palisade Municipal Code to modify regulations concerning signage and advertising for retail marijuana establishments.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, COLORADO, AS FOLLOWS:

Section 1. Section 6-129 of the Palisade Municipal Code concerning signage and advertising for retail marijuana establishment, is hereby amended with new additions underlined and deletions in ~~strikethrough~~ as follows:

Sec. 6-129. Signage and advertising.

a) ~~All exterior signage associated with the retail marijuana establishment must meet the standards established in Town's Land Use and Development Code. In addition, no exterior signage shall use the word "marijuana", "cannabis" or any other word, phrase or symbol commonly understood to refer to marijuana.~~ **All exterior signage associated with retail marijuana establishments must comply with the standards established in the Town's Land Use and Development Code. The use of the words "marijuana", "cannabis", or other words, phrases, or symbols commonly understood to refer to marijuana is permitted, provided such use is not misleading, deceptive, or designed to appeal to minors.**

(b) A retail marijuana establishment may not advertise in a manner that is misleading, deceptive, false or is designed to appeal to minors.

(c) ~~Except as otherwise provided in this Section, it shall be unlawful for any person licensed under this Article or any other person to advertise any retail marijuana establishment or any retail marijuana infused product anywhere within the Town where the advertisement is in plain view of, or in, a place open to the general public, including advertising and using any of the following media: any billboard or other outdoor general advertising device; any sign mounted on a vehicle; any handheld or other portable sign; or any hand bill, leaflet or flyer directly handed to any person in a public place, left upon a motor vehicle, or posted upon any public or private property. The prohibition set forth in this Section shall not apply to:~~ **Retail marijuana establishments may use outdoor advertising, including but not limited**

to billboards, signs mounted on vehicles, handheld or portable signs, and distribution of handbills, leaflets, or flyers, subject to the following restrictions:

~~(1) Any sign located on the licensed premises of a retail marijuana establishment which exists solely for the purpose of identifying the location of the premises and which otherwise complies with this Article, the Town's Land Use and Development Code and any other applicable Town laws and regulations; or~~

(1) All outdoor advertising must be located at least 1,000 feet from any school, daycare center, or youth center.

~~(2) Any advertisement contained within a newspaper, magazine, or other periodical of general circulation within the Town or on the internet.~~

(2) Outdoor advertising shall include a clearly legible warning statement comprising no less than 10% of the advertisement's space, stating: "For use only by adults 21 years of age or older. Keep out of reach of children."

(d) Retail marijuana establishments may advertise in newspapers, magazines, or other periodicals of general circulation within the Town, as well as on the internet, provided such advertisements comply with subsections (b) and (c) of this section.

~~(d)~~ **(c)** No retail marijuana ~~establishments~~ **establishment** shall distribute or allow the distribution of any marijuana without charge within a retail marijuana establishment or at any other place in the Town for purposes of promotion, advertising, or any other ~~similar~~ purpose.

Section 2. Severability. If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions which can be implemented without the invalid provisions and, to this end, the provisions of this ordinance are declared to be severable.

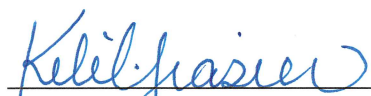
Section 3. Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage.

RESOLVED, APPROVED, and ADOPTED this 24th day of September 2024.

TOWN OF PALISADE, COLORADO

By 
Greg Mikolai, Mayor

ATTEST:


Keli L. Frasier, CMC
Town Clerk

