

## 2021 Marijuana Rulemaking Work Group Meeting #1

June 10, 2021

### Agenda

1. Introductions
2. Purpose of MRWG: Provide input and suggestions to aid Denver's Department of Excise and Licenses in developing agency rules governing secure storage of marijuana and walk-up and drive-through windows.
3. Ground Rules:
  - a. The MRWG is an advisory group. The final rules and regulations will be adopted by the Department of Excise and Licenses.
  - b. Each member is an equal participant and has equal opportunity to voice opinions and contribute ideas.
  - c. Members accept the responsibility to come to meetings prepared for the discussion.
  - d. Members must recognize the legitimacy of the interests, concerns, and goals of others, whether or not they agree. Members must commit to treating each other and meeting attendees with respect, civility, and courtesy.
4. Secure Storage Discussion
  - a. Goal: Obtain input on alternate security measures that are functionally equivalent to the use of a safe for storage of marijuana and cash overnight. Alternative security measures should be as effective as the safe requirement in meeting the goals of deterring burglaries, reducing the rate of successful burglaries, and reducing the amount of marijuana taken in successful burglaries.
  - b. Background on secure storage requirement in ordinance (see below)
  - c. Background on safety and security requirements in MED rule (see below)
  - d. Background on burglaries at marijuana stores (Det. Paul Streate)
  - e. Group Discussion
    - i. What security measures do licensees use, above and beyond state requirements (see below), that have helped combat burglaries?
    - ii. What combination of security measures would be as effective as using a safe for overnight storage in meeting security goals?
    - iii. What challenges might marijuana businesses face in implementing additional security measures? How can those challenges be mitigated?
5. Public Input: This meeting is open to the public. Time will be reserved at the end of the meeting to allow members of the public to provide comments. Each speaker is limited to two minutes. Speakers should use the "raise hand" feature on Zoom to indicate they would like to make a public comment.

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### Background Information for Discussion

<b>Denver Revised Municipal Code Requirements</b>	
<a href="#">DRMC 6-204(19)</a>	<i>Safe</i> means a metal box capable of being locked securely, constructed in a manner to prevent opening by human or mechanical force, or through the use of common tools, including but not limited to hammers, bolt cutters, crow bars or pry bars.
<a href="#">DRMC 6-209(a)(3)</a>	Beginning January 1, 2022, medical and retail marijuana stores shall install and use a safe in a limited access area, which shall be incorporated into the building structure or securely attached thereto, for overnight storage of all processed cannabis and cash. For marijuana-infused products that must be kept refrigerated or frozen, the establishment may lock the refrigerated container or freezer, so long as the appliance is affixed to the building structure. Alternatively, a business may utilize security devices such as vaults, strong rooms or other security features that are functionally equivalent to a safe as determined by Department rule.
<a href="#">DRMC 6-218(a)(12)</a>	Beginning January 1, 2022, retail marijuana hospitality and sales businesses shall install and use a safe in a limited access area, which shall be incorporated into the building structure or securely attached thereto, for overnight storage of all processed cannabis and cash. For marijuana-infused products that must be kept refrigerated or frozen, the establishment may lock the refrigerated container or freezer, so long as the appliance is affixed to the building structure. Alternatively, a business may utilize security devices such as

	vaults, strong rooms or other security features that are functionally equivalent to a safe as determined by Department rule.
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<b>Marijuana Enforcement Division Rules</b>	
3-220 – Security Alarm Systems and Lock Standards	<ul style="list-style-type: none"> <li>• Each Licensed Premises shall have a Security Alarm System, installed by an Alarm Installation Company, on all perimeter entry points and perimeter windows. <ul style="list-style-type: none"> <li>○ Security Alarm System may include hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals that emit or transmit a remote or local audible, visual, or electronic signal; motion detectors, pressure switches, duress alarms; panic alarms; and hold-up alarms.</li> </ul> </li> <li>• Each Licensee must ensure that all of its Licensed Premises are continuously monitored. Licensees may engage the services of a Monitoring Company to fulfill this requirement.</li> <li>• At all points of ingress and egress, the Licensee shall ensure the use of a commercial-grade, non-residential door locks.</li> </ul>
3-225 – Video Surveillance	<ul style="list-style-type: none"> <li>• Video surveillance equipment shall, at a minimum, consist of digital or network video recorders, cameras capable of meeting the recording requirements described in this Rule, video monitors, digital archiving devices, and a color printer capable of delivering still photos.</li> <li>• All video surveillance systems must be equipped with a failure notification system that provides prompt notification to the Licensee of any prolonged surveillance interruption and/or the complete failure of the surveillance system.</li> <li>• Licensees are responsible for ensuring that all surveillance equipment is properly functioning and maintained, so that the playback quality is suitable for viewing and the surveillance equipment is capturing the identity of all individuals and activities in the monitored areas.</li> <li>• All video surveillance equipment shall have sufficient battery backup to support a minimum of four hours of recording in the event of a power outage. Licensee must notify the Division of any loss of video surveillance capabilities that extend beyond four hours.</li> <li>• Camera coverage required for all Restricted Access Areas, Limited Access Areas, point-of-sale areas, security rooms, all points of ingress and egress to Limited Access Areas, all areas where marijuana is displayed for sale, and all points of ingress and egress to the exterior of the licensed premises.</li> <li>• Camera placement shall be capable of identifying activity occurring within 20 feet of all points of ingress and egress and shall allow for the clear and certain identification of any individual and activities on the Licensed Premises.</li> </ul>

	<ul style="list-style-type: none"> <li>• At each point-of-sale location, camera coverage must enable recording of the patients, caregivers or consumer(s), and employee(s) facial features with sufficient clarity to determine identity.</li> <li>• All entrances and exits to the facility shall be recorded from both indoor and outdoor vantage points.</li> <li>• The system shall be capable of recording all pre-determined surveillance areas in any lighting conditions.</li> <li>• All camera views of all Limited Access Areas must be continuously recorded 24 hours a day. The use of motion detection is authorized when a Licensee can demonstrate that monitored activities are adequately recorded.</li> <li>• All surveillance recordings must be kept for a minimum of 40 days and be in a format that can be easily accessed for viewing.</li> </ul>
<p>6-110 – Retail Marijuana Sales: General Limitations or Prohibited Acts</p>	<ul style="list-style-type: none"> <li>• A Retail Marijuana Store shall not display Retail Marijuana outside of a designated Restricted Access Area or in a manner in which Retail Marijuana can be seen from outside the Licensed Premises. Storage of Retail Marijuana shall otherwise be maintained in Limited Access Areas or Restricted Access Area.</li> </ul>