

NEWS > MARIJUANA > MARIJUANA POLITICS

Denver social marijuana use initiative qualifies for ballot after competing measure rejected

City voters will decide whether to allow permits for bars, other businesses that obtain neighborhood group OK

By **JON MURRAY** | jmurray@denverpost.com

PUBLISHED: September 1, 2016 at 1:21 pm | UPDATED: September 1, 2016 at 2:11 pm



Vince Chandler, The Denver Post

Marijuana activist Emmett Reistroffer, right, and cannabis consultant Kayvan Khalatbari hand deliver more than 10,800 signatures for a public cannabis use ballot initiative to Denver Elections Division officials in early August.

Days after rejecting a competing measure for the November ballot, the Denver Elections Division on Thursday approved a proposed initiative that would allow social use of marijuana in some businesses.

City voters will decide whether regular businesses, such as bars or cafes or even yoga studios, should be able to create indoor or outdoor consumption areas for bring-your-own marijuana products, under certain conditions. The most significant condition would require that an application for an annual or temporary permit receive backing from a neighborhood group, such as a city-registered neighborhood organization or business improvement district.

That provision would give the neighborhood group the ability to suggest conditions on operation as city licensing officials consider a permit application.

In early August, backers including Kayvan Khalatbari of Denver Relief Consulting turned in ballot petitions containing what they said were 10,800 signatures in support of the initiative they've named the Neighborhood-Supported Cannabis Consumption Pilot Program. It takes 4,726 valid signatures from registered Denver voters to make the ballot.

Khalatbari said Thursday that backers soon would receive results from a poll they commissioned as they begin to campaign in favor of the initiative. They have signed up 50 businesses in support — with a goal of enlisting 500 — and will begin reaching out to neighborhood groups to discuss the measure and answer questions, he said.

“It’s going to be an effort of these businesses and a lot of the cannabis industry,” Khalatbari said. “We already have some of the bigger names of the cannabis industry” giving customers leaflets about the initiative. “We’re really looking forward to engaging every single stakeholder — pro, con or neutral on this.”

The Elections Division confirmed Thursday in a tweet that workers had verified enough signatures for the initiative to make the Nov. 8 ballot.



Denver Elections

@DenverElections

Follow

The petition for an Initiated Ordinance from [@socialuse2016](#) contains enough valid signatures to make the Nov. 8 General [#Election #ballot](#).

11:30 AM - 1 Sep 2016

On Monday, the Elections Division said another social-use initiative, Denver NORML’s proposal to allow private marijuana clubs, [failed to submit enough valid signatures to make the ballot](#).

Denver city officials, including Mayor Michael Hancock, had not taken a position yet on either measure. But city attorneys raised questions about both during the drafting process, including whether state law fully allows cities to sanction some form of public consumption. A few Colorado cities and towns have allowed private marijuana clubs.

City marijuana policy spokesman Dan Rowland wrote in an e-mail that the certification of the social-use initiative will prompt a detailed review looking at the potential implications for the city, including its impact on marijuana regulations and how it might be affected by state law. Officials will share their analysis with the City Council.

“We look forward to the opportunity to continue exploring this issue and to the large, broad-ranging community conversation that needs to happen around social consumption of marijuana,” Rowland said.

Both proposed initiatives had aimed to address what activists see as a lingering issue following Colorado voters’ legalization of recreational marijuana sales and possession in 2012.

Amendment 64 did not allow for public use of marijuana, and under state and local laws, Denver residents have few places to consume marijuana outside their homes. That also poses a particular problem for many tourists, since most hotels and other lodging don't allow the use of marijuana, either.

The measure that's headed for the ballot would make changes to city ordinance to create consumption area permits. Businesses still would have to comply with the state's anti-smoking law indoors, and marijuana businesses would not be allowed to apply for the permits because of state license restrictions.

The initiative would set a four-year pilot period, requiring the city to study the measure's effectiveness. By the end of 2020, the City Council could allow it to expire, make it permanent or tweak its provisions.

Khalatbari and other activists, including some of the most prominent backers of Amendment 64, say their goal is that a handful of responsible businesses will lead the way in marijuana-friendly neighborhoods.

Here is [the wording of the ballot measure](#), which will appear under the title "City of Denver Cannabis Consumption Pilot Program":

"Shall the voters of the City and County of Denver adopt an ordinance that creates a cannabis consumption pilot program where: the City and County of Denver (the "City") may permit a business or a person with evidence of support of an eligible neighborhood association or business improvement district to allow the consumption of marijuana ("cannabis") in a designated consumption area; such associations or districts may set forth conditions on the operation of a designated consumption area, including permitting or restricting concurrent uses, consumptions, or services offered, if any; the designated consumption area is limited to those over the age of twenty-one, must comply with the Colorado Clean Indoor Air Act, may overlap with any other type of business or licensed premise, and cannot be located within 1000 feet of a school; a designated consumption area that is located outside cannot be visible from a public right-of-way or a place where children congregate; the City shall create a task force to study the impacts of cannabis consumption permits on the city; the City may enact additional regulations and ordinances to further regulate designated consumption areas that are not in conflict with this ordinance; and the cannabis consumption pilot program expires on December 31, 2020 or earlier if the City passes comprehensive regulations governing cannabis consumption?"

TAGS: ELECTION 2016, KAYVAN KHALATBARI, MARIJUANA SOCIAL USE, MICHAEL HANCOCK
Follow Jon Murray @JonMurray

**Jon Murray**

Jon Murray is The Denver Post's city hall reporter. His coverage focuses on Denver Mayor Michael Hancock, the workings of the City Council and city's government interactions with Denver's people, from neighborhood issues to regulation of the marijuana industry. A Colorado native, he joined The Denver Post in 2014 after reporting on city government and the legal system for The Indianapolis Star.

The Northwestern University graduate also contributes occasionally to The Post's craft beer industry coverage. Outside work, you'll find him running and hiking on Colorado's trails, flying down the slopes on well-worn skis and looking for new mountain adventures.

Reach Jon at (303) 954-1405.

**DIGITAL & DRIVEWAY
DELIVERY - 50% OFF**