STATE OF COLORADO) **RESOLUTION 2023-009**
) ss
COUNTY OF ROUTT)

A RESOLUTION SETTING THE APPLICABLE FEES FOR MEDICAL AND RETAIL MARIJUANA BUSINESS LICENSES

WHEREAS, Ordinance No. 622 and Ordinance No. 624 of the Town of Oak Creek provide that the Town Board of Trustees (Board) shall, by a resolution of the Board, impose operating fees for the costs of processing licensing applications and any other costs related to implementation, administration and enforcement including unannounced compliance checks of Chapter 5.02, Medical Marijuana, and Chapter 5.10, Local Retail Marijuana Establishments Code, Oak Creek Municipal Code, and these fees shall include, but are not limited to, fees for operating, renewals, change of location, inspections, background checks, changes of ownership and modification of premises; and

WHEREAS, the Board adopted Resolution 2016-010 setting the applicable fees for medical and retail marijuana business licenses; and

WHEREAS, under Colorado's SB-178, effective January 1, 2023, a Medical Marijuana Cultivation Facility may transfer Medical Marijuana to a Retail Marijuana Cultivation Facility for the purpose of redesignating the Medical Marijuana as Retail Marijuana in accordance with revised Rules 5-235, 6-230, and 6-730; and

WHEREAS, the revised Rules include an obligation for marijuana cultivators to notify the local licensing authority and pay applicable fees; and

WHEREAS, the Town Board, acting as the local licensing authority, has reviewed the revised Rules with local marijuana cultivators and Town staff, determining that a new annual local fee will be added to the fee schedule *B. Applicable Fees – Medical Marijuana-Infused Product Manufacturer, Optional Premises Cultivation Operation, Retail Marijuana Cultivation Facility & Retail Marijuana Product Manufacturing Facility* as Transfer Facility Fee – Medical Marijuana Cultivation to a Retail Marijuana Cultivation.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF OAK CREEK THAT:

A. Applicable Fees previously adopted by the Town of Oak Creek in Resolution 2016-010 Marijuana Fees shall remain unchanged except as specifically stated herein.

B. There shall be added to the applicable fees previously adopted by the Town of Oak Creek in Resolution 2016-010 Marijuana Fees an Annual Transfer Facility Fee - Medical Marijuana Cultivation to a Retail Marijuana Cultivation of $100. Said fee may be modified from time-to-time by Resolution of the Town Board.

C. Applicable Fees adopted by the Town of Oak Creek in Resolution 2016-010 Marijuana Fees and the Annual Transfer Facility Fee – Medical Marijuana Cultivation to a Retail Marijuana Cultivation are as shown in the table below.

Item	**Amount**
Annual Operating Fee – Initial & Renewal	$5910
Operational Size Factor (Average Active Sq. Ft. @ 50% Factor) - Example: 300 sq. ft. x $0.50 = $150.00	Case-by-case
Fingerprinting & Criminal History/Background Check – Per Applicant, Officer(s), Director(s), Member(s), Stockholder(s), Owner(s) & Employees, as applicable	$100/each
Inspection Fee - Follow-up to Non-Compliance Finding	$1000
Modification of Premises	Applicable Fees Under Land Use Code
Change of Ownership	$5910
Annual Transfer Facility Fee – Medical Marijuana Cultivation to a Retail Marijuana Cultivation	$100

D. The Annual Transfer Facility Fee – Medical Marijuana Cultivation to a Retail Marijuana Cultivation shall be applicable for any new or renewing license application with an application date on and after June 5, 2023.

READ AND ADOPTED THIS this 25th day of May, 2023.

TOWN OF OAK CREEK

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Nikki Knoebel, Mayor

Attest:

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David Torgler
Town Administrator/Clerk