

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 08
(SERIES OF 2026)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AMENDING CHAPTER 5.15 AND 5.19 OF THE EAGLE MUNICIPAL CODE FOR THE PURPOSE OF UPDATING MEDICAL MARIJUANA AND RETAIL MARIJUANA LICENSE TERMS TO REFLECT STATE STATUTE.

WHEREAS, the Town Council (“Council”) of the Town of Eagle (“Town”) is authorized under C.R.S. § 44-10-313 to adopt reasonable regulations governing medical and retail marijuana businesses to protect public health, safety, and welfare; and

WHEREAS, the Town is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Eagle Home Rule Charter; and

WHEREAS, the Colorado General Assembly enacted Senate Bill 24-076 (“SB 24-076”), which extends marijuana license terms from one (1) year to two (2) years; and

WHEREAS, the Council finds it necessary to amend the Eagle Municipal Code to align with state law and improve administrative efficiency.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE THAT:

Section 1. Section 5.15.030 of the Eagle Municipal Code is amended with additions in **bold underline** and deletions in ~~strikethrough~~, to read as follows:

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TITLE 5 – BUSINESS REGULATIONS.

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CHAPTER 5.15 LICENSING AND REGULATION OF MEDICAL MARIJUANA BUSINESSES

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Section 5.15.030. – License Required

- A. It shall be unlawful for any person to operate a medical marijuana business without first having obtained a license to operate pursuant to the provisions of this chapter, having paid the fees therefor, as well as having obtained a license to operate from the State Licensing Authority. The licensing requirements apply to all medical marijuana businesses that exist on the effective date of the ordinance from which this chapter is derived and any medical marijuana businesses established after such effective date.
- B. Any person violating this section commits a Class A municipal offense. A person committing a violation shall be guilty of a separate offense for each day or part thereof during which the offense is committed or continued to be permitted by such person and shall be punished accordingly.
- C. Any medical marijuana business holding a valid business license, that commenced operations prior to the effective date of the ordinance from which this chapter is derived, which is in a location where the business has a special use permit in the zone

district in which it is located, and which has obtained a valid sales tax license from the Town, may continue to operate pending final action on an application for a license pursuant to [Section 5.15.070](#), which application must be filed with the Town no later than October 31, 2012.

- D. Pursuant to C.R.S. Title 44, Art. 11, medical marijuana businesses shall be licensed by the Town in one of the following categories:
1. Medical marijuana center, as defined in C.R.S. § 44-11-104(13). Such center shall meet all criteria and requirements of C.R.S. § 44-11-402, as well as all other regulatory requirements applicable to medical marijuana centers set forth within this chapter, and within C.R.S. Title 44, Article 11.
 2. Medical marijuana-infused products manufacturer, as defined in C.R.S. § 44-11-104(16). Such business shall meet all requirements of C.R.S. § 44-11-404, as well as all other requirements applicable to medical marijuana-infused products manufacturing set forth in this chapter and State law.
 3. Optional premises cultivation operation license, as defined in C.R.S. § 44-11-104(19). Such operation shall meet all requirements of C.R.S. § 44-11-404, as well as all other requirements applicable to optional premises cultivation operations set forth in this chapter and State law.
- E. The licensing requirements set forth in this chapter shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any Federal law, the laws of the State, or local laws, including, but not by way of limitation, a business license, retail sales tax license, retail food establishment license, or any applicable zoning permits or building permits.
- F. No license for a medical marijuana business shall be issued by the Town until a license for such use, at the location designated in the application, has been issued by the State Licensing Authority.
- G. The issuance of a license pursuant to this chapter does not create a defense, exception or provide immunity to any person in regard to any potential federal criminal liability the person may have for the production, distribution or possession of marijuana.
- H. Every license issued under this chapter confers only a limited and conditional privilege subject to the requirements, conditions, and limitations of this chapter and State law. The license does not confer a property right of any kind. The license and the privilege created by the license may be further regulated, limited, or completely extinguished at the end of the license term at the discretion of the Town, without any compensation to a licensee. Every license issued under this chapter shall be subject to the future exercise of the reserved rights of referendum and initiative, exercise of the local option described in C.R.S. § 44-11-106, and any other future ordinances adopted by the Town. Nothing in this chapter grants any vested right to continue operating under this chapter, and every license shall be subject to any ordinance or prohibition adopted after any license was approved or issued.

- I. A separate license shall be required for each location from which a medical marijuana business is operated.
- J. All medical marijuana business licenses issued by the Town shall be valid for a period of ~~one year~~ **two years** from the date such license is issued. Renewal applications shall be filed at least 45 days prior to the expiration date of the existing license.
- K. Licensees shall report each transfer or change of ownership interest, change in manager, or change in principals on forms provided by the Town Clerk. An application for a change of manager shall be submitted to the Town Clerk at least 30 days prior to any such change to provide necessary time for the background check and processing of the application pursuant to [Section 5.15.160](#).

Section 2. Section 5.19.090 of the Eagle Municipal Code is amended with additions in **bold underline** and deletions in ~~strike through~~, to read as follows:

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TITLE 5 – BUSINESS REGULATIONS.

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CHAPTER 5.19 LICENSING AND REGULATION OF RETAIL MARIJUANA BUSINESSES

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Section 5.19.090 – Issuance of license; duration; renewal.

- A. Upon issuance of a license, the Town shall provide the licensee with one original of such license for each retail marijuana establishment to be operated by the licensee in the Town. Each such copy shall show the name and address of the licensee, the type of facility or establishment for which it is issued, and the address of the facility at which it is to be displayed.
- B. Each license shall be valid for ~~one year~~ **two years** from the date of issuance and may be renewed for additional annual terms as provided in this chapter. An application for renewal shall be made at least 45 days prior to the date of expiration of the license. A licensee may submit to the Local Licensing Authority a late renewal application on the prescribed forms and pay a non-refundable late application fee in an amount of \$500.00 for a renewal application made less than 45 days prior to the date of the expiration of the license. All other provisions concerning renewal applications apply to a late renewal application. The timely filing of a completed renewal application or a late renewal application shall extend the current license until a decision is made on the renewal.
- C. Notwithstanding State law to the contrary, a licensee whose license expires and for which a renewal application has not been received by the expiration date shall be deemed to have forfeited its license under this chapter. The Town shall not accept renewal applications after the expiration date of such license.
- D. A licensee whose license expires shall not distribute or sell retail marijuana or retail marijuana products until all necessary new licenses have been obtained.

- E. The Local Licensing Authority may renew a license by an administrative approval process whereby a public hearing is not necessary.

Section 3. Severability. If any provision of this Ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

Section 4. Conflicts. All prior ordinances, resolutions, or other acts, or parts thereof, by the Town of Eagle in conflict with this Ordinance are hereby repealed, except that this repeal shall not be construed to revive any previously repealed or expired act, ordinance or resolution, or part thereof.

Section 5. Effective Date. This Ordinance shall become effective ten (10) days after publication.

INTRODUCED AS AN ORDINANCE, READ, MOVED, AND ORDERED PUBLISHED ON APRIL 14, 2026.

TOWN OF EAGLE, COLORADO



Bryan Woods, Mayor

ATTEST:



Camille Deering, Town Clerk



PROOF OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF EAGLE)

I, Camille Deering, Town Clerk for the Town of Eagle, do solemnly swear and affirm that I published in full a true and correct copy of ORDINANCE 08, SERIES 2026 “AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AMENDING CHAPTER 5.15 AND 5.19 OF THE EAGLE MUNICIPAL CODE FOR THE PURPOSE OF UPDATING MEDICAL MARIJUANA AND RETAIL MARIJUANA LICENSE TERMS TO REFLECT STATE STATUTE.” on the Town of Eagle’s website, www.townofeagle.org, on the 15th day of April 2026.

Witness my hand and seal this 15th day of April 2026.



Camille Deering,
Town Clerk



Ordinance Effective Date:

April 25, 2026