



Work Session Memorandum

Date: August 4, 2026

To: Mayor and City Councilmembers

Through: Kelly DiMartino, City Manager ^{DS}
Rupa Venkatesh, Assistant City Manager ^{Initial}
Delynn Coldiron, City Clerk ^{DS}

From: Cecilia Good, Sr Deputy City Clerk ^{Initial}
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Subject: July 28, 2026 Work Session Summary: Tobacco Retail Licensing and Age Restricted Products Program

Bottom Line

The purpose of this memo is to document the summary of Tobacco Retail Licensing and Age Restricted Products Program discussions during the July 28, 2026 Work Session. Mayor Francis, Mayor Pro Tem Pignataro and Councilmembers Conway, Potyondy, Hoeven, and Nelsen were present in person. Councilmember Fudge was absent.

Discussion Summary

Councilmembers expressed support for developing a local licensing framework and extending it beyond tobacco and nicotine to a broader set of age-restricted psychoactive products that staff identified during the discussion, such as Kratom.

Councilmembers asked about stand-alone retailers, which would require a license, and incidental sellers, which would not. Staff described the proposed approach, which is based on the percentage of sales and the percentage of display area devoted to these products. Councilmembers asked how that threshold would apply to businesses such as convenience stores, where age-restricted products may represent a small share of total sales while remaining readily available to youth, and asked that the definition not create an unintended exemption. There was interest in a complete ban of Kratom products in gas stations.

Flavored tobacco was identified as a product to assess after the initial program has been established. Staff was encouraged to involve the Youth Advisory Board, which is considering tobacco and vape education work, in the engagement process.

Next Steps

Staff will engage affected businesses and other stakeholders on the proposed licensing program. A draft ordinance, informed by stakeholder feedback, will be brought back for Councilmember feedback at the October 27 Work Session.

Follow-up Items

City and State Distance Restrictions

The consistency of distance restrictions across industries was discussed. Staff was asked to consider how updates to marijuana code may affect proposed distance restrictions for the age-restricted psychoactive product license.

Marijuana: State law prohibits licensing a marijuana business within 1,000 feet of a school, an alcohol or drug treatment facility, the principal campus of a college, university, seminary, or a residential childcare facility.

City Code prohibits a marijuana store within 1,000 feet of any public or private preschool, elementary, secondary, vocational or trade school, college, or university; public playground; another marijuana store; and within 500 feet of any residential unit, childcare center, place of worship, public park, pool, or recreation facility, or a juvenile or adult halfway house, correctional facility, or substance abuse treatment center.

Liquor Establishments: State law prohibits a licensing authority from acting on an application for a new retail alcohol license if the building is within 500 feet of a public or parochial school or the principal campus of a college, university, or seminary. Separate radius restrictions apply between new retail liquor stores and liquor-licensed drugstores.

City Code reduces distance restrictions by exempting any class of retail license except the retail liquor store license and the liquor-licensed drugstore license from the 500-foot restriction for the Colorado State University campus.

Tobacco: State law prohibits the Liquor and Tobacco Enforcement Division from approving a state license for a new retail location within 500 feet of a school, measured by direct pedestrian access, unless a local authority has approved the location by ordinance or resolution.

Employee Age Requirements

Information was requested on the minimum age for employees who sell age-restricted products across different substances and settings.

- Any employee who handles regulated marijuana, enters data into inventory or point-of-sale systems, or has unescorted access to restricted access areas must hold a State employee license, for which applicants must be at least 21.
- Employees of tobacco and nicotine retailers who are 18 to 20 may handle and stock products. Deliveries must be made by an owner or employee who is at least 21.
- An employee of a retail liquor store or liquor-licensed drugstore who is at least 18 may sell without supervision. Delivery of alcohol requires an employee who is at least 21.
- Employees of a tavern, lodging facility, or entertainment facility that does not regularly serve meals must be at least 21 to sell or otherwise handle malt, vinous, and spirituous liquors or to check customer identification.
- An employee of other retail liquor licensees, such as a hotel and restaurant licensee, who is 18 to 20 must be supervised by a person at least 21 who is on the licensed premises. No person under 18 may sell, dispense, or serve alcohol.
- A person under 18 may handle products under supervision for a fermented malt beverage and wine retailer but may not sell them or check identification. Delivery requires an employee who is at least 21.