On-Site Cannabis Consumption Policy Guidance

This document is meant to guide discussions on policy requirements for on-site cannabis consumption at retailers, dispensaries and other establishments. The established laws, rules and regulations of each individual state or locality considering on-site consumption policy must be consulted for relevance in drafting policy language.

The parameters below are recommended to minimize exposure to secondhand marijuana smoke for employees and patrons as well as mitigate drifting smoke into neighboring businesses.*[see below for model language defining electronic cigarette’s and enclosed area]

- Ideally, 100% smokefree/vape-free indoors
  - Ventilation systems are not sufficient to address the health concerns of indoor smoking
  - Barriers with Plexiglas or semi-permanent structures are not adequate to address health concerns with secondhand marijuana smoke
  - Provide an outdoor space for smoking that is unenclosed and out of public view
  - If not restricted to outdoor use only – MUST BE located in stand-alone buildings as to avoid drifting secondhand smoke into adjacent businesses or residences in the same building
  - Stand-alone buildings should not be multi-use with other businesses or residences in the same building
- Set a cap on total number of licenses available for venues to allow on-site consumption
- Food and alcohol sales or consumption are not permitted
- Age requirement – must be 21+ to enter at any time
  - Applies to patrons and employees
- Expand regulations on location/density – such as 1,000 ft. from other retailers, schools, churches, youth service facilities, recreation facilities, substance abuse recovery centers
- All on-site consumption should cease when law enforcement or emergency responders are on premises
- No advertising or promotional couponing on-site (indoors or outdoors)
- Include enforcement language with graduated penalty scale to address repeat violation

*Definitions:
“Electronic Smoking Device” means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

“Enclosed Area” means all space between a floor and a ceiling that is bounded on at least two sides by walls, doorways, or windows, whether open or closed. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent and whether or not containing openings of any kind.”