

Tobacco Retail Licensing / Age Restricted Products Program

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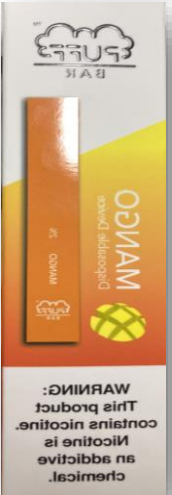


Does Council support developing a licensing framework including age-restricted products?

What feedback does Council have on the scope of the licensing program?

Why a Licensing Program

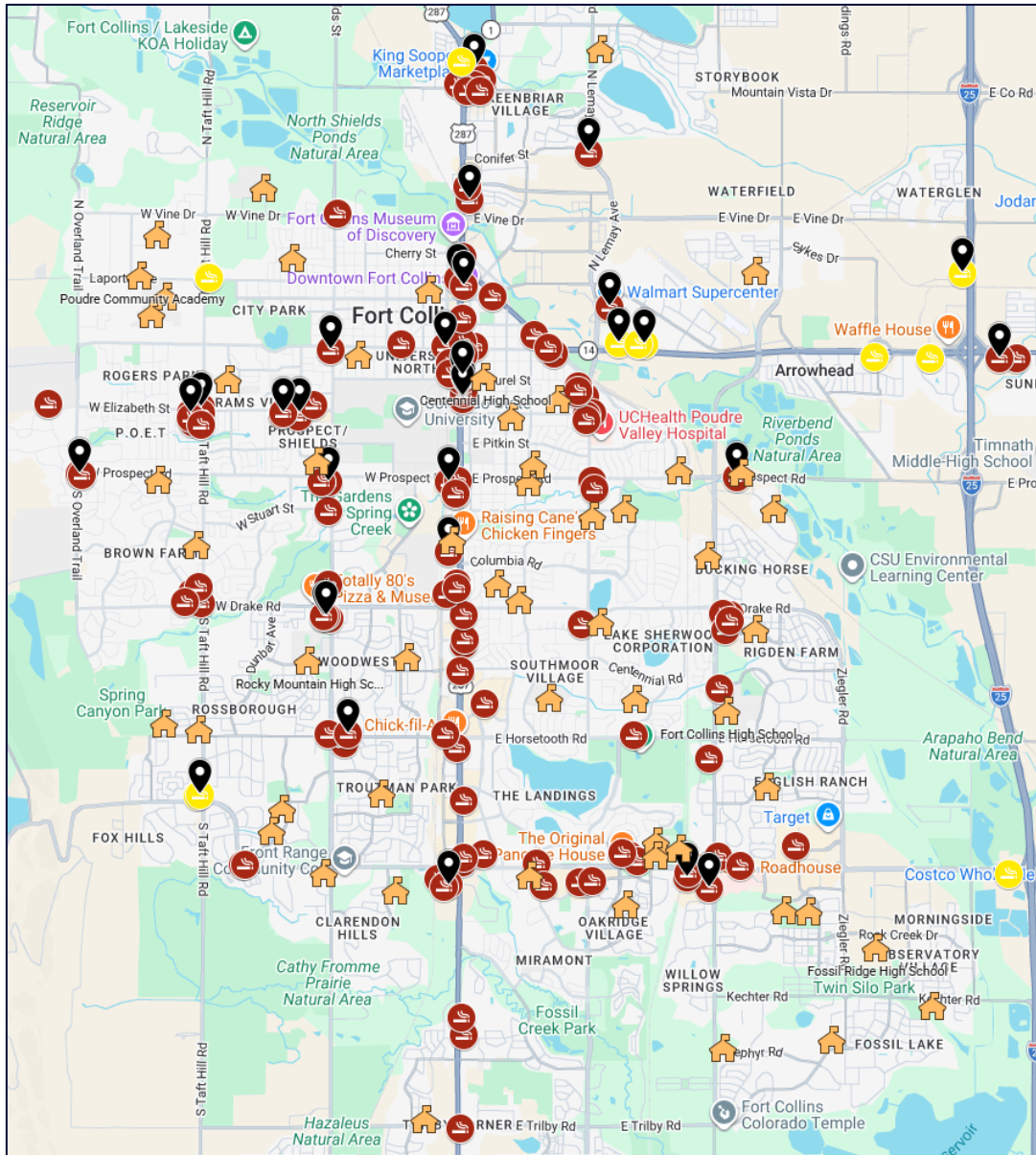
- Minors continue to have access to age-restricted products.
- Police Services faces legal hurdles prosecuting hemp cases, with limited enforcement impact on tobacco licensees.
- Data shows **80.3%** of Larimer County youth who tried to buy tobacco or vaping products in a store were **NOT** turned away due to age.
- New psychoactive products continue to show up at smoke shops and gas stations.
- No existing licensing structure or enforcement, locally or at the State level for psychoactive products.

		
2023	High School Student Electronic Vape Use Rates	2025
9.0%	Larimer County	10.7%
8.7%	Colorado State	10.3%
7.7%	National	7.1%

- In 2020, parents began calling Police Services asking how their kids were getting "marijuana."
- Investigations traced the source to smoke shops, not licensed marijuana retailers, selling hemp-derived products outside the marijuana licensing framework.
- Police Services faces legal hurdles prosecuting hemp cases, with limited enforcement impact on tobacco licensees.
- Council began receiving calls from concerned parents and requested that staff identify solutions to address underage tobacco sales.

- Tobacco sales only require a State license; liquor and marijuana require both state and local licenses
- Tobacco currently enforced by the CO Department of Revenue Liquor & Tobacco Enforcement Division (LED)
- LED must complete two compliance checks annually per establishment
- Graduated penalty structure, lower than local liquor/marijuana penalties
- Minimum age for tobacco sellers is only 18, despite a 21+ purchase age
- 23% of current Fort Collins businesses have had at least 1 sale-to-minor violation between 2023-2025.
- Data shows that State enforcement has not been enough to prevent youth access to tobacco

Current State Tobacco Retail Licensing



The City of Fort Collins has 129 tobacco retail locations.

6 of those locations are within 500 ft of a school.

Map Key



Licensed Tobacco Retailer – City



Licensed Tobacco Retailer - County



Sales-to-Minor Since 2023



School (K-12)

Map provided by the Larimer County Department of Health & Environment

State Compliance Check:

- After a violation occurs, the employee receives a low-level criminal summons, owner/licensee receives administrative hearing, low fine.

Police Services Compliance Check:

- After a violation occurs, the employee receives a low-level criminal summons (no local license so no administrative hearing.)
- State won't prosecute on FCPS violations so no owner/licensee accountability.

Retailers focused primarily on these products (smoke shops)

- Raise minimum age for salesclerks to 21 (mirror age restrictions)
- Prohibit sales of accessories/paraphernalia to minors
- Prohibit sales of Kratom to minors (already in CRS)
- Prohibit sales of legal hemp products to minors (already in CRS)
- Prohibit sales of synthetic cannabinoids (already in CRS)
- Prohibit sales of psilocybin analogs/other products (already in CRS)
- Prohibit sales of gases not intended for human consumption

Retailers where these products are a small part of overall sales

- No license required
- Based upon % of sales and % square footage of displays
- Jax, Cupboard, Dick's Sporting Goods are local examples
- Limit sales of gases to 21+

- Graduated penalty structure including fines, suspensions, and revocations
- Distance restrictions
 - From schools
 - Between incidental product sellers
 - Between vape / smoke shops
- Grandfather existing businesses with allowance to transfer ownership

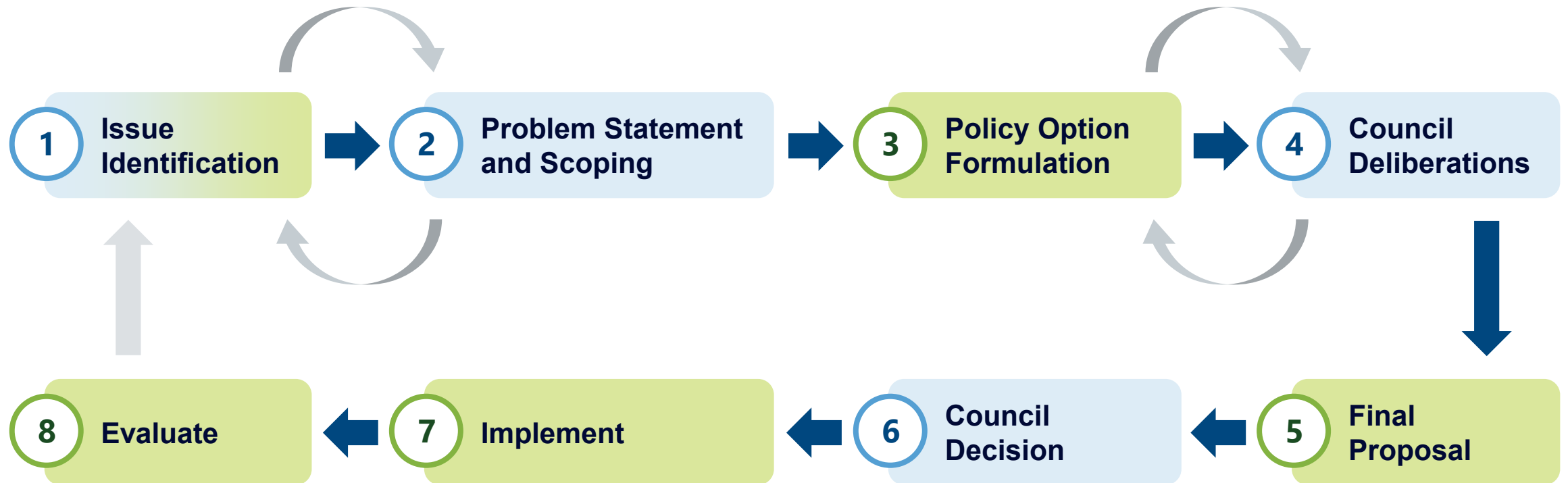
Tobacco Retail Licensing Fee Comparison

Licensing Entity	Application Fee	Annual Renewal Fee
State of Colorado	\$400	\$400
Aurora*	\$500	\$500
Boulder	\$400	\$300
Broomfield	\$300	\$300
Denver	\$750	\$500
Loveland	\$300	\$300
Lone Tree	\$250	\$200

*Aurora approved a “Tobacco, Kratom, and Age-restricted Hemp License” on March 9, 2026

Policy Development Process

City staff manages process

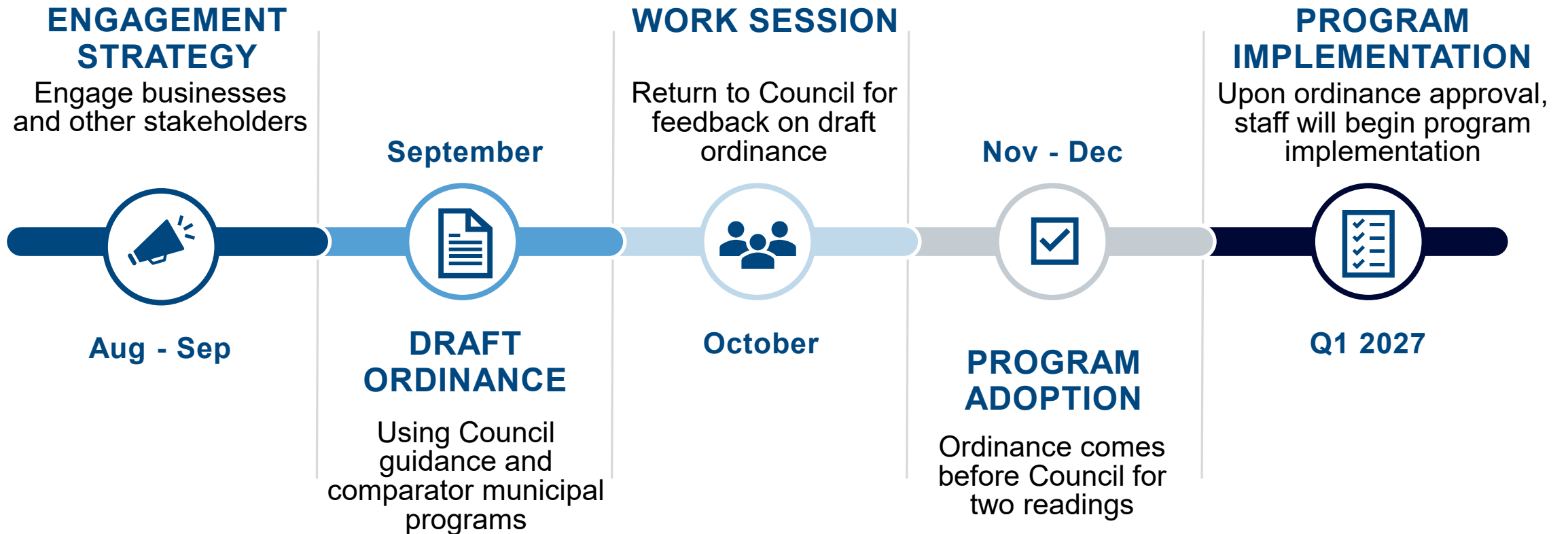


Council touchpoint



Possible community touchpoint / check-in

2026



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Examples of Products Seen in Fort Collins

Age-Restricted Psychoactive Products – Hemp

- Hemp purchased in Ft Collins (should have less than 0.3% Delta-9 THC)



3% THC



9.7% THC



4.2% THC

- Synthetic Cannabinoids - Delta-8, Delta-10, HHC



Age-Restricted Psychoactive Products – Psilocybin Analogs

- Psilocybin has a regulatory framework but not is available for retail sale
- Analogs on the market sold as shrooms and other names



Age-Restricted Psychoactive Products – Kratom/7-OH

Potency/labeling restrictions

Sales to a minor are civil infractions



Age-Restricted Psychoactive Products – Inhalants

- Dangerous inhalants (nitrous oxide, alkyl nitrate and butyl nitrate)
- Intended for cooking but sold at smoke shops for human consumption

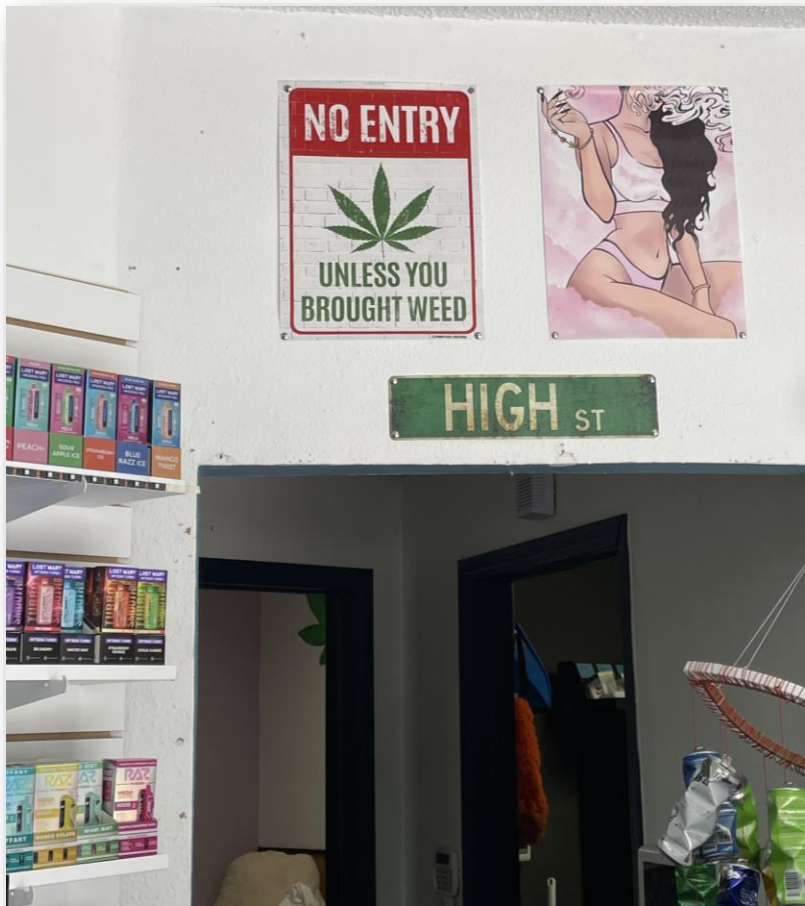


- Drug "accessories" (pipes/paraphernalia/concealment containers) not regulated



Regulating Stand-Alone Stores vs. Incidental Sales

- Aurora model: incidental if sales are under 50% of revenue and under 15% of floor space





Questions?