



# Draft Marijuana Regulations

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An outline of the significant aspects of the proposed ordinance.

# Application Process

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- Letter of intent submitted before an application is filed.
- A pre-application meeting is held. Allows the City and the applicant to discuss the proposed business and the licensing process in more detail.
- Application is filed with the City Clerk.



# Licensing Process

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- City Clerk forwards complete application to Marijuana Authority.
- Marijuana Authority is a hearing officer appointed by Council.
- Applications for new licenses require a public hearing (for other applications a hearing is not mandatory).
- Notice of any hearing will be posted on the property and published in newspaper.



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# Licensing Process

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- Applicants carry burden of establishing qualifications for every application
- For new licenses, applicants must establish they meet minimum qualifications and prove that the business is desired by the inhabitants of the neighborhood, they are fit to hold the license, and that they are prepared to operate the business in compliance with the law.



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# Licensing Process

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## Licenses available:

- **Medical Marijuana Center and Retail Marijuana Store** – both sell products directly to consumers.
- **Optional Premises Cultivation Operation and Retail Marijuana Cultivation Facility** both grow marijuana to sell to other licensed businesses. They may not sell to consumers.
- **Medical Marijuana Infused Products Manufacturer and Retail Products Manufacturer** both manufacture, prepare, and package marijuana products. May not sell to consumers.
- **Retail Marijuana Testing Facility** analyzes and certifies the safety and potency of marijuana.

# Licensing Process

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- License Terms and Renewals
  - Licenses valid for one year
  - Renewal applications required to be filed at least 45 days prior to license expiration.
  - Late filings may be received – up to the date of expiration – with the payment of a late fee.
  - No renewal applications accepted at expiration. Applicant must file for new license.



# Licensing Terms

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- Each license separate and must be operated on separate premises (which can occur in the same building as long as physically separated).
- Licenses are nontransferable and nonconvertible. The license is valid only for the owner named on the license, the type of business listed on the license, and the location for which the license was issued.



# Operational Requirements

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- No consumption of alcohol or marijuana on any licensed premise.
- People under 21 not permitted to enter premises (unless a MMJ patient with a valid registry card who is at least 18).
- Electronic identification scanner required.
- Must display certificate of occupancy and license



# Operational Requirements

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- Hours of operation
  - Retail Marijuana Stores: 8 am – 10 pm
  - Medical Marijuana Centers: 8 am – 7 pm
  - All others – 24/7
- Sales to consumers must be direct and must take place within the licensed premises (no deliveries/drive-throughs).
- Public not permitted access to cultivation, manufacturing, or testing facilities.



# Operational Requirements

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- Mandatory reporting
  - change in financial interest and business manager
  - Anything required to report to state
  - Receipt of citation for violation of any law (except minor traffic infractions) by the licensees
- Business manager or owner required to be present during all operation of the business
- All activity to occur indoors and not be visible from the exterior



# Operational Requirements

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- Must provide access to city officials to inspect and audit.
- Must respond to any contact by city officials within 24-hours of contact.
- Business bank accounts must not be commingled with any other accounts.
- Grow facilities must organize plants in defined rows.



# Operational Requirements

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- Any violation of the article is unlawful.
- Misuse of a registry card (using someone else's card or allowing someone else to use your card).
- Failure of the license to cooperate with an investigation into unlawful conduct on the property.
- Any cultivation on commercial or industrial property without a license; possession of more than one ounce of marijuana on commercial or industrial property without a license.



# Covered by State Law

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- Individuals prohibited from holding license
- Security systems/Lock standards
- Waste disposal
- Surveillance systems
- Health and safety regulations
- Pesticides
- Transport
- Inventory tracking
- Packaging and labeling
- Advertising



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# Questions and Discussion

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City Council Study Session April 28, 2014