

**CITY OF SELDOVIA
ORDINANCE 16-09**

**AN ORDINANCE OF THE CITY OF SELDOVIA AMENDING TITLE 5, BUSINESS LICENSES
AND REGULATIONS, CREATING CHAPTER 5.30 COMMERCIAL MARIJUANA, OF THE
SELDOVIA MUNICIPAL CODE**

SECTION 1. CLASSIFICATION. This ordinance is permanent in nature and shall become a part of the Code of the City of Seldovia.

SECTION 2. AMENDING CODE TITLE 5, Business Licenses, creating Chapter 5.30 Commercial Marijuana

It is the intent of the City to establish regulations for Commercial Marijuana under the authority of AS 17.38.110.

SECTION 3. CREATE 5.30- Commercial Marijuana

5.30.010 Definitions

- A. "Marijuana" has the meaning given in AS 17.38.900
- B. "Marijuana establishment" means a marijuana cultivation facility, a marijuana testing facility, a marijuana product manufacturing facility, or a retail marijuana store as defined in AS 17.38
- C. "Marijuana products" means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption

5.30.020- Local Regulatory Authority.

- A. The Seldovia City Council is the local regulatory authority for regulation of marijuana establishments within the city limits under AS Chapter 17.38 and any implementing regulations.
- B. The Seldovia Planning and Zoning Commission shall make recommendations to the council regarding land use regulations of commercial marijuana establishments.

5.30.030- License Application Review

- A. The council shall review and make recommendations to the state on applications submitted to the State Marijuana Control Board for marijuana establishment licenses the within city limits; this includes:
 - a. applications for new licenses; or
 - b. applications for renewal of a license; or
 - c. applications requesting a relocation of the licensed premise; or
 - d. applications requesting a transfer of a license to another person.

Introduced: 4/27/16
Posted: 5/6/16

Public Hearing: 5/11/2016
Adoption: 5/11/2016

B. Prior to the council making a recommendation to the Marijuana Control Board a public hearing shall be held in accordance with Chapter 2.04 of the City Code.

C. The council may recommend conditions on a license they feel may minimize effects on neighboring properties and/or enhance public safety.

D. Applicant is responsible for complying with all federal, state and local laws applicable to marijuana. By issuing a recommendation to the Marijuana Control Board the council is not authorizing the violation of local, state or federal laws.

5.30.040 Hours of Operation- Retail


All retail marijuana establishments shall close their place of business to the public and make no sale, barter, gift or loan any marijuana or marijuana products between the hours of [8am] and [8pm] each day.

SECTION 4. REPEALER

Any section of the Seldovia Municipal Code that conflicts with this ordinance shall hereby be repealed.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective as of May 11, 2016.

ADOPTED by a duly constituted quorum of the City Council of the City of Seldovia this 11 day of May 2016.

ATTEST: 
Lisa Stanish, City Clerk

APPROVED: 
Dean Lent, Mayor

