

Medical Marijuana Licensing Regulations

June 4, 2014

1. Hours of Operation Page 4 – 6.95.030 (E) and Page 20 – 6.95.150 (M)

Hours of Operation: “Except as otherwise provided by specific condition of a license,”

2. Delivery Page 13 - 6.95.110 (H)

~~Delete sentence 1 and 2 “A medical marijuana dispensary is prohibited from transporting medical marijuana, edible marijuana products, and/or marijuana-infused products off of the license medical marijuana dispensary premises. Medical marijuana, edible marijuana products and/or marijuana-infused products may only be transported by a licensed cultivation facility or licensed medical marijuana production facility.”~~

Add: “Medical marijuana, edible marijuana products and/or marijuana infused products may only be transported, in accordance with the requirements of this Chapter, and only by a licensed medical marijuana establishment. No other person shall transport medical marijuana, edible marijuana products and/or marijuana infused products on behalf of a licensed medical marijuana establishment.”

Page 20 – 6.95.150 (H)(1)

Delete sentence # 1 and add:

“Off-site transportation or sale of medical marijuana, edible marijuana products and/or marijuana infused products, except to another licensed medical marijuana establishment or the location of the residence of registry identification card holder and only to a residential address specified on the registry identification card. Except for sales of medical marijuana, edible

Submitted by City Council

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By: Burton Loring

add after the current K

(L). Medical marijuana, edible marijuana products and/or marijuana infused products shall be obtained from licensed medical marijuana establishments within Clark County if an adequate supply is available from licensed medical marijuana establishments located within Clark County.”

4. Advertising

A. Fraudulent advertising:

Page 12 6.95.110 (E)

amend

“Material that is misleading, deceptive, or false, or that, as evidenced either by the content of the advertising material or by the medium or the manner, in which the advertising is disseminated, is designed to appeal to minors or promote the use of marijuana is prohibited.”

B. Advertising Plan Required:

Page 12 – 6.95.110 (F)

Delete (F) as written and replace:

“Except as otherwise provided in LVMC Title 19, each medical marijuana establishment shall conform to the approved sign and advertising as a condition of the license. The Director shall not recommend for approval any sign and advertising plan that:

1. Has not been approved by the state regulating authority and complies with all the requirements of the state regulating authority;

2. Promotes the use of marijuana, or is appealing to minors;
3. Provides advertising visible to members of the public from any street, sidewalk, park or other public place, including advertising utilizing any of the following media:
 - a. A sign mounted on a vehicle;
 - b. Any hand-held, human signage or other portable sign; or
 - c. Any handbill, leaflet or flier directly handed to any person, deposited, fastened, thrown, scattered, cast, or placed in a public place, left upon a motor vehicle, or any handbill, leaflet or flier posted upon any public or private property without the consent of the property owner;
4. Provides advertising by means of any video, print, online media, newspaper, magazine, other periodical of general circulation, radio or broadcast medium which is generally or specifically marketed to minors"

5. Annual Review of Licenses

Page 20 – 6.95.160

Remove the phrase "Bi" from title

- A. ~~Every two years~~ **Annually** from the date of issuance each licensee must submit to a review of the issued license.

Remove the word "Bi" from 6.95.160 paragraph B and C

6. Fees - Community Impact

Gross Revenue fee of 5% (direct from cultivation) and 7% (cultivation, production, and dispensary) – restoring the 1% community impact fee

last paragraph after 3.

“A portion of the semi-annual gross revenue fee may be dedicated by the City Council in accordance with its annual budget to fund grants for drug abuse resistance education in primary and secondary educational settings; to promote education within the community of the dangers of the abuse of marijuana and the effects ingestion of marijuana infused products may have on children; and for research related to the medical use of marijuana.”

Or

Gross Revenue fee of 4% (direct from cultivation) and 6% (cultivation, production, and dispensary) – **utilizing business license fee**

“Up to 10% of the semi-annual gross revenue fee may be dedicated by the City Council in accordance with its annual budget to fund grants for drug abuse resistance education in primary and secondary educational settings; to promote education within the community of the dangers of the abuse of marijuana and the effects ingestion of marijuana infused products may have on children; and for research related to the medical use of marijuana.”

Agenda Item #33:

Bill #2014-33

Medical Marijuana Establishments Licensing Regulations

4 June 2014

City of Las Vegas



Proposed Change: Findings – Remove #4

- Existing reports secondary negative effects
- Proposed: Remove finding



Proposed Change: Hours of Operation

- Existing: 6am to 10pm
- Proposed: 6am to 10pm, or as otherwise conditioned by City Council as a condition of the license



Proposed Change: Delivery

- Existing: No delivery permitted
- Proposed: *Delivery permitted to State of Nevada card holders only at residential location*



Proposed Change: Cultivation/Production Outside Clark County

- **Existing:** Medical marijuana products must be produced in Clark County only
- **Proposed:** Medical marijuana products may be obtained from anywhere within the state of Nevada, if an inadequate supply exists



Proposed Change: Advertising

- o **Existing:** Advertising restrictions established per Title 6.95.110
- o **Proposed:** *Applicants must submit advertising plan to City Council and advertising is restricted to plan approved as a condition of the license*
- o **Proposed:** *No misleading, deceptive or false advertising*



Proposed Change: Reviews

- **Existing:** Review of license by City Council every 2 years
- **Proposed:** Review of license by City Council on an annual basis



Proposed Change: Fees

- **Existing:** No requirement to fund grants for drug resistance education or research
- **Proposals:**
 - 1) A portion of gross revenue fees be dedicated to grants for drug resistance education and research
 - 2) A portion of the current business license fee (4/6%) or an additional amount (1%)?
 - 3) 10% of the gross revenue fees or an amount determined based on a proposed program during annual budget?



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Medical Marijuana Establishments Licensing Regulations

4 June 2014

City of Las Vegas



Medical Marijuana Establishment Fees – Nevada

Jurisdiction	Application Fee	Origination Fees	License Fees	Annual Renewal Fee	Other Fees
City of Las Vegas					
• Dispensary	\$5,000		4% - 6% of Gross Sales	\$75,000	\$1,280 ¹
• Cultivation	\$5,000			\$20,000 for 1 st 5,000 SF; \$10,000 for each additional 5,000 SF	\$1,280 ¹
• Production	\$5,000			\$25,000	\$1,280 ¹
• Laboratory				\$10,000	\$0
Clark County²	N/A	N/A	N/A	N/A	\$5,000 ³
City of Henderson					\$25,000 ⁴
• Class I ⁵	\$10,000	\$60,000	6% of GR		
• Class II ⁶	\$10,000	\$80,000	6% of GR		
• Class III ⁷	\$10,000	\$100,000	6% of GR		
• Laboratory ⁸	\$10,000	\$15,000	\$25-\$670 = up to \$1.2M; Over \$1.2M = .00056 of GR		
City of NLV⁹					
• Cultivation	\$5,000	\$30,000	2% or 3% increased each year by 1% to cap of 8%	\$35,000	
• Production	\$5,000	\$20,000	2% or 3% increased each year by 1% to cap of 8%	\$25,000	
•	\$5,000		6% gross sales	\$60,000	
City of Reno	\$40,000		\$20,000 ¹⁰	\$20,000	

¹ Land use application fee.

² Clark County has not adopted or released a draft ordinance on medical marijuana license fees.

³ Land use application only (Special Use Permit application fee as established in adopted zoning ordinance).

⁴ Indemnification fee.

⁵ Class I – a business operating a cultivation facility and a dispensary at the same location; license fees paid monthly.

⁶ Class II – a business operating a cultivation facility, production facility and dispensary at the same location; license fees paid monthly.

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 By: [Signature]

submitted at City Council

⁷ Class III – a business operating a cultivation facility, production facility and dispensary from multiple locations; license fees paid monthly.

⁸ Laboratory license fees paid semi-annually.

⁹ North Las Vegas has not adopted or released a draft ordinance on medical marijuana fees, but have stated publicly that they are considering a 2% fee on gross sales at each level.

¹⁰ License fees paid quarterly at \$5,000 per quarter.