



Las Vegas

Agenda Item No.: 3.

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 15, 2018

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2018-20 - ABEYANCE ITEM - possible action - Amends LVMC 6.95.090 to limit the availability of business licenses for retail marijuana stores to those that will be operated in conjunction with a medical marijuana dispensary at the same location and with the same ownership. Sponsor: Councilman Bob Coffin. (NOTE: This item will come forward to the Recommending Committee as a Proposed Second Amendment, with a change in the bills title and summary. The summary has been changed to read: Amends LVMC 6.95.160 to describe the circumstances under which business licenses for retail marijuana stores may be issued as standalone licenses, rather than in connection with a medical marijuana dispensary.)

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will amend LVMC 6.95.090 to limit the availability of business licenses for retail marijuana stores to those that will be operated in conjunction with a medical marijuana dispensary at the same location and with the same ownership. The bill was requested by the sponsor as a follow-up measure to a general marijuana update ordinance adopted in May of this year.

RECOMMENDATION:

Abeyance to the September 4, 2018 Recommending Committee Meeting from the July 30, 2018 Recommending Committee Meeting. Abeyance to the October 15, 2018 Recommending Committee Meeting from the September 4, 2018 Recommending Committee.

BACKUP DOCUMENTATION:

1. Bill No. 2018-20
2. Backup Submitted from the September 4, 2018 Recommending Committee Meeting
3. Bill No. 2018-20, Proposed Second Amendment
4. Submitted after Final Agenda - Support Documentation Not Vetted - Letter (1)

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 15, 2018

Motion made by BOB COFFIN to Hold in abeyance to 11/5/2018

Passed For: 3; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

BOB COFFIN, STAVROS S. ANTHONY, LOIS TARKANIAN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED explained that this bill started out as a bill to prohibit the operation of retail marijuana stores unless it was in conjunction with a medical marijuana dispensary. However, because of information received regarding the State's licensing process, a Proposed First Amendment was brought forward, which was very complicated. The Proposed Second Amendment is a simplified version that allows for retail marijuana independent and standalone from a medical marijuana dispensary. In order to do so, operators must follow the rules in the Proposed Second Amendment, which MR. STEED reviewed.

JOHN OSCEGUERA stated that he was in support and suggested that distance requirements between existing establishments and new licensees be added to the bill.

TERRY MURPHY appeared with JOHN RITTER and stated that they are in support of the ordinance as written. If there will be additional amendments, she would like to see the bill in written form prior to any action being taken so they can understand how it would impact MR. RITTER'S business.

MR. STEED asked MS. MURPHY if she was in favor of the Proposed Second Amendment, and she replied in the affirmative. If there would be a distance requirement, she would like to see what those requirements are.

COUNCILMAN COFFIN stated that when this bill was requested there was no indication that the State would approve additional medical marijuana. He explained that the original bill could put some businesses out of business. The language in the First Amendment was clumsy; the Second Amendment puts the spirit of medical marijuana into the requirements for recreational marijuana. As a new request for distance requirements has been made, he wished to hold this item for further review with the understanding that language regarding distance requirements would be circulated in the community.

COUNCILWOMAN TARKANIAN agreed that this bill should not be rushed. She received calls wondering if this bill limits expansion to those who now have medical marijuana and if no additional medical marijuana would be coming. COUNCILMAN COFFIN explained that the original bill would have had limitations, but it has been amended and is no longer restrictive.

This bill will be eligible for adoption at the November 7, 2018 City Council meeting.

COUNCILMAN ANTHONY declared the Public Hearing closed.