

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

PROPOSED SECOND AMENDMENT

BILL NO. 2018-20

ORDINANCE NO. _____

AN ORDINANCE TO AMEND 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, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob Coffin

Summary: 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.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Ordinance No. 6620 and Title 6, Chapter 95, Section 160, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that LVMC 6.95.160 reads as follows:

6.95.160: [Each] Except as otherwise specified, each licensed medical marijuana dispensary and retail marijuana store shall comply with the following requirements:

(A) Prices for all products shall be prominently posted in the waiting area in a location and manner readily visible to prospective and actual clients. Prices shall not be posted on the exterior of the licensed premises.

(B) All edible marijuana products and marijuana infused products offered for sale at licensed medical marijuana dispensaries or retail marijuana stores shall comply with the applicable packaging and labeling requirements established by NRS Chapters 453A and 453D, as well as regulations promulgated thereunder.

(C) Any dispensary or retail marijuana store that sells edible marijuana products or marijuana infused products must display a placard that states the following:

(1) Edible Marijuana and Marijuana Infused Products. There may be health

1 risks associated with consumption of edible marijuana products or marijuana infused products.

2 (2) Edible products and marijuana infused products contain marijuana or active
3 compounds of marijuana.

4 (3) Should not be used by women who are pregnant or breast feeding.

5 (4) When eaten or swallowed, the intoxicating effects of this product can be
6 delayed two or more hours.

7 (5) Follow all recommended dosage and serving guidelines and
8 recommendations.

9 (6) "KEEP OUT OF REACH OF CHILDREN."

10 The placard shall be no smaller than eight inches tall by twelve inches wide, with font size letters no smaller
11 than forty-eight points. The placard shall be clearly visible and readable by customers and shall be written in
12 English.

13 (D) A medical marijuana dispensary or retail marijuana store is allowed to participate in
14 ancillary business activity within the dispensary or store if the ancillary business activity is:

15 (1) The sale of paraphernalia.

16 (2) The ancillary sale of related retail merchandise, which may be approved by
17 the Department without the need for City Council approval.

18 (3) Other ancillary activities as approved by the City Council and subject to any
19 conditions the Council may impose.

20 (E) A medical marijuana dispensary or retail marijuana store may locate one or more
21 automatic teller machines for access by patients and customers only for the dispensing of money if the person
22 operating the machine has been approved by the Director under LVMC 6.06.125 and the business is licensed
23 to operate such by the City. Money and legal tender may not be stored onsite except as detailed in the
24 approved security plan.

25 (F) The display of any product in any manner visible to the general public from the right-
26 of-way or outside of the facility is prohibited.

1 (G) Except as otherwise provided in Subsection (H), all sales and distribution of
2 marijuana, edible marijuana products or marijuana infused products by a licensed medical marijuana
3 dispensary or retail marijuana store shall occur only upon the licensed premises, and no such items or
4 products may be provided by delivery to a location off the premises of the medical marijuana dispensary or
5 retail marijuana store, including by mail delivery or by private transportation.

6 (H) Off-site transportation, sale or delivery of marijuana, marijuana products or
7 marijuana infused products by a medical marijuana dispensary or a retail marijuana store is permitted in
8 accordance with applicable regulations of the State regulating authority.

9 (I) Within a medical marijuana dispensary, no advertising, materials or postings within
10 the waiting areas may advertise locations, devices or activities promoting the consumption of marijuana or
11 other facilities selling or purporting to provide locations for the private or public consumption of marijuana.

12 (J) In addition to any other applicable requirement of this Chapter, a retail marijuana
13 store that is not operated in conjunction with a medical marijuana dispensary and does not operate as a dual
14 use marijuana business shall:

15 (1) Provide priority service to holders of valid registry identification cards.

16 (2) Offer for sale a variety of marijuana products with cannabidiol (CBD) levels
17 at commonly established therapeutic standards for patients.

18 (3) Comply with the patient education and support provisions of NAC
19 453A.408(e) with respect to all customers as if they were medical marijuana patients.

20 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
21 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
22 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
23 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
24 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
25 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
26 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 3: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2018.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed,
Deputy City Attorney

Date _____

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day
2 of _____, 2018, and referred to a committee for recommendation, the committee being
3 composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2018, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as
7 amended and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 _____
16 LUANN D. HOLMES, MMC
City Clerk

17

18

19

20

21

22

23

24

25

26