



Las Vegas

Agenda Item No.: 4.

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 5, 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. Backup Submitted from the October 15, 2018 Recommending Committee Meeting

Motion made by BOB COFFIN to Approve as Do Pass as a Second Amendment

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

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

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 5, 2018

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

After reading this bill, COUNCILMAN ANTHONY commented that the bill changed, and he deferred to CHIEF DEPUTY CITY ATTORNEY VAL STEED and COUNCILMAN COFFIN to explain the purpose of the bill and its amendments.

MR. STEED explained that the original bill would have limited the availability of retail stores to those who also operated a medical marijuana dispensary. The proposed second amendment would no longer require that relationship and allow for standalone retail operation, along with other requirements regarding space limitations, visibility of products from outside the store, provide priority service to holders of valid registration cards, offer for-sale marijuana products containing high levels of CBD, and provide educational information upon request of different types of marijuana products and their medical effects.

MR. STEED noted a suggested requirement for distance separation between retail operations was not included because after conducting research, staff was not able to find a legal justification for it. He recommended the bill be processed as presented, but that any distance separation requirement could be considered as an amendment in the future. COUNCILMAN COFFIN said he also researched possible distance separation requirements. He asked if the bill could be forwarded with trailing amendments. MR. STEED replied that any amendment would have to be made before the bill is published before the adoption date, and he doubted a legal justification could be found to impose a distance separation requirement. Therefore, he reiterated his suggestion to move forward with the bill as presented and make changes in the future if desired.

COUNCILMAN ANTHONY clarified that there will be the possibility for medical and recreational marijuana with some stipulations and that there is no moratorium.

TERRY MURPHY was present with JOHN RITTER, owner of The Grove Wellness Center. MS. MURPHY stated they are in support of the bill only with the recommended amendment. They are opposed to the bill being adopted as originally introduced.

COUNCILWOMAN FIORE clarified that the bill basically says that medical marijuana dispensaries will provide information on medicinal marijuana products. COUNCILMAN COFFIN commented that the bill will require provision of the same treatment to medical marijuana users and the protections, and these requirements are for the new licensees.

COUNCILMAN ANTHONY announced that the bill would go to the 11/21/2018 City Council meeting for consideration.

After Item 5, this matter was recalled for MR. STEED to clarify that the Second Amendment would include language regarding design, which was not in the Proposed Second Amendment. Also, the CBD language was changed from CBD high levels to levels commonly established as therapeutic standards for patients. He did not believe a new motion and vote would be necessary, and COUNCILMAN ANTHONY agreed.

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COUNCILMAN ANTHONY declared the Public Hearing closed.

