

1 SECOND AMENDMENT

2 BILL NO. 2017-10

3 ORDINANCE NO. 6579

4 AN ORDINANCE TO AMEND THE CITY'S MEDICAL MARIJUANA REGULATIONS IN VARIOUS
5 RESPECTS, INCLUDING ADJUSTING LIMITS ON HOURS OF OPERATION, DELETING CERTAIN
6 PRODUCT LIMITATIONS, MODIFYING DISPOSAL PROCEDURES, CREATING A LICENSE FOR
SUPPORT BUSINESSES, REVISING DISPENSARY FEES, AND PROVIDING FOR OTHER
RELATED MATTERS.

7 Sponsored by: Mayor Pro Tem Steven D. Ross
8 Councilman Bob Beers
9 Councilman Bob Coffin

Summary: Amends the City's medical marijuana
regulations in various respects, including
adjusting limits on hours of operation, deleting
certain product limitations, modifying disposal
procedures, creating a license for support
businesses, and revising dispensary fees.

10
11 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS
12 FOLLOWS:

13 SECTION 1: Title 6, Chapter 95, Section 20 of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.95.020:** Unless the context otherwise requires, the scope of all words in this Chapter shall be
16 liberally construed in order to effectuate the purpose of this Chapter, and, in particular, the following words
17 shall have the meaning ascribed to them as follows:

18 ["Adequate supply" means the immediate availability, as determined by the Director, of a sufficient
19 quantity and quality of medical marijuana, any specific strain of medical marijuana or any particular
20 infused product to meet the immediate demand of registry identification card holders qualified under NRS
21 453A.362 within the City.]

22 "Cannabis" or "marijuana" have the same meaning, and as may be amended, as defined by Nevada
23 Revised Statutes Chapter 453A.

24 "Compliance permit" means a permit issued under LVMC 6.95.040.

25 "Cultivation facility" has the meaning ascribed to it in NRS 453A.056, and means a business that is
26 registered under NRS 453A.322 and acquires, possesses, cultivates, delivers, transfers, transports, supplies

1 or sells marijuana and related supplies to a medical marijuana dispensary, facility for the production of
2 edible marijuana products or marijuana-infused products or other cultivation facilities.

3 “Designated primary caregiver” has the meaning ascribed to it in NRS 453A.080.

4 “Edible marijuana products” has the meaning ascribed to it in NRS 453A.101 and means products
5 that contain marijuana or an extract thereof and are intended for human consumption by oral ingestion; and
6 are presented in the form of foodstuffs, extracts, oils, tinctures and other similar products.

7 “Independent testing laboratory” has the meaning ascribed to it in NRS 435A.107 and is a business
8 certified under NRS 453A.368 which provides independent testing of marijuana, edible marijuana products
9 and marijuana-infused products that are to be sold in the State.

10 “Key employee” means an employee designated by a business licensee to oversee the operations of
11 the business in the absence of the licensee.

12 “Medical marijuana” has the meaning ascribed to it in NRS 453A.096 and as used in accordance
13 with NRS 453A.120.

14 “Marijuana infused products” has the meaning ascribed to it in NRS 453A.112 and means products
15 that are infused with marijuana or an extract thereof; and are intended for use or consumption by humans
16 through means other than inhalation or oral ingestion. The term includes, without limitation, topical
17 products, ointments, oils and tinctures.

18 “Medical marijuana dispensary” has the meaning ascribed to it in NRS 453A.115, and means a
19 business that is registered under NRS 453A.322 and which acquires, possesses, supplies, sells or dispenses
20 marijuana or related supplies and educational materials to the holder of a valid registry identification card.

21 “Medical marijuana establishment” has the meaning ascribed to it in NRS 453A.116 and means
22 any establishment licensed under this Chapter and in possession of a valid registration certificate under
23 NRS 453A and may include a medical marijuana dispensary, medical marijuana production facility,
24 cultivation facility or independent testing laboratory.

25 “Medical marijuana production facility” has the meaning ascribed to a “facility for the production
26 of edible marijuana products or marijuana-infused products” in NRS 453A.105 and means a business which

1 acquires, possesses, manufactures, delivers, transfers, transports, supplies or sells at wholesale edible
2 marijuana products or marijuana-infused products to medical marijuana dispensaries.

3 “Medical marijuana support business” means a business that provides goods or services to a
4 medical marijuana establishment and receives at least fifty percent of its annual revenue from licensed
5 medical marijuana establishments.

6 [“Ownership interest” means any principal, person, beneficial owner as defined by 6.50.020, and
7 individual persons holding any ownership or financial interest for each business entity including all
8 businesses organized under or governed by Title 7 of the Nevada Revised Statutes including but not limited
9 to private corporations, publicly-traded corporations, close corporations, foreign corporations, limited
10 liability companies, partnerships, limited partnerships, and professional corporations (“Business Entities”).
11 Ownership interest in the context of publicly traded corporations shall include all corporate officers and
12 members of any board of directors, and also includes individuals with ten percent or more ownership or
13 financial interest in the publicly traded corporation. To the extent that a Business Entity has an ownership
14 interest in a medical marijuana establishment, the term “ownership interest” shall also include all
15 individuals with an ownership interest in such Business Entity. It is the intent of this Chapter that all
16 individuals with a direct or indirect ownership interest in a medical marijuana establishment be disclosed
17 and be subject to the requirements of this Chapter.]

18 “Paraphernalia” has the meaning ascribed to it in NRS 453A.125.

19 “Registration certificate” means a certificate issued pursuant to NRS 453A.322 by the State
20 regulating authority. In accordance with subsection 3 of NRS 453A.326, any registration certificate issued
21 by the State regulating authority is provisional until such time as the establishment is in compliance with all
22 applicable City ordinances and rules, and the City has issued a business license for the operation of the
23 establishment.

24 “Registry identification card” has the meaning ascribed to it in NRS 453A.140.

25 “State regulating authority” means the Division of Public and Behavioral Health of the Department
26 of Health and Human Services of the State of Nevada and/or any other agency assigned to administer NRS

1 453A.

2 SECTION 2: Title 6, Chapter 95, Section 30 of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **6.95.030:** (A) It shall be unlawful for any person to operate any marijuana establishment in the
5 City without a valid registration certificate duly issued by the State regulating authority, and a license
6 issued pursuant to this Chapter and operating in compliance with any and all applicable state laws and the
7 Las Vegas Municipal Code.

8 (B) Except as otherwise permitted by NRS 453A.352(5), it shall be unlawful for any
9 person to provide marijuana, edible marijuana products or marijuana infused products to a medical
10 marijuana establishment within the City without a registration certification duly issued by the State
11 regulating authority and a license issued by the City.

12 (C) Except for sales pursuant to NRS 453A.352(5), it shall be unlawful for any
13 licensed medical marijuana establishment located within the City to accept for sale any marijuana, edible
14 marijuana products or any marijuana infused products from any person who has not obtained a registration
15 certificate from the State regulating authority, or who is not duly licensed under this Chapter for the
16 provision of such products.

17 (D) It shall be unlawful for a person to engage in any form of business or commerce
18 involving the cultivation, processing, manufacturing, storage, sale, distribution, transportation or
19 consumption of marijuana other than those forms of businesses and commerce that are expressly
20 contemplated by [NRS 453A and any administrative rules duly adopted by the State regulating authority]
21 this Chapter.

22 (E) It shall be unlawful for any person to sell medical marijuana at a licensed medical
23 marijuana dispensary [at any time other than between the hours of 6:00 a.m. and midnight] between the
24 hours of 3:00 a.m. and 6:00 a.m. daily, unless otherwise permitted by the City Council as a condition of
25 licensing.

26 (F) It shall be unlawful for any medical marijuana dispensary to sell medical marijuana

1 without complying with State requirements concerning use of the electronic verification system maintained
2 by the State regulating authority, including authenticating the validity of the medical marijuana registry
3 identification card with the State electronic verification system.

4 SECTION 3: Title 6, Chapter 95, Section 50 of the Municipal Code of the City of Las
5 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.95.050:** Upon determination to accept medical marijuana compliance permit applications for
7 medical marijuana establishments, the Director shall issue a request for permit applications specifying the
8 types of medical marijuana establishments for which medical marijuana compliance permit applications
9 may be accepted, which request shall also establish the deadline to submit medical marijuana compliance
10 permit applications. The Director shall:

11 (A) Post on the website of the Department at least ten days prior to the acceptance
12 period for such submittals the type of medical marijuana establishment permits that will be accepted:

13 (B) Provide a permit application period within which all applications must be
14 submitted, which period shall be not more than ten days, with a three p.m. Pacific Time deadline for all
15 submitted applications on the final day.

16 (C) Return to the entity that submitted an application, any application received at a
17 time other than the time set forth in this subsection, and consistent with the notice posted on the website.

18 (D) Not allow the modification of any application once the deadline for complete
19 applications has passed.

20 (E) Reject and not process any applications that are incomplete.

21 [(F) Reject and not process any application for which any person or entity with an
22 ownership interest in the applicant has been previously issued a license pursuant to this Chapter, or has had
23 an ownership interest in another previous licensee, and such license has been revoked for non-payment of
24 fees within the last five years.

25 (G) Reject and not process any application for which any person or entity with an
26 ownership interest in the applicant has been previously issued a license pursuant to this Chapter, or has had

1 an ownership interest in another previous licensee, and such license has been revoked for disciplinary
2 action within the last ten years.

3 (H) Reject and not process any applications that are submitted by applicants where one
4 or more individuals or entities with an ownership interest has been found unsuitable to hold a privilege
5 license within the city or been subject to disciplinary action in any jurisdiction.]

6 SECTION 4: Title 6, Chapter 95, Section 60 of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.95.060:** A separate application must be submitted for each license for a medical marijuana
9 establishment. The application for each medical marijuana compliance permit must include:

10 (A) A complete application per LVMC Chapter 6.06 for the applicant, [and each
11 person with an ownership interest in the proposed medical marijuana establishment.]

12 (B) [A detailed personal and business financial history per LVMC 6.06.030(B) for
13 each person with an ownership interest in] An application for approval of suitability per LVMC 6.06.070
14 for each principal of the proposed medical marijuana establishment.

15 (C) A one-time, nonrefundable permit application fee of five thousand dollars.

16 (D) A complete special use permit application, all applicable fees pursuant to LVMC
17 Chapters 19.12 and 19.16, and all required accompanying documents.

18 (E) A medical marijuana compliance permit application on forms prescribed by the
19 Director.

20 (F) A complete description of the products and services to be produced or sold by the
21 medical marijuana establishment.

22 (G) A complete and accurate copy of the application and all accompanying documents
23 to be filed pursuant to NRS 453A.322 including, but not limited to:

24 (1) All proposals for operations, business plans, attestations, financial
25 documentation, and required tax reports;

26 (2) All documents detailing proposed organizational structure, all narratives,

1 and resumes;

2 (3) All documentation required concerning the adequacy of the proposed
3 building and construction plans with supporting details in the form specified by the City Building Official
4 and the payment of all required review and inspection fees;

5 (4) All testing, transportation, policy and operations manuals, financial plan,
6 and an environmental plan.

7 (H) A security plan, including a depiction of the location and configuration of security
8 cameras, indicating how the applicant intends to comply with the requirements related to monitoring and
9 securing the licensed premises as required by this Chapter.

10 (I) An accounting plan that includes how sales and inventory will be tracked on a
11 daily, weekly, and monthly basis, and how this information will be stored and safeguarded.

12 (J) A sign and advertising plan, including all proposed interior signage.

13 (K) A copy of all contracts, proposed contracts for consulting, management, renting or
14 leasing the premises for the proposed medical marijuana establishment, including written documentation
15 stating that the property owner of the proposed location for the establishment is fully aware of the
16 property's intended use or a copy of the deed to such property showing ownership vested in the applicant.

17 (L) A written statement acknowledging that the applicant understands applicable
18 federal laws, any guidance or directives issued by the U.S. Department of Justice, the laws of the State of
19 Nevada and the laws and regulations of the City applicable thereto concerning the operation of a medical
20 marijuana establishment. The written statement shall also acknowledge that any violation of any laws or
21 regulations of the State of Nevada or of the City, or any activity in violation of any guidance or directives
22 issued by the U.S. Department of Justice, in such place of business, or in connection therewith, or the
23 commencement of any legal proceeding relating to such medical marijuana establishment by federal
24 authorities, may render the permit and such license subject to immediate suspension or revocation.

25 (M) A written statement to the Director that the applicant will hold harmless,
26 indemnify, and defend the City against all claims and litigation arising from the issuance of a permit and/or

1 license, including any claims and litigation arising from the establishment, operation, or ownership of the
2 medical marijuana establishment, and that a bond to secure such obligation in an amount required pursuant
3 to LVMC 6.95.090 will be provided prior to the issuance of any license.

4 (N) An acknowledgement that the applicant is seeking a privilege under LVMC
5 Chapter 6.06 and understands that each [person with an ownership interest] principal must be found
6 suitable to hold such license by the City Council prior to the issuance of any license; that the applicant
7 understands and acknowledges that the burden of proving qualifications to receive such a permit or license
8 is at all times on the applicant; that the granting of a medical marijuana compliance permit and/or license is
9 at the discretion of the City Council; and that the applicant agrees to abide by the decision.

10 SECTION 5: Title 6, Chapter 95, Section 70 of the Municipal Code of the City of Las
11 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **6.95.070:** (A) The Director shall complete a preliminary review of all submitted applications for
13 a medical marijuana compliance permit to determine whether the application is complete. An application
14 shall be deemed complete by the Director only when an application filed prior to the close of the noticed
15 application period contains each of the following:

16 (1) Each application, narrative, plan, rendering, contract and other document
17 required in this section;

18 (2) Proof of compliance with all submittal requirements of NRS 453A and any
19 other regulation or requirement of the State regulating authority;

20 (3) Proof that the proposed location for the medical marijuana establishment is
21 consistent with the requirements of LVMC Title 19;

22 (4) All fees have been paid;

23 (5) All waivers, acknowledgements, and statements are properly signed and
24 acknowledged by the applicant and every principal; [and person with an ownership interest;] and

25 (6) Each [person with an ownership interest] principal has filed complete
26 applications per LVMC Chapter 6.06 and each individual has submitted to fingerprinting and

1 photographing per LVMC Chapter 6.06.

2 (B) The Director shall reject and return to the applicant any application that is
3 incomplete or otherwise fails to meet the criteria established in this Chapter, in NRS 453A, or the
4 regulations of the State regulating authority. Permit application fees are non-refundable, and shall not be
5 refunded in the event of rejection of an application.

6 (C) The Director shall review all complete medical marijuana compliance permit
7 applications that satisfy the applicable criteria, and may refer such applications in part, or in whole, to other
8 City departments or Metro for investigation, review and comment, as the Director deems appropriate.

9 (D) The Director shall prepare a report on the merits of each complete medical
10 marijuana compliance permit application, the potential suitability of any and all principals and the
11 application's compliance with the provisions of this Chapter and LVMC Title 19, and the application
12 demonstrates the required financial, technical or educational ability or experience to perform the activity
13 for which approval is sought. In recommending the granting or denying of such medical marijuana
14 compliance permit, the Director shall give particular consideration to the identity, character, and
15 background of the applicant, capacity, capitalization, past business practices of the applicant, operational
16 plan, organizational structure, environmental sustainability and mitigation plans, interior floor plans of the
17 buildings, odor control systems and suitability of the building for the use proposed, site plan as to parking,
18 traffic movement and aesthetics; impact on the surrounding neighborhood; the type and degree of security
19 personnel and facilities and any other factors that in his or her discretion deems necessary to the safety,
20 peace, order and welfare of the public.

21 (E) The Director may inspect or cause to be inspected each proposed location for a
22 medical marijuana establishment and may call for and conduct interviews. Prior to approval of a medical
23 marijuana compliance permit, the Director shall require an inspection by the Fire and Building
24 Departments. Applicants shall pay all inspection fees that may be required in connection therewith.

25 (F) Following the Director's review, the Director shall forward a report on the merits
26 of each complete application with recommendations to the City Council for consideration.

1 SECTION 6: Title 6, Chapter 95, Section 90 of the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **6.95.090:** (A) Following action by the State regulating authority issuing a provisional medical
4 marijuana establishment registration certificate, the City Council shall evaluate whether to grant any
5 proposed medical marijuana establishment that received a medical marijuana compliance permit a medical
6 marijuana business license.

7 (B) The City Council may issue licenses for the following types of medical marijuana
8 establishments:

9 (1) Medical Marijuana Dispensary. A medical marijuana dispensary license
10 allows the licensee to acquire, possess, supply and sell or dispense usable marijuana, edible marijuana
11 products, marijuana infused products, and marijuana paraphernalia exclusively to State regulating
12 authority-designated medical marijuana registry card holders.

13 (2) Cultivation Facility. A cultivation facility license allows the licensee to
14 acquire, possess, cultivate, package, label, deliver, transfer, transport, supply and sell wholesale marijuana
15 and related supplies to a medical marijuana dispensary, medical marijuana production facility, or to other
16 cultivation facilities only.

17 (3) Independent Testing Laboratory. An independent testing laboratory license
18 allows the licensee to independently test marijuana, edible marijuana products and marijuana-infused
19 products that are to be sold at medical marijuana establishments operating in accordance with the
20 requirements of NRS 453A.

21 (4) Medical Marijuana Production Facility. A medical marijuana production
22 facility license allows the licensee to acquire, process, manufacture, deliver, transfer, transport, package,
23 and label usable marijuana and marijuana-infused products for sale at wholesale to marijuana dispensaries
24 only.

25 (C) A medical marijuana establishment license applicant may not exercise any of the
26 privileges of a medical marijuana establishment license until the [City Council approves the license and

1 suitability of each person with an ownership interest in the medical marijuana establishment, and] final pre-
2 operational inspections have been conducted and all applicable inspection and license fees are paid.

3 (D) Prior to issuance of a license, the licensee must designate one principal, all key
4 employees and all management personnel to demonstrate competence in local regulations as evidenced by a
5 written demonstration administered by the Director.

6 (E) Licenses shall expire two years from the date of issuance and a licensee must apply
7 for biennial review pursuant to LVMC 6.95.170.

8 (F) A medical marijuana establishment licensee shall provide and maintain at all times
9 and at its own expense a certificate of insurance at amounts and terms approved by the Director prior to
10 issuance or renewal of a license. Any failure to maintain insurance or provide proof of insurance is grounds
11 for the Director to suspend the license.

12 (1) As determined appropriate by the Director, the minimum coverage
13 amounts which may be required shall be as follows:

14 (a) Production/Cultivation Facilities: Liability coverage for products
15 and completed operations (one million dollars per occurrence, two million dollars aggregate); commercial
16 automobile coverage (one million dollars per occurrence); and excess liability coverage (one million
17 dollars).

18 (b) Dispensaries: General liability (one million dollars per occurrence,
19 with two million dollars aggregate, for bodily injury and property damage arising out of licensed activities);
20 liability coverage for products and completed operations (one million dollars per occurrence, with two
21 million dollars aggregate); professional liability coverage (one million dollars per occurrence); and excess
22 liability coverage (one million dollars).

23 (c) Independent testing laboratories: Professional liability coverage
24 (one million dollars per occurrence), and excess liability coverage (one million dollars).

25 (2) All required general liability and excess liability policies shall name the
26 City and its elected officials, officers, agents, employees and volunteers as additional insureds. All policies

1 shall be primary over any other valid and collectible insurance.

2 (G) Prior to the issuance or renewal of a license, [medical marijuana establishment
3 licensees] a medical marijuana cultivation facility, an independent testing laboratory or a medical
4 marijuana production facility licensee shall provide a surety bond as set forth in this section. The bond must
5 be at the licensee's own expense and remain in force throughout the term of the license. The bond must
6 cover licensee's obligation, for itself and its agents, employees, subcontractors, and the agents and
7 employees of any subcontractors, to indemnify, defend, and hold harmless the City, and any of its elected
8 or appointed officers, agents, or employees, from any and all claims, demands, actions, damages, decrees,
9 judgments, attorney fees, costs, and expenses which the City, or such elected or appointed officers or
10 employees, may suffer, or which may be recovered from, or obtainable against the City, or such elected or
11 appointed officers or employees, as a result of, by reason of, or arising out of the use of the license, or the
12 exercise by the licensee of any or all of the rights, privileges, permission, and authority conferred herein, or
13 as a result of any alleged act or omission on the part of the licensee in performing or failing to perform any
14 of its obligations. Such surety bond shall be in the amount of two hundred fifty thousand dollars, or such
15 lesser amount as the City may deem appropriate in particular cases.

16 (H) Upon approval by the City Council of a medical marijuana compliance permit and
17 the issuance of a provisional medical marijuana registration certificate by the State regulating authority, the
18 Director shall process a license application pursuant to LVMC Chapter 6.06. [The Director shall not issue a
19 temporary license for a medical marijuana establishment.]

20 SECTION 7: Title 6, Chapter 95 of the Municipal Code of the City of Las Vegas,
21 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 95,
22 reading as follows:

23 **6.95.095:** (A) A business that qualifies as a medical marijuana support business is subject to the
24 licensing requirements of this Section, as well as the regulatory and fee requirements of this Chapter,
25 independent of any other applicable provisions of this Title. Except as otherwise provided in Subsections
26 (B) and (C), the license is not subject to the provisions of LVMC Chapter 6.06 pertaining to licensing and

1 suitability approvals.

2 (B) Except with respect to businesses regulated under NRS Titles 54 to 57, inclusive,
3 the Director shall have the discretion to decide that a business proposing to provide certain types of goods
4 or services must follow particular provisions of LVMC Chapter 6.06 pertaining to licensing and suitability
5 approvals.

6 (C) Notwithstanding any other provision of this Section or LVMC Chapter 6.06, the
7 Director is the approving authority for the issuance of licenses issued under this Section and related
8 suitability determinations.

9 SECTION 8: Title 6, Chapter 95, Section 100 of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows: .

11 **6.95.100:** (A) A medical marijuana cultivation facility, an independent testing laboratory or a
12 medical marijuana production facility which has obtained a business license in a jurisdiction within Nevada
13 other than the City [may] shall apply to the Director for a license to provide testing, medical marijuana,
14 edible marijuana products and/or marijuana infused products[, if an adequate supply does not exist, to
15 licensed medical marijuana establishments] within the City. [Except as otherwise provided in Subsection
16 (B), all] All applications for such licenses will be processed pursuant to LVMC Chapter 6.06. An
17 application under this Subsection (A) may be denied if the applicant's business license in another Nevada
18 jurisdiction is not currently valid or is subject to a disciplinary proceeding. License fees for such
19 establishments shall be as set forth in LVMC 6.95.230(C).

20 (B) A medical marijuana establishment referred to in the first sentence of Subsection
21 (A) shall not be required to:

22 (1) Comply with the permit process set forth in LVMC 6.95.040; or

23 (2) Post the surety bond required by LVMC 6.95.090.

24 (C) A medical marijuana support business which has obtained a business license in a
25 jurisdiction within Nevada other than the City shall apply to the Director for a license to provide
26 transportation of marijuana or ancillary support services to medical marijuana establishments within the

1 City. All applications for such licenses will be processed pursuant to LVMC 6.95.095. The Director may
2 deny an application under this Subsection (C) if the applicant's business license in another Nevada
3 jurisdiction is not currently valid or is subject to a disciplinary proceeding. License fees for such
4 establishments shall be as set forth in LVMC 6.95.230(C).

5 SECTION 9: Title 6, Chapter 95, Section 110 of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.95.110:** (A) Each medical marijuana establishment licensee shall operate only in compliance
8 with all State regulations, all City regulations, [and the plans, procedures and policies submitted with the
9 permit and approved by the Director,] any operational plans regarding the business that are on file with the
10 City, and any restrictions imposed in connection with issuance of the license. The licensee shall be
11 responsible for filing with the City, at least semiannually, any changes in operational plans that have been
12 implemented or are proposed to be implemented.

13 (B) At least one qualified person shall be on the premises of a medical marijuana
14 dispensary at all times during the hours of operation or available for immediate contact during hours of
15 operation. Contact information of the qualified person shall be kept on the premises and immediately
16 accessible to the Department and Metro. For purposes of [the preceding sentence] this subsection, a
17 "qualified person" means a principal who has been approved for suitability pursuant to LVMC [6.06.06]
18 6.06.060 or a key employee who has been approved for suitability pursuant to that Section.

19 (C) A medical marijuana establishment may not allow the use, smoking, ingestion or
20 consumption of any marijuana, edible marijuana, or marijuana-infused product on the licensed premises.

21 (D) Any person or premises licensed as a medical marijuana establishment shall
22 comply with all City ordinances regulating signs and advertising. All signs and advertisements must
23 comply with all requirements of the State regulating authority.

24 (E) Material that is misleading, deceptive, or false, as evidenced either by the content
25 of the advertising material or by the medium or the manner, in which the advertising is disseminated, is
26 designed to appeal to minors or promote the use of marijuana for other than medicinal purposes is

1 prohibited.

2 (F) With respect to issues regarding signs and advertising that are not governed by
3 LVMC Title 19, each medical marijuana establishment shall conform to the approved sign and advertising
4 plan as a condition of the license. The Director shall not recommend for approval any sign and advertising
5 plan that:

6 (1) Has not been approved by the State regulating authority and does not
7 comply with all the requirements of the State regulating authority;

8 (2) Promotes the use of marijuana for other than medicinal purposes, or is
9 appealing to minors;

10 (3) Provides advertising utilizing any of the following media:

11 (a) A sign mounted on a vehicle;

12 (b) Any hand-held, human signage or other portable sign; or

13 (c) Any handbill, leaflet or flier directly handed to any person,
14 deposited, fastened, thrown, scattered, cast, or placed in a public place, left upon a motor vehicle, or any
15 handbill, leaflet or flier posted upon any public or private property without the consent of the property
16 owner;

17 (4) Provides advertising in the form of signage that is located:

18 (a) Within one thousand feet of the property line of a church/house of
19 worship, public or private school that provides formal education traditionally associated with preschool or
20 kindergarten through grade twelve, care facility for children, teen dance center, park or playground, as
21 measured from a point on the ground directly beneath the center of the sign structure;

22 (b) On or in a public transit vehicle or public transit shelter; or

23 (c) On or in a publicly owned or operated property.

24 (5) Provides advertising by means of any video, print, online media,
25 newspaper, magazine, other periodical of general circulation, radio or broadcast medium which is generally
26 or specifically marketed to minors.

1 The limitations set forth in Paragraph (4) of this Subsection (F) do not apply to any advertising sign that is
2 intended to identify the location of a medical marijuana establishment and that is located on the same parcel
3 as the establishment.

4 (G) The presence of minors on the premises of a medical marijuana establishment is
5 prohibited unless the minor is a qualified patient on the premises of a dispensary and is accompanied by his
6 or her parent or legal guardian. No licensee shall cause, permit or allow, either by act or by failure to act,
7 the violation of this subsection.

8 (H) Medical marijuana, edible marijuana products and/or marijuana infused products
9 may only be transported in accordance with the requirements of this Chapter, and only by a licensed
10 medical marijuana establishment[.] or a licensed medical marijuana support business. No other person
11 shall transport medical marijuana, edible marijuana products and/or marijuana infused products on behalf
12 of a licensed medical marijuana establishment. Transportation must meet all requirements of the State
13 regulating authority. Product must be placed in unmarked, non-transparent transportation containers.

14 (1) All required transportation logs must be in the vehicle and made available
15 to law enforcement at any time the log is inspected. Upon being stopped by a law enforcement officer
16 within the City, each driver must identify to the officer that the product contained within the vehicle is
17 medical marijuana, edible marijuana products or marijuana-infused products, as the case may be, from a
18 licensed medical marijuana establishment and must present a state agent registration card, the route the
19 vehicle was authorized to travel and the actual travel log for inspection.

20 (I) Each licensee is responsible to obtain a biennial building inspection from the
21 Building Official prior to renewal of any license.

22 (J) Any closure either temporary or permanent must be noticed in writing to the
23 Director fifteen days prior to such closure, unless an emergency requires the closure of such facility which
24 must be reported to the Director within twenty-four hours of such closure.

25 (K) Each licensee must meet the accounting and auditing procedures established by the
26 Department to track and record all sales for audit purposes. The Department must have access to such

1 records as provided for under LVMC 6.02.020.

2 (1) If an annual audit is required by the State regulating authority, the licensee
3 shall submit the audit report to the City within ninety days of the completion of the audit. All reports or
4 evaluations submitted hereunder shall be confidential and shall not be available for public inspection,
5 except as may be required under State or federal law.

6 (2) In compliance with all State and Federal privacy laws the licensee shall
7 allow the Director or a designee unrestricted access to all financial documents, books, records, facilities,
8 and all audio and video surveillance pertaining to the facilities. Any information obtained pursuant to this
9 section or any statement filed by the licensee shall be deemed confidential in character and shall not be
10 subject to public inspection or as determined by State and Federal privacy laws.

11 SECTION 10: Title 6, Chapter 95, Section 120 of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.95.120:** Each medical marijuana establishment must submit, maintain and follow a security plan
14 approved by the Director. Any proposed modification to an approved security plan must be submitted to the
15 Director for approval. Any security plan must meet all the criteria established by the State regulating
16 authority and the following minimum requirements:

17 (A) Each licensed premises must have a security system which monitors all perimeter
18 entry points, windows, and controlled areas by a centrally monitored alarm company properly licensed with
19 the City, and whose agents are properly licensed and registered under applicable laws.

20 (B) A twenty-four-hour surveillance system is required to monitor the interior and
21 exterior of a medical marijuana establishment, a live feed of which must be accessible to authorized law
22 enforcement at all times, and in real-time.

23 (1) All recorded images must clearly and accurately display the time and date.
24 Time is to be measured in accordance with U.S. National Institute of Standards and Technology standards.

25 (2) The surveillance system's data storage device must be secured on-site in a
26 lock box, cabinet, closet, or secured in another manner to protect from employee or third-party tampering

1 or criminal theft.

2 (3) A sign must be posted in any customer areas that the customer is under
3 video surveillance.

4 (C) The establishment shall be responsible for ensuring compliance with all local and
5 state regulations regarding the facility and must monitor parking areas and outdoor areas of the licensed
6 premises for loitering, unlawful sale of medical marijuana by customers, and consumption of medical
7 marijuana.

8 (D) Any theft of items containing marijuana or the observance of any unauthorized
9 transactions of medical marijuana on the licensed premises must be reported to Metro and the Department
10 in written communication within twenty-four hours of occurrence.

11 (E) A sign shall be posted at the entrance to the location containing the name and
12 functioning telephone number of a twenty-four-hour on-call member engaged in the management of a
13 medical marijuana establishment who shall receive, log, and respond to complaints and other inquiries.

14 (F) In addition to complying with all requirements set by the State regulating
15 authority, any licensed cultivation facility shall:

16 (1) Secure the cultivation facility with full video surveillance capable of
17 clearly identifying any activities occurring within twenty feet of the exterior of the building and any
18 parking, fenced, or loading areas. A motion detection lighting system may be employed to illuminate the
19 gate area in low light conditions.

20 (2) Must provide on-site security between the hours of ten p.m. and six a.m.

21 (G) In addition to complying with all requirements set by the State regulating
22 authority, any licensed medical marijuana production facility shall ensure all production, transport,
23 delivery, shipping, labeling and packaging areas have fixed camera coverage capable of identifying activity
24 occurring within a minimum of twenty feet.

25 (H) In addition to complying with all requirements set by the State regulating
26 authority, any licensed medical marijuana dispensary shall contain the following areas, separated and

1 segregated, and consistent with the following specific criteria:

2 (1) Waiting area containing only one entrance for the public, which is visible
3 immediately from one fixed staffed security station. The entire waiting area must also be monitored by
4 surveillance cameras.

5 (2) Consultation room where medical marijuana products are viewed for
6 purchase, which must be:

7 (a) Separated [and segregated] from any waiting area;

8 (b) Any windows or viewing areas must be obscured from the public
9 right-of-way or waiting area;

10 (c) Any customer allowed to enter any room where medical
11 marijuana, edible marijuana products, or marijuana infused products are viewed for purchase is required to
12 be [accompanied] within view of and in an area monitored by an employee of the establishment;

13 (d) Only sample products may be viewed for purchase in such a room;
14 samples may be shown to customers outside of nontransparent packaging;

15 (e) Customers may not remove any medical marijuana, edible
16 marijuana products, or marijuana infused products from the consultation room.

17 (3) All medical marijuana, edible marijuana products, or marijuana infused
18 products, during non-business hours, must be stored in a separated and secured area.

19 (a) The area must meet the Building Official's standards for odor
20 control.

21 (b) The area must be under surveillance by the camera system at all
22 times.

23 (c) One area may store both product and legal tender, however
24 separate storage devices must be maintained and both must be under video surveillance.

25 (4) All medical marijuana, edible marijuana products, or marijuana infused
26 products must be placed in an opaque bag or cover that does not allow the product to be visible from

1 outside of the bag or cover and closed by the attendant of the dispensary prior to transfer to a customer.

2 SECTION 11: Title 6, Chapter 95, Section 130 of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **6.95.130:** (A) A cultivation facility must meet all odor control regulations established by the
5 building department. Within twenty-four hours of any complaints concerning odors, a cultivation facility
6 shall respond to the complaints and file with the Director and the Building Official all action taken to
7 address odor complaints. The Building Official, upon determination of the existence of detectable odor
8 from any cultivation facility, may require additional measures by the facility to control such odor and a
9 timeframe for the implementation of such measures at any cultivation facility. Failure to complete required
10 improvements within the timeframe specified by the Building Official is grounds for suspension of the
11 license by the Director.

12 (B) Any medical marijuana that is transported to a medical marijuana dispensary must
13 be packaged [for retail sale in tamper evident containers of not more than two and one-half ounces] and
14 placed in unmarked, non-transparent transportation containers.

15 (C) Any medical marijuana that is transported to a medical marijuana production
16 facility must meet all State regulating authority standards.

17 (D) Applicants must designate on their permit application the size of the area proposed
18 to be under cultivation on the premises. The cultivation area will be limited to the square footage granted
19 on the license. Other floor space of the facility may be used for walkways, ventilation, storage or any other
20 purposes required by the State regulating authority or the licensee for operations of the business. Allocated
21 square footage of cultivation area may be requested to be increased upon petition to the Director prior to
22 the renewal of the license.

23 (E) The Council may reduce the square footage of any applicant or licensee if the
24 Council determines the size of the proposed facility is not in the interest of the surrounding community.

25 (F) Prior to accepting any plant materials into the cultivation facility for the first time,
26 the cultivation facility shall notify the Department to conduct a pre-operational inspection and shall pay all

1 related inspection fees.

2 SECTION 12: Title 6, Chapter 95, Section 150 of the Municipal Code of the City
3 of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **6.95.150:** (A) Inspections. The Department will conduct a pre-operational inspection at all
5 medical marijuana production facilities to determine whether the facilities, methods, practices and controls
6 used in the manufacture, processing, or holding of edible marijuana products or marijuana-infused products
7 conform to or are operated or administered within the requirements of this Chapter. The licensee is
8 responsible for the costs of all inspections.

9 (B) Products and Labeling. Products sold at City-licensed medical marijuana
10 dispensaries must meet the following:

11 (1) No infused products may contain alcoholic beverages as defined and
12 regulated by LVMC Chapter 6.50;

13 (2) No product shall have the appearance or packaging of candies, characters,
14 shapes or other like products which are commonly marketed to children;

15 (3) [No infused water or beverages may be produced or bottled for drinking as
16 a beverage;

17 (4)] Packaging must be opaque. Products must not be visible from or depicted
18 on the packaging;

19 [(5)] (4) Labels must be simple in appearance without pictures or depictions of
20 objects, such as toys, characters, pictures of children, or cartoon characters or any other depiction which are
21 commonly marketed to children;

22 [(6)] (5) Labels must not have the appearance of similar labels found in a grocery
23 store;

24 [(7) The City may create a logo that must be placed on the packaging for all
25 edible marijuana products and marijuana-infused products. If such a logo is created, it shall be applied to all
26 such products;

1 (8)] (6) Any edible marijuana products or marijuana infused products that are
2 transported to a licensed medical marijuana dispensary must be packaged for retail sale in tamper evident
3 containers and placed in unmarked, non-transparent transportation containers. [; and

4 (9) The maximum number of servings in any one single unit of marijuana-
5 infused product meant to be eaten or swallowed is ten servings of no more than ten milligrams of active
6 THC per serving. THC is defined in NRS 453A.155. A single unit of marijuana-infused extract for
7 inhalation cannot exceed one gram.]

8 SECTION 13: Title 6, Chapter 95, Section 160 of the Municipal Code of the City of Las
9 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **6.95.160:** Each licensed medical marijuana dispensary shall comply with the following requirements:-

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

14 (B) All edible marijuana products and marijuana infused products offered for sale at
15 licensed dispensaries shall meet the requirements, restrictions and labeling of edible marijuana products
16 and marijuana infused products in accordance with LVMC 6.95.150(B). (See Medical Marijuana
17 Production Facility.)

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

20 (1) Edible Marijuana and Marijuana Infused Products. There may be health
21 risks associated with consumption of edible marijuana products or marijuana infused products.

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

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

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

1 (5) Follow all recommended dosage and serving guidelines and
2 recommendations.

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

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

7 (D) A medical marijuana dispensary is [not] allowed to [sell gifts, novelties or]
8 participate in ancillary business [sales] activity within a medical marijuana dispensary [with the exception
9 of the following:] if the ancillary business activity is:

10 (1) [Paraphernalia] The sale of paraphernalia as defined by NRS 453A.125, [
11 the sale of which is limited to the consultation room and only to a display area not to exceed ten percent of
12 the gross floor space in the room.]

13 (2) Ancillary services which are services approved in the educational plan by
14 the State regulating authority, and which also must be approved for an ancillary license by the City.

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

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

21 (F) [The following activities are prohibited:

22 (1) The giving of free samples or free product to any person, employee or
23 customer;

24 (2) Compensation to an employee in the form of marijuana product;

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

1 (4) The use of reward programs, customer loyalty programs, or merchandise
2 that bears a company logo or business name, unless incidental to the identification or promotion of the
3 dispensary business.]

4 (G) Reserved.

5 (H) The following activities are prohibited for all licensed medical marijuana
6 dispensaries:

7 (1) Off-site transportation or sale of medical marijuana, edible marijuana
8 products or marijuana infused products, except to another licensed medical marijuana establishment or the
9 location of the residence of a registry card holder and only to a residential address specified on the
10 registration card. All sales and distribution of medical marijuana, edible marijuana products or marijuana
11 infused products by a licensed medical marijuana dispensary shall occur only upon the licensed premise,
12 and the licensee shall be strictly prohibited from transporting or selling medical marijuana to any person at
13 any other location.

14 (2) A drive-thru or walk-up window for transactions or product transfer.

15 (3) Except as otherwise permitted by Paragraph (1) of this Subsection (H):

16 (a) A dispensary shall not dispense or distribute, sell, transfer or in
17 any other way provide marijuana, edible marijuana products or marijuana infused products other than by
18 direct, face-to face, in-person transaction with the holder of a registry identification card or designated
19 primary caregiver at the licensed facility; and

20 (b) Marijuana shall not be provided by any other means of delivery
21 including, without limitation:

22 [(i) Internet sales.

23 (ii) The transport, mail or private delivery of product.]

24 (i) Mail delivery.

25 (ii) Private transportation of the product other than
26 transportation by a licensed medical marijuana establishment or medical marijuana support business.

1 (I) Dispensaries must inform each customer either by signage, written receipt or on
2 product labeling that it is illegal to re-sell medical marijuana, edible marijuana products or marijuana
3 infused products to any person.

4 (J) The dispensary shall provide the Director, Metro and all neighbors located within
5 fifty feet of the premises with the name, phone number, and facsimile number of an on-site community
6 relations staff person to whom one can provide notice if there are operating problems associated with the
7 dispensary.

8 (K) No advertising, materials or postings within the waiting areas may advertise
9 locations, devices or activities promoting the consumption of marijuana or other facilities selling or
10 purporting to provide locations for the private or public consumption of marijuana.

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

14 (M)] A medical marijuana dispensary must maintain an electronic verification system in
15 accordance with the requirements of the State regulating authority, which must be used to record data
16 required by the State regulating authority and to validate each registry identification card presented and the
17 allowed amount of medical marijuana to be dispensed.

18 [(N) A medical marijuana dispensary's hours of operation shall be limited to between
19 six a.m. and ten p.m.]

20 SECTION 14: Title 6, Chapter 95, Section 170 of the Municipal Code of the City of Las
21 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **6.95.170:** (A) Every two years from the date of issuance each licensee must submit to a review of
23 the issued license.

24 (B) Documentation required for the biennial review must be submitted at least sixty
25 days prior to the expiration of the license.

26 (C) Documentation for the biennial review must be provided on a form approved by

1 the Director and accompanied by:

- 2 (1) A new license application per LVMC Chapter 6.06;
- 3 (2) A nonrefundable application renewal fee of one thousand dollars;
- 4 (3) List of all ownership per LVMC 6.06.030(A)(2) or affidavit testifying that
5 no changes have occurred;
- 6 (4) Signed affidavits from each principal attesting to the fact that there have
7 not been any arrests or convictions of a crime in any jurisdiction and they have not had disciplinary action
8 taken against them or an associated business where a business license is held;
- 9 (5) If changes are requested, a detailed proposal for changes to any of the
10 plans or documents approved with the initial license or previous renewal, including the sign plan, security
11 plan, environmental plan, operational plan, or building plans;
- 12 (6) A copy of all current and proposed contracts for consulting, management,
13 renting or leasing;
- 14 (7) A copy of all contracts with any other medical marijuana establishments;
15 and
- 16 (8) A statement certifying and attesting that no changes have occurred in the
17 [ownership,] operations or original application with the exception of those specifically noted in the renewal
18 application.

19 (D) The Director may approve the review and approve a renewal of the license based
20 on a determination that no material changes have been made to the original application or refer the review
21 with noted requested changes to the Council for consideration. The City Council may approve, approve
22 with conditions, deny or take such other action as it deems appropriate.

23 (E) [The Director may deny renewal of a license based on the failure or refusal of a
24 licensee to carry out the policies and procedures or comply with the plans and statements provided to the
25 Department with the application for the license.

26 (F)] The Director may deny renewal of a license if the establishment is not in

1 compliance with this Chapter or has any unpaid fees.

2 SECTION 15: Title 6, Chapter 95, Section 190 of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **6.95.190:** Medical marijuana and any waste including wastewater must be stored, secured and
5 managed in accordance with applicable state statutes and regulations and LVMC Title 14 and state
6 approved disposal plan. Within thirty calendar days of the expiration of use of medical marijuana, [A] a
7 medical marijuana establishment must dispose of medical marijuana [that is not usable marijuana], return it
8 to a cultivation facility for disposal, or return it to a production facility for disposal [within ten calendar
9 days of expiration of use]. Medical marijuana waste must be made unusable prior to [leaving a licensed
10 medical marijuana facility.] disposal.

11 (A) Wastes that must be rendered unusable prior to disposal include, but are not limited
12 to:

13 (1) Marijuana plant waste, including roots, stalks, leaves, and stems that have
14 not been processed with solvent.

15 (2) Solid marijuana sample plant waste possessed by third-party laboratories
16 certified by the State regulating authority for quality assurance that must be disposed of.

17 (B) The allowable method to render marijuana plant waste unusable is by grinding and
18 incorporating the marijuana plant waste with non-consumable solid waste or other ground materials so the
19 resulting mixture is at least fifty percent non-marijuana waste by volume. Other methods to render
20 marijuana waste unusable must be approved by the State regulating authority and the Director before
21 implementing.

22 (C) Marijuana waste rendered unusable following an approved method in the facility
23 disposal plan may be delivered to a franchised or licensed solid waste facility for final disposition.

24 (D) Disposal cannot include medical marijuana product including plant material
25 entering the City wastewater collection system, storm drain system or any unsecure rubbish disposal
26 system.

1 (E) A medical marijuana establishment shall not transfer, share, give, sell or deliver
2 any unused medical marijuana in the establishment's possession to any other person[, regardless of whether
3 they are] unless the person is licensed as a medical marijuana establishment[.] or an establishment
4 approved in the state approved disposal plan.

5 (F) A medical marijuana establishment shall not dispose of medical marijuana in any
6 manner other than permitted under this Chapter.

7 SECTION 16: Title 6, Chapter 95, Section 230 of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.95.230:** (A) Annual License Fee:

10 (1) Each annual fee is due in advance on July 1st of each year. Applicants who
11 receive license approval on a date other than such due date shall have their license fees prorated on a
12 monthly basis. License fees paid pursuant to the code are not refundable.

13 (2) Any annual fee which is not received by the Department on or before the
14 due date shall be assessed a late-payment penalty amount equal to ten percent of the amount of such annual
15 fee.

16 (3) If the annual fee and penalty is not received by the Department within
17 fifteen days after the due date, an additional penalty in an amount equal to twenty-five percent of such
18 annual fee shall be assessed.

19 (4) If the annual fee and all penalties are not received by the Department
20 within sixty days after the due date, the license shall be automatically revoked.

21 (5) Each [licensee] medical marijuana cultivation facility, medical marijuana
22 production facility, and independent testing laboratory shall pay to the Department in advance, the annual
23 fees set forth in the following schedule:

24 ...

25 ...

26 ...

License Category	Annual License Fee
Medical Marijuana Cultivation Facility	\$20,000.00 for 1st 5,000 square feet of approved cultivation area and \$10,000.00 for each additional 5,000 square feet, or portion thereof, of approved cultivation area
Medical Marijuana Production Facility	\$5,000.00
[Medical Marijuana Dispensary	\$75,000.00]
Independent Testing Laboratory	\$10,000.00, plus the gross revenue fee described in LVMC Chapter 6.04

(B) Semi-Annual Gross Revenue Fee for Medical Marijuana Dispensary:

(1) Gross revenue fees shall be administered in accordance with LVMC 6.02.160 through 6.02.220, LVMC 6.02.240 through LVMC 6.02.260.

(2) If the semi-annual fee and all penalties are not received by the Department within sixty days after the due date, the license shall be automatically revoked.

(3) A semi-annual license fee based on the gross sales of the medical marijuana dispensary facility according to the following schedule:

(a) All medical marijuana products received directly from the medical marijuana cultivation facility for sale shall be calculated on five percent of gross sales.

(b) All medical marijuana products received directly from the medical marijuana production facility for sale shall be calculated at seven percent of gross sales.

(c) Sales other than medical marijuana shall be calculated pursuant to LVMC 6.04.005.

(C) Each medical marijuana cultivation facility, medical marijuana production facility, [or] independent testing laboratory or medical marijuana support business that is described in LVMC [6.95.100(A)] 6.95.100 and that is based outside the City shall pay to the Department a semi-annual license fee as set forth in the following schedule:

License Category	Semi-Annual License Fee
Medical Marijuana Cultivation Facility	1% of gross revenue or \$5,000.00, whichever is greater
Medical Marijuana Production Facility	1% of gross revenue or \$1,500.00, whichever is greater
Independent Testing Laboratory	1% of gross revenue
Medical Marijuana Support Business	Pursuant to LVMC 6.04.005

1 (D) Each medical marijuana dispensary shall pay a one-time origination charge of
2 seventy-five thousand dollars, which is due and payable at the time of filing an application for a license
3 issued pursuant to this Chapter.

4 SECTION 17: If any section, subsection, subdivision, paragraph, sentence, clause or
5 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
6 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
7 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City
8 of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph,
9 sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections,
10 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

11 SECTION 18: Whenever in this ordinance any act is prohibited or is made or declared to
12 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
13 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
14 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
15 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
16 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
17 of this ordinance shall constitute a separate offense.

18 ...

19 ...

20 ...

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

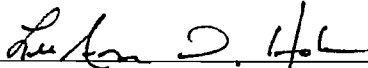
1 SECTION 19: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
3 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this 17th day of May, 2017.

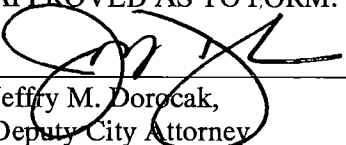
5 APPROVED:

6 By 
7 CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 
10 LUANN D. HOLMES, MMC
11 City Clerk

12 APPROVED AS TO FORM:

13  4/27/17
14 Jeffrey M. Dorocak, Date
15 Deputy City Attorney
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19
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26

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 5th day of April, 2017, and referred to a committee for recommendation; thereafter
3 the said committee reported favorably on said ordinance on the 17th day of May, 2017,
4 which was a regular meeting of said Council; that at said regular meeting, the proposed
5 ordinance was read by title to the City Council as amended and adopted by the following
6 vote:

7 VOTING "AYE": Mayor Pro Tem Ross
Councilmembers Barlow, Anthony, Coffin and Beers

8 VOTING "NAY": Tarkanian

9 EXCUSED: None

10 ABSTAINED: Mayor Goodman

11 DID NOT VOTE: None

12 APPROVED:

13 
14 _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 
17 _____
LUANN D. HOLMES, MMC City Clerk

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AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS

RECEIVED
CITY CLERK

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account #2017 22515 APR 24 A 11:44
Ad Number 0000906696

Leslie McCormick, being 1st duly sworn, deposes and says That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/20/2017 to 04/20/2017, on the following days

04 / 20 / 17

SECOND AMENDMENT
BILL NO. 2017-10

AN ORDINANCE TO AMEND THE CITY'S - MEDICAL MARIJUANA REGULATIONS IN VARIOUS RESPECTS, INCLUDING ADJUSTING LIMITS ON HOURS OF OPERATION, DELETING CERTAIN PRODUCT LIMITATIONS, MODIFYING DISPOSAL PROCEDURES, CREATING A LICENSE FOR SUPPORT BUSINESSES, REVISING DISPENSARY FEES, AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by:
Mayor Pro Tem Steven D. Ross
Councilman Bob Beers
Councilman Bob Coffin

Summary: Amends the City's medical marijuana regulations in various respects, including adjusting limits on hours of operation, deleting certain product limitations, modifying disposal procedures, creating a license for support businesses, and revising dispensary fees.

At the City Council meeting of
April 5, 2017

BILL NO. 2017-10 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA
PUB: April 20, 2017
LV Review-Journal

Leslie McCormick
/s/ _____
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 20th day of April, 2017

Mary A. Lee
Notary _____



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0000913573

Eileen Gallagher, being 1st duly sworn, deposes and says That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/20/2017 to 05/20/2017, on the following days

05 / 20 / 17

SECOND AMENDMENT

BILL NO. 2017-10
ORDINANCE NO. 6579

AN ORDINANCE TO AMEND THE CITY'S MEDICAL MARIJUANA REGULATIONS IN VARIOUS RESPECTS, INCLUDING ADJUSTING LIMITS ON HOURS OF OPERATION, DELETING CERTAIN PRODUCT LIMITATIONS, MODIFYING DISPOSAL PROCEDURES, CREATING A LICENSE FOR SUPPORT BUSINESSES, REVISING DISPENSARY FEES, AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by:
Mayor Pro Tem Steven D. Ross
Councilman Bob Beers
Councilman Bob Coffin.

Summary: Amends the City's medical marijuana regulations in various respects, including adjusting limits on hours of operation, deleting certain product limitations, modifying disposal procedures, creating a license for support businesses, and revising dispensary fees.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 5th day of April, 2017, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 17th day of May, 2017, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE":
Councilmen Ross, Barlow, Anthony, Coffin, and Beers

ABSTAINED: Mayor Goodman

VOTING "NAY": Councilwoman Tarkanian

EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA
PUB: MAY 20, 2017
LV Review-Journal

ISI *Eileen Gallagher*
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 22nd day of May, 2017

Notary *Mary Lee*

