

BILL NO. 2020-27

ORDINANCE NO. 6750

AN ORDINANCE TO AMEND VARIOUS PROVISIONS OF LVMC TITLES 6 AND 19 TO UPDATE LICENSING AND ZONING PROVISIONS REGARDING MARIJUANA-RELATED BUSINESSES, INCLUDING THE ELIMINATION OF PROVISIONS REGARDING COMPLIANCE PERMITS AND THE CHANGING OF TERMINOLOGY AND LICENSE CATEGORIES FROM THOSE ASSOCIATED WITH "MEDICAL MARIJUANA" AND "RETAIL MARIJUANA" TO THOSE NOW RECOGNIZED AND USED UNDER STATE LAW ("MEDICAL CANNABIS" AND "ADULT-USE CANNABIS"); AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Cedric Crear

Summary: Amends various provisions of LVMC Titles 6 and 19 to update licensing and zoning provisions regarding marijuana-related businesses, including the elimination of provisions regarding compliance permits and the changing of terminology and license categories from those associated with "medical marijuana" and "retail marijuana" to those now recognized and used under State law ("medical cannabis" and "adult-use cannabis").

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

FOLLOWS:

SECTION 1: Title 6, Chapter 95, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.95.010: (A) The Las Vegas City Council finds as follows:

(1) By virtue of State legislation now codified in NRS Chapters [453A and 453D, medical marijuana establishments and other marijuana-related] 678A to 678D, inclusive, cannabis-related establishments and services are authorized to conduct business within the State, subject to State and local regulation;

(2) Federal law and related regulations classify [marijuana] cannabis as a Schedule I controlled substance and prohibit its cultivation, possession, dispensing and use, among other things, for medical reasons or otherwise. This Chapter is intended to implement NRS Chapters [453A and 453D] 678A to 678D, inclusive, and to establish criteria for the issuance of licenses that are a prerequisite

1 for the exemption from state prosecution provided for in those chapters. Nothing in this Chapter is intended
2 to authorize or make legal any act that Federal or State law does not permit or sanction or assist any violation
3 of any Federal or State law;

4 (3) Nevada law also allows the City to enact regulations to protect and promote
5 the public health, safety and general welfare and regulate the use of buildings, structures, land use and
6 business and other purposes;

7 (4) Law enforcement and residents of states that authorize the medical and other
8 use of [marijuana] cannabis report, among other things, that [marijuana] cannabis sales and the use of
9 [marijuana] cannabis are correlated to myriad negative secondary effects such as an increase in violent armed
10 robberies, burglaries, traffic, noise, drug and gang activity, and organized crime; an increase in other issues
11 related to the presence of large amounts of cash, such as money laundering and firearms violations; the
12 underreporting of crimes committed at [marijuana-related] cannabis-related establishments; the creation of
13 opportunities for the diversion of [marijuana] cannabis for authorized use into illegal use; increased
14 poisonings, structural fires and mold growth; decreased quality of life; and a disregard of environmental
15 standards;

16 (5) The strong odor of [marijuana] cannabis plants, which increases as the
17 plants mature, is offensive to many individuals and creates an attractive nuisance, alerting people to the
18 location of valuable [marijuana] cannabis plants and creating an increased risk of crime;

19 (6) [Marijuana and cannabis edible and infused] Cannabis, edible cannabis
20 products and cannabis-infused products pose risks to children, elderly and non-user populations; and

21 (7) The public health, safety and welfare require that [marijuana-related]
22 cannabis-related establishments and services and their employees be regulated and licensed in order to protect
23 the public.

24 (B) The City Council declares that this Chapter is an exercise of the regulatory powers
25 delegated to the City Council pursuant to the City Charter, NRS Chapter 268, and NRS Chapters [453A and
26 453D.] 678A to 678D, inclusive. The regulations contained in this Chapter involve, to the highest degree, the

1 economic, social, physical and moral well-being of the residents and taxpayers of the City. The cultivation,
2 distribution, production and sale of [marijuana] cannabis is not a matter of right but of privilege, which would
3 otherwise be unlawful if it were not conducted pursuant to NRS Chapters [453A and 453D,] 678A to 678D,
4 inclusive, local land use regulations and a license under this Chapter. This privilege may be denied, revoked,
5 conditioned, suspended or subjected to any other disciplinary action by the City in the exercise of its police
6 powers for the protection of the safety, welfare, health, peace and morals of the residents and taxpayers
7 thereof. Businesses engaged in the sale or other disposition of [marijuana] cannabis must therefore comply
8 with LVMC Chapter 6.06 and all requirements of this Chapter[;], except as otherwise specifically provided.
9 Every person licensed pursuant to this Chapter shall cooperate with the Department and Metro personnel in
10 the exercise of their duties under this Chapter.

11 (C) Nothing in this Chapter shall be construed to confer any legitimate claim of
12 entitlement to any benefit which might otherwise devolve upon any licensee or any person approved for
13 suitability.

14 (D) Nothing in this Chapter is intended to authorize or make legal any act that [federal
15 or state] Federal or State law does not permit or sanction or assist any violation of any [federal or state law.]
16 Federal or State law.

17 SECTION 2: Title 6, Chapter 95, Section 20, of the Municipal Code of the City of Las
18 Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

19 SECTION 3: Title 6, Chapter 95, of the Municipal Code of the City of Las Vegas, Nevada,
20 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 20, reading as
21 follows:

22 **6.95.020:** Unless the context otherwise requires, the scope of all words in this Chapter shall be liberally
23 construed in order to effectuate the purpose of this Chapter, and, in particular, the following words shall have
24 the meaning ascribed to them as follows:

25 "Adult-use cannabis cultivation facility" has the meaning ascribed to it in NRS Chapter 678A and
26 means a business that acquires, possesses, cultivates, delivers, transfers, supplies or sells cannabis and related

1 supplies to adult-use cannabis retail stores, adult-use cannabis production facilities, or other adult-use
2 cannabis cultivation facilities.

3 “Adult-use cannabis distributor” has the meaning ascribed to it in NRS Chapter 678A and means a
4 business that transports cannabis or adult-use cannabis products from an adult-use cannabis establishment to
5 another adult-use cannabis establishment.

6 “Adult-use cannabis distributor transportation contractor” means a person who contracts with an
7 adult-use cannabis distributor to transport cannabis, on behalf of that distributor, from an adult-use cannabis
8 establishment to another adult-use cannabis establishment.

9 “Adult-use cannabis establishment” has the meaning ascribed to it in NRS Chapter 678A and means
10 an adult-use cannabis independent testing laboratory, an adult-use cannabis cultivation facility, an adult-use
11 cannabis production facility, an adult-use cannabis retail store, or an adult-use cannabis distributor.

12 “Adult-use cannabis independent testing laboratory” has the meaning ascribed to it in NRS Chapter
13 678A and means a facility that tests cannabis intended for the adult use of cannabis and adult-use cannabis
14 products.

15 “Adult-use cannabis production facility” has the meaning ascribed to it in NRS Chapter 678A and
16 means a business that acquires, possesses, manufactures, delivers, transfers, supplies or sells adult-use
17 cannabis products to adult-use cannabis retail stores.

18 “Adult-use cannabis retail store” has the meaning ascribed to it in NRS Chapter 678A and means a
19 business that acquires, possesses, delivers, transfers, supplies, sells or dispenses cannabis or related supplies
20 to a consumer or to another adult-use cannabis retail store.

21 “Adult-use cannabis support business” means a business that provides goods or services to an adult-
22 use cannabis establishment and receives at least fifty percent of its annual revenue from licensed adult-use
23 cannabis establishments. The term does not include a business that qualifies as an adult-use cannabis
24 distributor transportation contractor.

25 “Adult use of cannabis” has the meaning ascribed to it in NRS Chapter 678A and means the
26 possession, delivery, production or use of cannabis; the possession, delivery or use of paraphernalia used to

1 administer cannabis; or any combination thereof, in each case by a person 21 years of age or older.

2 "Building Official" means the Director of Building and Safety or the Director's designee.

3 "Cannabis" has the meaning ascribed to it in NRS Chapter 678A.

4 "Cannabis cultivation facility" or "cultivation facility" has the meaning ascribed to the former in
5 NRS Chapter 678A and means an adult-use cannabis cultivation facility or a medical cannabis cultivation
6 facility.

7 "Cannabis establishment" has the meaning ascribed to it in NRS Chapter 678A and means an adult-
8 use cannabis establishment or a medical cannabis establishment.

9 "Cannabis establishment agent" has the meaning ascribed to it in NRS Chapter 678A and means an
10 owner, officer, board member, employee or volunteer of a cannabis establishment; an independent contractor
11 who provides labor relating to the cultivation or processing of cannabis or the production of usable cannabis
12 or cannabis products for a cannabis establishment; or an employee of such an independent contractor.

13 "Cannabis independent testing laboratory" or "independent testing laboratory" has the meaning
14 ascribed to the former in NRS Chapter 678A and means an adult-use cannabis independent testing laboratory
15 or a medical cannabis independent testing laboratory.

16 "Cannabis-infused products" means adult-use edible cannabis products and medical edible cannabis
17 products as defined in NRS Chapter 678A.

18 "Cannabis product" has the meaning ascribed to it in NRS Chapter 678A and means an adult-use
19 cannabis product or a medical cannabis product.

20 "Cannabis production facility" has the meaning ascribed to it in NRS Chapter 678A and means an
21 adult-use cannabis production facility or a medical cannabis production facility.

22 "Cannabis sales facility" has the meaning ascribed to it in NRS Chapter 678A means a medical
23 cannabis dispensary or an adult-use cannabis retail store.

24 "Designated primary caregiver" has the meaning ascribed to it in NRS Chapter 678C.

25 "Dual licensee" has the meaning ascribed to it in NRS Chapter 678A and means a person or group
26 of persons who possess a current, valid medical cannabis establishment license and a current, valid adult-use

1 cannabis establishment license of the same type.

2 “Dual use cannabis business” means a dual licensee that holds a medical cannabis establishment
3 license pursuant to this Chapter and that has been issued a license to operate as a dual use cannabis business
4 pursuant to LVMC 6.95.270.

5 “Edible cannabis products” means adult-use edible cannabis products and medical edible cannabis
6 products as defined in NRS Chapter 678A.

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

9 “Medical cannabis cultivation facility” has the meaning ascribed to it in NRS Chapter 678A and
10 means a business that acquires, possesses, cultivates, delivers, transfers, supplies or sells cannabis and related
11 supplies to medical cannabis dispensaries, medical cannabis production facilities, or other medical cannabis
12 cultivation facilities.

13 “Medical cannabis dispensary” has the meaning ascribed to it in NRS Chapter 678A and means a
14 business that acquires, possesses, delivers, transfers, transports, supplies, sells or dispenses cannabis or
15 related supplies and educational materials to the holder of a valid registry identification card or to another
16 medical cannabis dispensary.

17 “Medical cannabis establishment” has the meaning ascribed to it in NRS Chapter 678A and means a
18 medical cannabis independent testing laboratory, a medical cannabis cultivation facility, a medical cannabis
19 production facility, or a medical cannabis dispensary.

20 “Medical cannabis independent testing laboratory” has the meaning ascribed to it in NRS Chapter
21 678A and means a facility that tests cannabis intended for the medical use of cannabis and medical cannabis
22 products.

23 “Medical cannabis product” means a medical edible cannabis product or a medical cannabis-infused
24 product.

25 “Medical cannabis production facility” has the meaning ascribed to it in NRS Chapter 678A and
26 means a business that acquires, possesses, manufactures, delivers, transfers, transports, supplies or sells

1 medical cannabis products to medical cannabis dispensaries.

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

5 "Medical use of cannabis" has the meaning ascribed to it in NRS Chapter 678A and means the
6 possession, delivery, production or use of cannabis; the possession, delivery or use of paraphernalia used to
7 administer cannabis; or any combination thereof, in each case as necessary for the exclusive benefit of a
8 person to mitigate the symptoms or effects of his or her chronic or debilitating medical condition, as defined
9 in NRS 678C.030.

10 "Paraphernalia" has the meaning ascribed to it in NRS Chapter 678A and means accessories, devices
11 and other equipment that is necessary or useful for a person to engage in the medical use of cannabis or the
12 adult use of cannabis.

13 "Registry identification card" has the meaning ascribed to it in NRS Chapter 678A and means
14 a document issued by a State authority that identifies a person who is exempt from State prosecution for
15 engaging in the medical use of cannabis or the designated primary caregiver, if any, of such a person.

16 "State regulating authority" means the Department of Taxation of the State of Nevada and/or any
17 other agency assigned to administer NRS Chapters 678A to 678D, inclusive.

18 SECTION 4: Title 6, Chapter 95, Section 30, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.95.030:** (A) It shall be unlawful for any person to operate any medical [marijuana] cannabis
21 establishment in the City under any of the following circumstances:

22 (1) Without a valid [registration certificate] license or registration, as
23 applicable, duly issued by the State regulating authority;

24 (2) Without a license issued pursuant to this Chapter; or

25 (3) In violation of applicable state laws or this Code.

26 (B) Except as otherwise permitted by NRS [453A.352(5),] 678C.410, it shall be

1 unlawful for any person to provide [marijuana] cannabis, edible [marijuana] cannabis products or [marijuana]
2 cannabis infused products to a medical [marijuana] cannabis establishment within the City without a license
3 or registration [certificate] duly issued by the State regulating authority and a license issued by the City.

4 (C) Except for sales pursuant to NRS [453A.352(5),] 678C.410, it shall be unlawful for
5 any licensed medical [marijuana] cannabis establishment located within the City to accept for sale any
6 [marijuana] cannabis, edible [marijuana] cannabis products or any [marijuana infused] cannabis-infused
7 products from any person who has not obtained a license or registration [certificate] from the State regulating
8 authority, or who is not duly licensed under this Chapter for the provision of such products.

9 (D) It shall be unlawful for a person to engage in any form of business or commerce
10 involving the cultivation, processing, manufacturing, storage, sale, distribution, transportation or
11 consumption of [marijuana] cannabis other than those forms of businesses and commerce that are expressly
12 contemplated by this Chapter.

13 (E) It shall be unlawful for any medical [marijuana] cannabis dispensary to sell medical
14 [marijuana] cannabis without complying with State requirements concerning use of [the] an electronic
15 verification system, [maintained by the State regulating authority,] including authenticating the validity of
16 [the medical marijuana registry identification card with the State electronic verification system.] registry
17 identification cards.

18 (F) It shall be unlawful for any person to operate any [marijuana] cannabis establishment
19 in the City in any of the following circumstances:

- 20 (1) Without a license duly issued by the State regulating authority;
21 (2) Without a license issued pursuant to this Chapter; or
22 (3) In violation of applicable state laws or this Code.

23 (G) It shall be unlawful for any person to provide [marijuana,] cannabis, edible
24 [marijuana] cannabis products or [marijuana infused] cannabis-infused products to a [marijuana] cannabis
25 establishment within the City without a license duly issued by the State regulating authority and a license
26 issued by the City.

1 (H) It shall be unlawful for any licensed [marijuana] cannabis establishment located
2 within the City to accept for sale any [marijuana] cannabis, edible [marijuana] cannabis products or any
3 [marijuana infused] cannabis-infused products from any person who has not obtained a license [to do so] for
4 that activity from the State regulating authority, or who is not duly licensed under this Chapter for the
5 provision of such products.

6 (I) For purposes of this Section and this Chapter, and as specified in LVMC 6.95.020,
7 the [term "medical marijuana establishment" pertains to establishments authorized and regulated by NRS
8 Chapter 453A and the term "marijuana establishment" pertains to establishments authorized and regulated
9 by NRS Chapter 453D.] terms "medical cannabis establishment" and "adult-use cannabis establishment"
10 refer to establishments as they are separately so designated, authorized and regulated by State law. Therefore,
11 neither term includes the other. However, even though the terms cover mutually exclusive categories, a
12 particular person or establishment may qualify for certification or licensing under both categories and thus
13 be governed by and subject to regulations governing each category as applicable.

14 SECTION 5: Title 6, Chapter 95, Sections 40, 50, 60, 70 and 80, of the Municipal Code
15 of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

16 SECTION 6: Title 6, Chapter 95, of the Municipal Code of the City of Las Vegas, Nevada,
17 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 60, reading as
18 follows:

19 **6.95.060:** Except with respect to the holder of a license to operate a dual use cannabis business, a
20 separate application must be submitted for each license for a medical cannabis establishment and adult-use
21 cannabis establishment. Each application is subject to the requirements of LVMC Chapter 6.06 and; in
22 addition, must include or be accompanied by:

23 (A) An application for approval of suitability per LVMC 6.06.070 for each principal of
24 the proposed establishment.

25 (B) If a special use permit is required for the use, evidence that:

26 (1) The special use permit has been approved; or

1 (2) A complete application therefor, together with all required accompanying
2 documentation, has been submitted and accepted, and all applicable fees chargeable under Title 19 have been
3 paid.

4 (C) All documents detailing the proposed organizational structure of the business
5 operation, and all financial documentation [and tax reports] required by the Department[.] , including without
6 limitation tax returns and supporting documentation.

7 (D) All documentation required by the Department concerning the adequacy of the
8 proposed building and construction plans with supporting details in the form specified by the Building
9 Official, and the payment of all required review and inspection fees.

10 (E) An environmental plan that details how the establishment will meet the requirements
11 of LVMC 6.95.190 and any other standards or requirements that have been established by the City for the
12 type of establishment proposed.

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

16 (G) An accounting plan that complies with the accounting and auditing procedures that
17 have been established by the Department in order to track and record all sales for audit purposes, including
18 how the establishment will store and safeguard those records.

19 (H) A copy of all existing and proposed contracts for consulting, management, or leasing
20 of the premises for the proposed establishment, including written documentation stating that the property
21 owner of the proposed location for the establishment is fully aware of the property's intended use or a copy
22 of the deed to such property showing ownership vested in the applicant.

23 (I) A written statement acknowledging that the applicant understands applicable
24 Federal laws, any guidance or directives issued by the U.S. Department of Justice, the laws of the State of
25 Nevada and the ordinances and regulations of the City applicable thereto concerning the operation of an
26 establishment. The written statement shall also acknowledge that any violation of any laws or regulations of

1 the State of Nevada or of the ordinances and regulations of the City, or any activity in violation of any
2 guidance or directives issued by the U.S. Department of Justice in such place of business, or in connection
3 therewith, or the commencement of any legal proceeding relating to such establishment by Federal
4 authorities, may subject a license to immediate suspension or revocation.

5 (J) A written statement to the Director that the applicant will hold harmless, indemnify,
6 and defend the City against all claims and litigation arising from the issuance of a license, including any
7 claims and litigation arising from the establishment, operation, or ownership of the establishment.

8 (K) An acknowledgement that the applicant is seeking a privilege under LVMC Chapter
9 6.06 and understands that each principal must be found suitable to hold such license by the City Council prior
10 to the issuance of any license; that the applicant understands and acknowledges that the burden of proving
11 qualifications to receive such a license is at all times on the applicant; that the granting of a license is at the
12 discretion of the City Council; and that the applicant agrees to abide by the decision.

13 SECTION 7: Title 6, Chapter 95, of the Municipal Code of the City of Las Vegas, Nevada,
14 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 70, reading as
15 follows:

16 **6.95.070:** (A) Each business license application shall be reviewed for completeness. An
17 application shall be deemed complete if it contains or is accompanied by the following:

- 18 (1) Each document required in LVMC 6.95.060;
- 19 (2) Proof of compliance with all applicable submittal requirements of NRS
20 Chapters 678A to 678D, inclusive, and any other regulation or requirement of the State regulating authority;
- 21 (3) Proof that the proposed location for the medical cannabis establishment or
22 adult-use cannabis establishment is consistent with the requirements of LVMC Title 19;
- 23 (4) Proof that all fees have been paid;
- 24 (5) Proof that all waivers, acknowledgements, and statements are properly
25 signed and acknowledged by or on behalf of the applicant; and
- 26 (6) Proof that each principal who is required to file an application pursuant to

1 LVMC Chapter 6.06 and to comply with the suitability requirements of that chapter has done so.

2 (B) The Department is authorized to reject and return to the applicant any application
3 that is incomplete or otherwise fails to meet the applicable requirements of this Title, NRS Chapters 678A to
4 678D, inclusive, or the regulations of the State regulating authority.

5 (C) The Director is authorized to conduct or authorize a pre-operational inspection of
6 any facility for which licensing is sought under this Chapter. The applicant for or licensee of such a facility
7 is responsible for the payment of the costs of all inspections. The Director may also require a pre-operational
8 inspection of a facility by the Department of Fire and Rescue and the Department of Building and Safety,
9 each of which is authorized to charge the applicant or licensee the cost of those inspections.

10 (D) The Director shall determine, and may prepare a report regarding, the merits of each
11 complete business license application, the potential suitability of any and all principals, and the application's
12 compliance with the provisions of this Chapter and LVMC Title 19.

13 SECTION 8: Title 6, Chapter 95, Section 90, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.95.090:** (A) [Following action by the State regulating authority issuing a provisional medical
16 marijuana establishment registration certificate, the City Council shall evaluate whether to grant any
17 proposed medical marijuana establishment that received a medical marijuana compliance permit a medical
18 marijuana-related business license.] Following action by the State regulating authority issuing a license for a
19 [marijuana] cannabis establishment, the City Council shall evaluate whether to grant any proposed
20 [marijuana] cannabis establishment a business license to operate a [marijuana] cannabis establishment, [,
21 taking into account any compliance permit that may have been required and issued.]

22 (B) The City Council may issue licenses for the following types of [medical marijuana
23 establishments and marijuana] cannabis establishments:

24 (1) Medical [Marijuana] Cannabis Dispensary. A medical [marijuana] cannabis
25 dispensary license allows the licensee to acquire, possess, supply and sell or dispense usable [marijuana]
26 cannabis, edible [marijuana] cannabis products, [marijuana infused] cannabis-infused products, and

1 [marijuana] paraphernalia exclusively to State regulating authority-designated medical [marijuana] cannabis
2 registry identification card holders[,] or to another medical cannabis dispensary.

3 (2) Medical Cannabis Cultivation Facility. A medical cannabis cultivation
4 facility license allows the licensee to acquire, possess, cultivate, package, label, deliver, transfer, transport,
5 supply and sell [wholesale marijuana] cannabis and related supplies to a medical [marijuana] cannabis
6 dispensary, medical [marijuana] cannabis production facility, or to other medical cannabis cultivation
7 facilities only.

8 (3) Medical Cannabis Independent Testing Laboratory. [An] A medical
9 cannabis independent testing laboratory license allows the licensee to independently test [marijuana]
10 cannabis, edible [marijuana] cannabis products and [marijuana-infused] cannabis-infused products that are
11 to be sold at medical [marijuana] cannabis establishments operating in accordance with the requirements of
12 NRS [Chapter 453A.] Chapters 678A to 678C, inclusive.

13 (4) Medical [Marijuana] Cannabis Production Facility. A medical [marijuana]
14 cannabis production facility license allows the licensee to acquire, process, manufacture, deliver, transfer,
15 transport, package, and label usable [marijuana] cannabis and [marijuana-infused] cannabis-infused products
16 for sale at wholesale to [marijuana] medical cannabis dispensaries only.

17 (5) [Marijuana] Adult-Use Cannabis Cultivation Facility. [A marijuana] An
18 adult-use cannabis production facility license allows the licensee to cultivate, process, and package
19 [marijuana] cannabis, to have [marijuana] cannabis tested by [a marijuana testing facility,] an adult-use
20 cannabis independent testing laboratory, and to sell [marijuana] cannabis to [retail marijuana] adult-use
21 cannabis retail stores, to [marijuana product manufacturing] adult-use cannabis production facilities, and to
22 other [marijuana] adult-use cannabis cultivation facilities, but not to consumers.

23 (6) [Marijuana] Adult-Use Cannabis Distributor. [A marijuana] An adult-use
24 cannabis distributor license allows a licensee to transport [marijuana from a marijuana establishment from a
25 marijuana establishment to another marijuana] cannabis or adult-use cannabis products from an adult-use
26 cannabis establishment to another adult-use cannabis establishment.

1 (7) [Marijuana Product Manufacturing Facility. A marijuana product
2 manufacturing license allows the licensee to purchase marijuana, manufacture, process, and package
3 marijuana and marijuana products, and sell marijuana and marijuana products to other marijuana product
4 manufacturing facilities and to retail marijuana stores, but not to consumers.] Adult-Use Cannabis Production
5 Facility. An adult-use cannabis production facility license allows the licensee to acquire, possess,
6 manufacture, deliver, transfer, supply or sell adult-use cannabis products to adult-use cannabis retail stores,
7 but not to consumers.

8 (8) [Marijuana Testing Facility. A marijuana testing facility license allows the
9 licensee to test marijuana and marijuana products, including for potency and contaminants.] Adult-Use
10 Cannabis Independent Testing Laboratory. An adult-use cannabis independent testing laboratory allows the
11 licensee to test cannabis intended for the adult use of cannabis, as well as adult-use cannabis products.

12 (9) [Retail Marijuana Store. A retail marijuana store license authorizes the
13 licensee to purchase marijuana from marijuana cultivation facilities, to purchase marijuana and marijuana
14 products from marijuana product manufacturing facilities and retail marijuana stores, and to sell marijuana
15 and marijuana products to consumers.] Adult-Use Cannabis Retail Store. An adult-use cannabis retail store
16 authorizes the licensee to acquire, possess, deliver, transfer, supply, sell or dispense cannabis or related
17 supplies to a consumer or to another adult-use cannabis retail store.

18 (10) Dual Use [Marijuana] Cannabis Business. See LVMC 6.95.270.

19 (C) An applicant for a license under this Section may not exercise any of the privileges
20 of such a license until the final pre-operational inspections have been conducted and all applicable inspection
21 and license fees are paid.

22 (D) A licensee shall provide and maintain at all times and at its own expense a certificate
23 of insurance at amounts and terms approved by the Director prior to issuance or renewal of a license. Any
24 failure to maintain insurance or provide proof of insurance is grounds for the Director to suspend the license.

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

1 (a) [Cultivation Facility, Marijuana Cultivation Facility, Production
2 Facility, or Marijuana Product Manufacturing Facility:] Cannabis Cultivation Facility or Cannabis
3 Production Facility: Liability coverage for products and completed operations (one million dollars per
4 occurrence, two million dollars aggregate); commercial automobile coverage (one million dollars per
5 occurrence); and excess liability coverage (one million dollars).

6 (b) [Medical Marijuana Dispensary or Retail Marijuana Store:]
7 Cannabis Sales Facility: General liability (one million dollars per occurrence, with two million dollars
8 aggregate, for bodily injury and property damage arising out of licensed activities); liability coverage for
9 products and completed operations (one million dollars per occurrence, with two million dollars aggregate);
10 professional liability coverage (one million dollars per occurrence); and excess liability coverage (one million
11 dollars).

12 (c) Cannabis Independent Testing Laboratory; [or Marijuana Testing
13 Facility:] Professional liability coverage (one million dollars per occurrence), and excess liability coverage
14 (one million dollars).

15 (d) [Marijuana] Adult-Use Cannabis Distributor: No minimum
16 coverage required by ordinance, with required coverage, if any, to be determined by the Director.

17 (2) All required general liability and excess liability policies shall name the City
18 and its elected officials, officers, agents, employees and volunteers as additional insureds. All policies shall
19 be primary over any other valid and collectible insurance.

20 [(E) Prior to the issuance or renewal of a license, the applicant or licensee for a cultivation
21 facility, a marijuana cultivation facility, a medical marijuana production facility, or a marijuana product
22 manufacturing facility shall provide a surety bond as set forth in this section. The bond must be at the
23 applicant or licensee's own expense and remain in force throughout the term of the license. The bond must
24 cover the licensee's obligation, for itself and its agents, employees, subcontractors, and the agents and
25 employees of any subcontractors, to indemnify, defend, and hold harmless the City, and any of its elected or
26 appointed officers, agents, or employees, from any and all claims, demands, actions, damages, decrees,

1 judgments, attorney fees, costs, and expenses which the City, or such elected or appointed officers or
2 employees, may suffer, or which may be recovered from, or obtainable against the City, or such elected or
3 appointed officers or employees, as a result of, by reason of, or arising out of the use of the license, or the
4 exercise by the licensee of any or all of the rights, privileges, permission, and authority conferred herein, or
5 as a result of any alleged act or omission on the part of the licensee in performing or failing to perform any
6 of its obligations. Such surety bond shall be in the amount of two hundred fifty thousand dollars, or such
7 lesser amount as the City may deem appropriate in particular cases.

8 (F) Upon approval by the City Council of a compliance permit and the issuance of a
9 provisional medical marijuana registration certificate or a license by the State regulating authority, the
10 Director shall process a license application pursuant to LVMC Chapter 6.06.]

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

13 **6.95.095:** (A) A business that qualifies as a medical [marijuana] cannabis support business, [a retail
14 marijuana] an adult-use cannabis support business or [a marijuana] an adult-use cannabis distributor
15 transportation contractor is subject to applicable registration, registration card, and licensing requirements of
16 the State regulating authority. In addition, each such business is subject to the licensing requirements of this
17 Section, as well as the regulatory and fee requirements of this Chapter, independent of any other applicable
18 provisions of this Title. Except as otherwise provided in Subsection (B), the license is not subject to the
19 provisions of LVMC Chapter 6.06 pertaining to licensing and suitability approvals.

20 (B) Except with respect to businesses regulated under NRS Titles [54 to 57, inclusive,]
21 54, 55 and 57, the Director shall have the discretion to decide that a business described in Subsection (A) that
22 is proposing to provide certain types of goods or services must follow particular provisions of LVMC Chapter
23 6.06 pertaining to licensing and suitability approvals. In any such case, however, the Director is the approving
24 authority for the issuance of licenses issued under this Section and related suitability determinations.

25 (C) In order to qualify for licensing as [a marijuana] an adult-use cannabis distributor
26 transportation contractor, an applicant or licensee must obtain and maintain, as and if applicable:

1 (1) [a] A valid and current registration as a [marijuana distributor] cannabis
2 establishment agent, as evidenced by a [marijuana distributor agent card] cannabis establishment agent
3 registration card issued by the State regulating authority[.]; and

4 (2) Any and all other registration or licensing requirements for that activity as
5 imposed by the State regulating authority.

6 SECTION 10: Title 6, Chapter 95, Section 97, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.95.097:** (A) Any person who qualifies and desires to provide services as [a marijuana] an adult-
9 use cannabis distributor within the City must first apply for and obtain a license to do so. Except as otherwise
10 provided in this Section, an applicant for [a marijuana] an adult-use cannabis distributor license and [a
11 marijuana] an adult-use cannabis distributor licensee are subject to the same procedures for licensing and the
12 same requirements and limitations that apply to other [marijuana] cannabis establishments under this Chapter.

13 (B) [An applicant for a marijuana distributor license is not required to:

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

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

16 (C) With respect to [a marijuana] an adult-use cannabis distributor license, the Director
17 may:

18 (1) Waive any requirement of this Chapter that otherwise might pertain to [a
19 marijuana] an adult-use cannabis distributor by reason of its classification as a [marijuana] cannabis
20 establishment; or

21 (2) Otherwise determine that particular requirements of this Chapter do not
22 apply to [a marijuana] an adult-use cannabis distributor, where the Director determines that such a
23 requirement does not pertain to the operations of [a marijuana] an adult-use cannabis distributor or that to
24 apply such a requirement is not necessary or appropriate for the purposes of this Chapter.

25 [(D)] (C) [A marijuana] An adult-use cannabis distributor may not store [marijuana] cannabis
26 or [marijuana] cannabis products on the site where the business is located.

1 SECTION 11: Title 6, Chapter 95, Section 100, of the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **6.95.100:** (A) A [cultivation facility, marijuana cultivation facility, independent testing laboratory,
4 marijuana testing facility, medical marijuana production facility or marijuana product testing facility]
5 cannabis cultivation facility, cannabis independent testing laboratory, or cannabis production facility which
6 has obtained a business license in a jurisdiction within Nevada other than the City shall apply to the Director
7 for a license in order to provide its corresponding products or services within the City. All applications for
8 such licenses will be processed pursuant to LVMC Chapter 6.06. An application under this Subsection (A)
9 may be denied if the applicant's business license in another Nevada jurisdiction is not currently valid or is
10 subject to a disciplinary proceeding. License fees for such establishments shall be as set forth in LVMC
11 [6.95.230(C).] 6.95.230(D).

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

- 14 (1) Comply with the permit process set forth in LVMC 6.95.040; or
- 15 (2) Post the surety bond required by LVMC 6.95.090.

16 (C) A medical [marijuana] cannabis support business, [retail marijuana] adult-use
17 cannabis support business, or [marijuana] adult-use cannabis distributor which has obtained a business
18 license in a jurisdiction within Nevada other than the City shall apply to the Director for a license in order to
19 provide its corresponding products or services to [medical marijuana establishments or marijuana] cannabis
20 establishments within the City. All applications for such licenses will be processed pursuant to LVMC
21 6.95.095 or LVMC 6.95.097, as applicable. The Director may combine a license to provide services as a
22 medical [marijuana] cannabis support business with a license to provide services as [a retail marijuana] an
23 adult-use cannabis support business so that only one license is needed to authorize services to either medical
24 [marijuana] cannabis establishments or [retail marijuana] adult-use cannabis establishments. The Director
25 may deny an application under this Subsection [(C)] (B) if the applicant's business license in another Nevada
26 jurisdiction is not currently valid or is subject to a disciplinary proceeding. License fees for such

1 establishments shall be as set forth in LVMC [6.95.230(C).] 6.95.230(D).

2 SECTION 12: Title 6, Chapter 95, Section 110, of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **6.95.110:** (A) Each [medical marijuana establishment and marijuana] cannabis establishment
5 licensee shall operate only in compliance with all State regulations, all City regulations, [any] all operational
6 plans regarding the business that are on file with the City, and any restrictions imposed in connection with
7 issuance of the license, Except as otherwise provided in LVMC 6.95.120(A) regarding security plans, [The]
8 the licensee shall be responsible for filing with the City, at least semiannually, any changes in operational
9 plans that have been implemented or are proposed to be implemented.

10 (B) At least one qualified person shall be on the premises of a medical [marijuana]
11 cannabis dispensary or [retail marijuana] adult-use cannabis retail store at all times during the hours of
12 operation or available for immediate contact during hours of operation. Contact information of the qualified
13 person shall be kept on the premises and immediately accessible to the Department and Metro. For purposes
14 of this [subsection,] Subsection, a “qualified person” means a principal who has been approved for suitability
15 pursuant to LVMC 6.06.060 or a key employee who has been approved for suitability pursuant to that
16 Section.

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

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

23 (E) Signs and other advertising shall comply with applicable provisions of LVMC Title
24 19. In addition to and independent of those provisions, no sign or other advertising may:

25 (1) Make [marijuana] cannabis or [marijuana] cannabis products appeal to
26 children;

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(2) Utilize any of the following media:

(a) A sign mounted on [a vehicle;] any vehicle other than a taxicab;

(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;

(3) Include signage that is located on or in a publicly owned or operated property.

(F) The presence of minors on the premises of a medical [marijuana] cannabis establishment is prohibited unless the minor is a qualified patient on the premises of a dispensary and is accompanied by his or her parent or legal guardian. The presence of minors on the premises of [a marijuana] an adult-use cannabis establishment is prohibited under all circumstances. No licensee shall cause, permit or allow, either by act or by failure to act, the violation of this [subsection.] Subsection.

(G) [Medical marijuana, edible marijuana products and/or marijuana infused products may only be transported by a licensed medical marijuana establishment or a licensed medical marijuana support business. Transportation must meet all requirements of the State regulating authority.

(H) Transportation of [marijuana] cannabis by a [marijuana] cannabis establishment shall be subject to the requirements of the State regulating authority.

[(I)] (H) A licensee must notify the Director in writing of any closure of an establishment licensed under this Chapter, whether the closure is temporary or permanent. Such notification must include the reasons for closing the establishment and indicate how [marijuana] cannabis and [marijuana] cannabis products will be disposed of or secured. The notification must be provided:

(1) [Where closure is required in an emergency, within twenty-four hours after the closure; or] Within twenty-four hours after the closure for any closure that is:

(a) Required in an emergency;

(b) The result of the expiration of a license issued by the State or

1 another government agency; or

2 (c) The result of regulatory action taken by the State or another
3 governmental agency, such as the suspension or revocation of a license, permit or other approval; or

4 (2) At least fifteen days prior to closure, otherwise.

5 [(J)] (L) Each licensee must meet the accounting and auditing procedures established by the
6 Department to track and record all sales for audit purposes. The Department must have access to such records
7 as provided for under LVMC 6.02.020.

8 [(1)] (J) [If an annual audit is required by the State regulating authority, the licensee shall]
9 Whenever an audit of a licensee's business operations is conducted by the State regulatory authority or by an
10 independent auditor for purposes of demonstrating compliance with State or local laws or regulations, the
11 licensee must submit the audit report to the City within ninety days of the completion of the audit. All reports
12 or evaluations submitted hereunder shall be confidential and shall not be available for public inspection,
13 except as may be required under State or [federal] Federal law.

14 [(2)] (K) In compliance with all State and Federal privacy laws, [the] a licensee shall allow
15 the Director or a designee unrestricted access to all financial documents, books, records, facilities, and all
16 audio and video surveillance pertaining to the facilities. Any information obtained pursuant to [this section]
17 Subsections (I), (J) or (K) of this Section, or any statement filed by the licensee, shall be deemed confidential
18 in character and shall not be subject to public inspection or as determined by State and Federal privacy laws.

19 SECTION 13: Title 6, Chapter 95, Section 120, of the Municipal Code of the City of Las
20 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **6.95.120:** Each medical [marijuana] cannabis establishment and [marijuana] adult-use cannabis
22 establishment must submit, maintain and follow a security plan approved by the Director. Any proposed
23 modification to an approved security plan must be submitted to the Director for approval[.], where possible,
24 at least fifteen days in advance of when it is proposed to be implemented. In any case, no such modification
25 may be implemented prior to approval by the Director. Any security plan for any such establishment must
26 meet all the criteria established by the State regulating authority and the following minimum requirements:

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

4 (B) A twenty-four-hour surveillance system is required to monitor the interior and
5 exterior of a medical [marijuana] cannabis establishment or [marijuana] adult-use cannabis establishment, a
6 live feed of which must be accessible to authorized law enforcement at all times, and in real-time.

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

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

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

14 (C) The establishment shall be responsible for ensuring compliance with all local and
15 [state] State regulations regarding the facility and must monitor parking areas and outdoor areas of the
16 licensed premises for loitering, unlawful sales and unlawful consumption.

17 (D) Any theft of items containing [marijuana] cannabis or the observance of any
18 unauthorized transactions [of marijuana] involving cannabis on the licensed premises or within any area
19 subject to the control of the licensee must be reported to Metro and the Department in written communication
20 within twenty-four hours of occurrence.

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

24 (F) An adult-use cannabis retail store shall have at least one sign clearly posted at the
25 entrance indicating that persons under the age of twenty-one years are not permitted entry. Such signs are
26 subject to prior approval by the Director as part of the license approval process.

1 (G) No principal or employee of an adult-use cannabis retail store shall permit a person
2 under the age of twenty-one years to enter or remain within the store.

3 [(F)] (H) In addition to complying with all requirements set by the State regulating authority,
4 any licensed [cultivation facility or marijuana] cannabis cultivation facility shall secure the cultivation facility
5 with full video surveillance capable of clearly identifying any activities occurring within twenty feet of the
6 exterior of the building and any parking, fenced, or loading areas. A motion detection lighting system may
7 be employed to illuminate [the gate area in] any area in which there are low light conditions.

8 [(G)] (I) In addition to complying with all requirements set by the State regulating authority,
9 any licensed medical [marijuana] cannabis production facility or [marijuana product manufacturing] adult-
10 use cannabis production facility shall ensure that all production, transport, delivery, shipping, labeling and
11 packaging areas have fixed camera coverage capable of identifying activity occurring within a minimum of
12 twenty feet.

13 [(H)] (J) In addition to complying with all requirements set by the State regulating authority,
14 any licensed medical [marijuana] cannabis dispensary or [retail marijuana] adult-use cannabis retail store
15 shall contain the following areas[, separated and segregated, and] consistent with the following specific
16 criteria:

17 (1) A waiting area containing only one entrance for the public, which is visible
18 immediately from one fixed staffed [security] station. The entire waiting area must also be monitored by
19 surveillance cameras.

20 (2) In the case of a medical [marijuana] cannabis dispensary, a private
21 consultation room [where medical marijuana products are viewed for purchase, which must meet the
22 following requirements:

- 23 (a) The room must be separated from any waiting area;
- 24 (b) Any windows or viewing areas must be obscured from the public
25 right-of-way or waiting area;
- 26 (c) Only sample products may be viewed for purchase in such a room;

1 samples may be shown to customers outside of nontransparent packaging;

2 (d) Customers may not remove any medical cannabis, edible marijuana
3 products, or marijuana infused products from the consultation room.] to be made available for use by any
4 patient who requests the use of such a room for consultation purposes.

5 [(I)] (K) Within a licensed medical [marijuana] cannabis dispensary or [retail marijuana]
6 adult-use cannabis retail store, all [marijuana] cannabis, edible [marijuana] cannabis products, or [marijuana
7 infused] cannabis-infused products, during non-business hours, must be stored in a separated and secured
8 area.

9 (1) The area must meet the Building Official's standards for odor control.

10 (2) The area must be under surveillance by the camera system at all times.

11 [(J)] (L) Within a licensed medical [marijuana] cannabis dispensary or [retail marijuana]
12 adult-use cannabis retail store, any customer allowed to enter any room where [marijuana] cannabis, edible
13 [marijuana] cannabis products, or [marijuana infused] cannabis-infused products are viewed for purchase is
14 required to be within view of and in an area monitored by an employee of the establishment.

15 SECTION 14: Title 6, Chapter 95, Section 130, of the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **6.95.130:** (A) A [cultivation facility or marijuana] cannabis cultivation facility must meet all odor
18 control regulations established by the Building Official and by the applicable provisions of LVMC Chapter
19 9.40. Within twenty-four hours of any complaints concerning odors, a [cultivation facility or marijuana]
20 cannabis cultivation facility shall respond to the complaints and file with the Director and the Building
21 Official all action taken to address odor complaints. The Director or Building Official, upon determination
22 of the existence of detectable odor from any such facility, may require additional measures by the facility to
23 control such odor and a timeframe for the implementation of such measures at the facility. Failure to complete
24 required improvements within the timeframe specified by the Director or Building Official is grounds for
25 suspension of the license by the Director.

26 (B) Any medical [marijuana] cannabis that is transported to a medical [marijuana]

1 cannabis production facility must meet all State regulating authority standards.

2 (C) Applicants must designate on their [permit] license application the size of the area
3 proposed to be under cultivation on the premises. The cultivation area will be limited to the square footage
4 granted on the license. Other floor space of the facility may be used for walkways, ventilation, storage or any
5 other purposes required by the State regulating authority or the licensee for operations of the business.
6 Allocated square footage of cultivation area may be requested to be increased upon petition to the Director
7 prior to the renewal of the license.

8 (D) The Council may reduce the square footage of any [applicant or licensee] proposed
9 facility if the Council determines the size of the proposed facility is not in the interest of the surrounding
10 community.

11 (E) Prior to accepting any plant materials into a [cultivation facility or marijuana]
12 cannabis cultivation facility for the first time, the facility shall notify the Department to conduct a pre-
13 operational inspection and shall pay all related inspection fees.

14 SECTION 15: Title 6, Chapter 95, Section 140, of the Municipal Code of the City of Las
15 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **6.95.140:** In addition to any other requirement set forth in this Chapter, each cannabis independent
17 testing laboratory [and marijuana testing facility] must:

18 (A) Obtain and maintain a [registration certificate or license, as applicable,] license from
19 the State regulating authority; and

20 (B) [Obtain and maintain all State laboratory licenses that are required in order to test
21 substances such as marijuana; and

22 (C) Upon request, provide to the City copies of such licenses, [and approvals.]

23 SECTION 16: Title 6, Chapter 95, Section 150, of the Municipal Code of the City of Las
24 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.95.150:** [The following provisions apply to marijuana production facilities and marijuana product
26 manufacturing facilities:

1 (A) Inspections. The Department will conduct a pre-operational inspection at all such
2 facilities to determine compliance with the requirements of this Chapter. The licensee is responsible for the
3 costs of all inspections.

4 (B) Products and Labeling. Products to be sold at City-licensed medical marijuana
5 dispensaries and retail marijuana stores must meet the following:

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

8 (2) Products, as well as their packaging and labeling, must comply with the
9 requirements of NRS Chapters 453A and 453D, as well as regulations promulgated thereunder.]

10 All cannabis production facilities must ensure that products to be sold at City-licensed cannabis sales facilities
11 meet the following:

12 (A) No cannabis-infused products may contain alcoholic beverages as defined and
13 regulated by LVMC Chapter 6.50.

14 (B) Products, as well as their packaging and labeling, must comply with the
15 requirements of NRS Chapters 678A to 678D, inclusive, as well as regulations promulgated thereunder.

16 SECTION 17: Title 6, Chapter 95, Section 160, of the Municipal Code of the City of Las
17 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.95.160:** Except as otherwise specified, each licensed [medical marijuana dispensary and retail
19 marijuana store] cannabis sales facility shall comply with the following requirements:

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

23 (B) All edible [marijuana] cannabis products and [marijuana infused] cannabis-infused
24 products offered for sale at licensed [medical marijuana dispensaries or retail marijuana stores] cannabis sales
25 facilities shall comply with the applicable packaging and labeling requirements established by NRS Chapters
26 [453A and 453D,] 678A to 678D, inclusive, as well as regulations promulgated thereunder.

1 (C) Any [dispensary or retail marijuana store] cannabis sales facility that sells edible
2 [marijuana] cannabis products or [marijuana infused] cannabis-infused products must display a placard that
3 states the following:

4 (1) Edible [Marijuana] Cannabis and [Marijuana Infused] Cannabis-Infused
5 Products. There may be health risks associated with consumption of edible [marijuana] cannabis products or
6 [marijuana infused] cannabis-infused products.

7 (2) Edible products and [marijuana infused] cannabis-infused products contain
8 [marijuana] cannabis or active compounds of [marijuana] cannabis.

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

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

12 (5) Follow all recommended dosage and serving guidelines and
13 recommendations.

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

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

18 (D) A [medical marijuana dispensary or retail marijuana store] cannabis sales facility is
19 allowed to participate in ancillary business activity within the dispensary or store if the ancillary business
20 activity is:

21 (1) The sale of paraphernalia.

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

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

26 (E) [A medical marijuana dispensary or retail marijuana store may locate one or more

1 automatic teller machines for access by patients and customers only for the dispensing of money if the person
2 operating the machine has been approved by the Director under LVMC 6.06.125 and the business is licensed
3 to operate such by the City. Money and legal tender may not be stored onsite except as detailed in the
4 approved security plan.

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

7 [(G)] (F) Except as otherwise provided in Subsection [(H),] (G), all sales and distribution of
8 [marijuana] cannabis, edible [marijuana] cannabis products or [marijuana infused] cannabis-infused products
9 by a licensed [medical marijuana dispensary or retail marijuana store shall occur only upon the licensed
10 premises] cannabis sales facility shall be made directly from the facility, a digital network, or the software
11 application service of the facility, and no such items or products may be provided by delivery to a location
12 off the premises of the [medical marijuana dispensary or retail marijuana store,] cannabis sales facility,
13 including by mail delivery or by private transportation.

14 [(H)] (G) Off-site transportation, sale or delivery of [marijuana] cannabis, [marijuana]
15 cannabis products or [marijuana infused] cannabis-infused products by a [medical marijuana dispensary or a
16 retail marijuana store] cannabis sales facility is permitted in accordance with applicable regulations of the
17 State regulating authority.

18 [(I)] (H) Within a medical marijuana dispensary, no advertising, materials or postings within
19 the waiting areas may advertise locations, devices or activities promoting the consumption of marijuana or
20 other facilities selling or purporting to provide locations for the private or public consumption of marijuana[.]
21 except insofar as such advertising pertains to properly-licensed locations.

22 [(J) In addition to any other applicable requirement of this Chapter, a retail marijuana
23 store an adult-use cannabis retail store that is not operated in conjunction with a medical marijuana dispensary
24 and does not operate as a dual use marijuana business shall:

- 25 (1) Provide priority service to holders of valid registry identification cards.
26 (2) Offer for sale a variety of marijuana products with cannabidiol (CBD) levels

1 at commonly established therapeutic standards for patients.

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

4 SECTION 18: Title 6, Chapter 95, Section 180, of the Municipal Code of the City of Las
5 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.95.180:** (A) Prior to the issuance of a license, [or the renewal of a license,] each applicant must
7 file with the Director a plan for the disposal, maintenance or transfer of all plant material, products and usable
8 [marijuana] cannabis for implementation due to any of the following conditions:

9 (1) Closure of the [medical marijuana establishment or marijuana] cannabis
10 establishment[,] for any reason, including without limitation because of a suspension, revocation or
11 nonrenewal of the registration [certificate] or license issued by the State regulating authority, or [revocation
12 or nonrenewal] of a license granted pursuant to this Chapter.

13 (2) The appointment of an administrator, receiver, trustee, or assignee in the
14 event of the receivership, bankruptcy, or assignment for benefit of creditors of any licensee.

15 (B) The plan must include the following elements:

16 (1) The Director must be notified within ten days of such appointment to act
17 pursuant to Paragraph (2) of Subsection (A) above.

18 (2) That the business must cease all sales of [marijuana] cannabis and cannabis
19 products including wholesale, edible [or infused products and dispensary sales] cannabis or cannabis-infused
20 products until such time as a new certificate or license has been issued by the State regulating authority and
21 a license has been granted by the City.

22 (3) An inspection prior to the transfer of any materials to be disposed of or
23 transferred to another licensed [medical marijuana establishment or marijuana] cannabis establishment.

24 (4) The plan must be executable within ten days and approved by the Director.

25 (C) When all issues regarding a closure or appointment described in Subsection (A) have
26 been resolved, the true party(ies) of interest may apply for a license once certified or licensed by the State

1 regulating authority.

2 SECTION 19: 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:** (A) [Marijuana] Cannabis and any related waste, including wastewater, must be stored,
5 secured and managed in accordance with applicable state statutes and regulations and LVMC Title 14. Within
6 thirty calendar days of the expiration of use of [marijuana,] cannabis, a [medical marijuana establishment or
7 marijuana] cannabis establishment must dispose of the [marijuana] cannabis, return it to a cannabis
8 cultivation facility [or marijuana cultivation facility] for disposal, or return it to a cannabis production facility
9 [or marijuana product manufacturing facility] for disposal. [Marijuana] Cannabis waste must be made
10 unusable prior to disposal.

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

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

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

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

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

24 (E) [Disposal cannot include marijuana product including plant material entering]
25 Proper disposal of cannabis, including cannabis plant material, does not include allowing its entry into the
26 City wastewater collection system, storm drain system or any unsecure rubbish disposal system.

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

5 (G) A [medical marijuana establishment or marijuana] cannabis establishment shall not
6 dispose of [marijuana] cannabis in any manner other than as permitted under this Chapter.

7 SECTION 20: Title 6, Chapter 95, Section 195, of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.95.195:** Nothing in this Chapter authorizes the sale of paraphernalia [or marijuana paraphernalia] by
10 anyone other than the holder of a medical [marijuana] cannabis dispensary license or [a retail marijuana] an
11 adult-use cannabis retail store license. The sale of paraphernalia [or marijuana paraphernalia] by holders of
12 other business licenses, if such sales are allowed, shall be in accordance with the chapters of this Code that
13 govern those other licenses.

14 SECTION 21: Title 6, Chapter 95, Section 200, of the Municipal Code of the City of Las
15 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **6.95.200:** (A) Each employee, independent contractor, [medical marijuana] cannabis
17 establishment agent[, marijuana distributor agent] or volunteer who works in a [medical marijuana
18 establishment or marijuana] cannabis establishment shall obtain, prior to the commencement of work, [and]
19 keep in force during the term of employment, and have in his or her possession while working, a work card
20 issued pursuant to LVMC Chapter 6.86. The same requirement applies to any person who transports
21 [marijuana] cannabis or [marijuana] cannabis products on behalf of any of the persons listed in the preceding
22 sentence. However, the work card requirements set forth in this Subsection (A) do not apply to anyone who
23 qualifies as a principal of any entity described in this Subsection (A) and who has been approved for
24 suitability pursuant to LVMC Chapter 6.06[.], or to security personnel who are licensed or registered under
25 NRS 648.060. A complete and accurate list of all persons required to have a valid medical [marijuana]
26 cannabis establishment agent registration card[, a marijuana distributor agent registration,] or a work card

1 issued pursuant to LVMC Chapter 6.86, must be kept onsite and available for inspection at all times. The list
2 must contain the current employment status, position, and title of each person listed.

3 (B) It shall be a condition of a license under this Chapter to inform the City of any change
4 in the employment status of [a registered] an employee or volunteer who serves [in a management position
5 or] as a key employee within ten days of the effective date of the change in employment status. A change of
6 employment status includes termination, leave of absence, and promotion to a management position or key
7 employee.

8 SECTION 22: Title 6, Chapter 95, Section 210, of the Municipal Code of the City of Las
9 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **6.95.210:** The confidentiality of records regarding [medical marijuana establishments and marijuana]
11 cannabis establishments shall be in accordance with Federal and State law. The duty to disclose any particular
12 record as a public record shall be in accordance with State law.

13 SECTION 23: Title 6, Chapter 95, Section 220, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.95.220:** (A) All licenses authorized and issued under the provisions of this Chapter may be
16 subject to immediate suspension by the Director, if the Director finds that:

17 (1) A licensee has violated, or permitted, allowed or caused a violation of any
18 provision of this Chapter, any regulation issued pursuant to this Chapter, any condition of approval imposed
19 upon the issuance of the permit or license, or any State law or regulation relating to the operation;

20 (2) If a State [registration certificate or] license has been surrendered,
21 suspended or revoked;

22 (3) Based on ascertainable facts, the operation substantially aggravates the
23 crime problems in the City, makes law enforcement unduly difficult, or is detrimental to the public health,
24 safety or welfare of the City;

25 (4) A licensee has made any fraudulent statements as to a material fact on an
26 application form, as to any other information presented as part of the application process, or in connection

1 with any other information required to be submitted to the Director pursuant to this Chapter;

2 (5) A licensee knowingly commits any act which would have constituted
3 grounds for denial of an application for a license;

4 (6) A licensee has failed to file the required reports or to furnish such
5 information as may be reasonably required by the Director under the authority vested in the Director by the
6 terms of the provisions relating to the specific license;

7 (7) Any fact or condition exists which, if it had existed or been known to exist
8 at the time of the application for such compliance permit or license, would have warranted the Director to
9 recommend denial of the permit or license; or

10 (8) The licensee has failed to maintain the premises in compliance with the
11 requirements of the Building Official or the fire chief or any environmental or health department.

12 (B) Any act or omission committed by any employee, agent, or independent contractor
13 that occurs in the course of his or her employment, agency, or contract with the licensee shall be imputed to
14 the licensee for the purposing of imposing any civil penalty, suspension, or revocation on the licensee.

15 (C) In lieu of any license suspension, the Director may [assess a civil penalty against the
16 licensee per LVMC Chapter 6.02.] proceed against the licensee by using the civil violation provisions of
17 LVMC 6.02.400 to 6.02.460, inclusive.

18 (D) [In the event of any condition that justifies suspension of a license,] Whenever the
19 suspension of a particular license would be justified under the provisions of this Chapter or another provision
20 of this Title 6, the Director shall have the discretion to recommend to the City Council that the license be
21 revoked[,] or [other] another penalty imposed.

22 (E) In the event of the suspension of any license, the Director shall provide written notice
23 by certified mail addressed to the licensee and the building owner at the addresses of record. Notice shall
24 also be sent to the [state] State regulating authority.

25 (F) In the event of a license suspension, [Failure] the failure of the licensee to
26 immediately suspend all business operations that serve the public or other [medical marijuana establishments

1 or marijuana] cannabis establishments shall be grounds for the Director to post the property as closed by
2 order of the Director and shall be grounds for revocation of [a] the license. Staff of a licensed [cultivation
3 facility or marijuana] cannabis cultivation facility is permitted to be onsite during the appeal process to
4 maintain the needs of the plants.

5 (G) A licensee may appeal any [suspension, nonrenewal or other penalty] action by the
6 Director regarding suspension or nonrenewal to the City Council. Any suspension or [other penalty]
7 nonrenewal shall be effective pending completion of any appeal. [All appeals will be processed per LVMC
8 Chapter 6.06.] An appeal under this Subsection (G) must be filed with the Department within ten calendar
9 days following receipt of a notice of suspension or notice of nonrenewal. The appeal will be heard by the
10 City Council as soon as the open meeting law requirements of NRS Chapter 241 can be met.

11 SECTION 24: Title 6, Chapter 95, Section 230, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.95.230:** (A) Except as otherwise provided in this Section, each medical [marijuana] cannabis
14 establishment and [marijuana] adult-use cannabis establishment shall pay a semi-annual license fee based on
15 its gross revenue. The applicable license fee for the sale of [marijuana] cannabis and [marijuana] cannabis
16 products, and the distribution thereof, is three percent of gross revenue. The applicable license fee for medical
17 [marijuana] cannabis support businesses, [retail marijuana] adult-use cannabis support businesses,
18 [marijuana] adult-use cannabis distributor transportation contractors, and for the sale of products other than
19 [marijuana] cannabis and [marijuana] cannabis products shall be calculated pursuant to LVMC 6.04.005. The
20 fee basis for [marijuana] adult-use cannabis distributors and [marijuana] adult-use cannabis distributor
21 transportation contractors is the gross revenue derived from transportation rather than from product sales.
22 Notwithstanding anything to the contrary in LVMC 6.02.010, the gross revenue of a [marijuana] cannabis
23 cultivation facility shall be deemed to include the fair market value at wholesale of [marijuana] cannabis that
24 the facility sells or transfers to another [marijuana] cannabis establishment that is a related entity as defined
25 in Section 267 of the Internal Revenue Code. For purposes of this Subsection, "fair market value" shall be as
26 established by the Nevada Department of Taxation pursuant to its adopted regulations.

(B) All gross revenue fees described in this Section shall be administered in accordance with applicable provisions of LVMC 6.02.160 to 6.02.260, inclusive.

(C) If semi-annual license fees described in the Section and any associated penalties are not received by the Department within sixty days after the due date, the license shall be automatically revoked.

(D) Each business listed below 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 or] <u>Cannabis</u> Cultivation Facility	1% of gross revenue or \$5,000.00, whichever is greater, but not to exceed 3% of gross revenue
[Medical Marijuana] <u>Cannabis</u> Production Facility [or Marijuana Product Manufacturing Facility]	1% of gross revenue or \$1,500.00, whichever is greater, but not to exceed 3% of gross revenue
<u>Cannabis</u> Independent Testing Laboratory [or Marijuana Testing Facility]	1% of gross revenue
[Marijuana Distributor, Medical Marijuana Support Business, Retail Marijuana Support Business or Marijuana] <u>Medical Cannabis Support Business, Adult-Use Cannabis Support Business, Adult-Use Cannabis Distributor or Adult-Use Cannabis Distributor Transportation Contractor</u>	Pursuant to LVMC 6.04.005

(E) In addition to the semi-annual license fees described in this Section, each of the following license categories of businesses located within the City shall pay a one-time origination charge as listed in the following schedule, which is due and payable at the time of filing an application for a license issued pursuant to this Chapter:

License Category	Origination Charge
[Medical Marijuana Cultivation Facility or] <u>Cannabis</u> Cultivation Facility	\$20,000.00 for [1st] the first 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] <u>Cannabis</u> Production Facility [or Marijuana Product Manufacturing Facility]	\$5,000.00

1	<u>Cannabis</u> Independent Testing Laboratory [or Marijuana Testing Facility]	\$10,000.00
2	Medical [Marijuana] <u>Cannabis</u> 3 Dispensary or [Marijuana] <u>Adult-Use</u> 4 <u>Cannabis Retail Store</u>	\$75,000.00
5	[Marijuana] <u>Adult Use Cannabis</u> Distributor	\$10,000.00

6 SECTION 25: Title 6, Chapter 95, Section 240, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows;

8 **6.95.240:** The City Council may enter into agreements with other local governments to restrict
9 cultivation to a regional location or a regional limit based on square feet of building space that may be
10 licensed for the cultivation of [marijuana] cannabis to supply licensed medical [marijuana] cannabis
11 dispensaries or [retail marijuana] adult-use cannabis retail stores within the City.

12 SECTION 26: Title 6, Chapter 95, Section 250, of the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.95.250:** Except as otherwise specifically provided herein and as authorized by State law and
15 regulations, nothing in this Chapter is intended to be inconsistent or in conflict with NRS Chapters [453A
16 and 453D] 678A to 678D, inclusive, and State regulations promulgated thereunder. In the event of any
17 conflict between the provisions of this Chapter and any mandatory provision of State or local law or
18 regulations, the more restrictive provision shall control.

19 SECTION 27: Title 6, Chapter 95, Section 260, of the Municipal Code of the City of Las
20 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **6.95.260:** In accordance with and subject to LVMC 6.95.270 to 6.95.300, inclusive, a person who holds
22 a valid medical [marijuana] cannabis establishment license pursuant to this Chapter may apply for and obtain
23 a license to operate as a dual use [marijuana] cannabis business. The dual use [marijuana] cannabis license
24 is a separate license from any medical [marijuana] cannabis establishment license issued pursuant to this
25 Chapter and authorizes the following:

26 (A) The holder of a medical [marijuana] cannabis dispensary license under this Chapter

1 to operate [a retail marijuana] an adult-use cannabis retail store.

2 (B) The holder of a medical [marijuana] cannabis cultivation facility license under this
3 Chapter to operate [a marijuana] an adult-use cannabis cultivation facility.

4 (C) The holder of a medical [marijuana testing facility] cannabis independent testing
5 laboratory license under this Chapter to operate [a marijuana testing facility] an adult-use cannabis
6 independent testing laboratory.

7 (D) The holder of a medical [marijuana] cannabis production facility license under this
8 Chapter to operate [a marijuana product manufacturing facility.] an adult-use cannabis production facility.

9 SECTION 28: Title 6, Chapter 95, Section 270, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.95.270:** Pursuant to LVMC 6.95.260 to 6.95.300, inclusive, the Director may issue a business license
12 to operate as a dual use [marijuana] cannabis business to a person who meets all the following criteria:

13 (A) Possesses a valid [state issued Medical Marijuana Establishment Registration
14 Certificate and is operating in good standing under such Certificate as defined in the Nevada Administrative
15 Code;] State-issued medical cannabis establishment license that is in good standing;

16 (B) Possesses a valid [state issued] State-issued license to operate [a marijuana
17 establishment pursuant to NRS Chapter 453D;] an adult-use cannabis establishment license that is in good
18 standing; and

19 (C) Possesses a valid City medical [marijuana] cannabis establishment license issued
20 pursuant to this Chapter and is in compliance with this Chapter, including the payment of all required business
21 license fees and any delinquent civil penalties that have been assessed to the business in connection with the
22 operation of a medical [marijuana] cannabis establishment.

23 SECTION 29: Title 6, Chapter 95, Section 280, of the Municipal Code of the City of Las
24 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.95.280:** Each dual use [marijuana] cannabis business licensed pursuant to LVMC 6.95.260 to
26 6.95.300, inclusive, shall pay applicable origination and semi-annual license fees in accordance with the fee

1 schedule set forth in LVMC 6.95.230, with gross revenue-based fees to be calculated regarding medical and
2 retail operations. [Any flat fees that have been paid by the licensee pursuant to this Chapter for the period
3 between July 1, 2016, and June 30, 2017, may be credited towards the origination fee for the dual use
4 marijuana business license.]

5 SECTION 30: Title 6, Chapter 95, Section 290, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.95.290:** Any dual use [marijuana] cannabis business licensed pursuant to LVMC 6.95.260 to
8 6.95.300, inclusive, must conform to all applicable rules set forth in this Chapter, as well as applicable
9 provisions of NRS [Chapter 453D, and Chapter 453D of the Nevada Administrative Code.] NRS Chapters
10 678A to 678D, inclusive, and State regulations adopted thereunder.

11 SECTION 31: Title 6, Chapter 95, Section 300, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.95.300:** The Director shall have authority to apply provisions of LVMC Chapter 6.06 to applicants
14 for a license under LVMC 6.95.260 to 6.95.300, inclusive, including the authority to waive any or all
15 principals from the requirements of suitability.

16 SECTION 32: Title 6, Chapter 2, Section 250, of the Municipal Code of the City of Las
17 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.02.250:** (A) All license fees other than gaming[,] and alcoholic beverage[, medical marijuana
19 establishment, and marijuana establishment] license fees shall become delinquent if not received within
20 fifteen days after the due date. If full payment is not made within fifteen days after the due date, fifteen
21 percent of the entire license fee shall be assessed as a penalty, payable in addition to the license fee; provided,
22 however, if the fifteenth day following the due date is a day that the principal offices of the City are not open
23 to the public, the penalty must not be assessed if the license fee is received before midnight of the next day
24 on which the principal offices of the City are open to the public.

25 (B) Except as otherwise provided in Subsection (E) with respect to ice cream truck[,
26 medical marijuana establishment and marijuana] and cannabis establishment licenses, all licenses for which

1 fees and assessed penalty charges have not been paid within sixty days after the license fee due date are
2 deemed expired and shall not be reinstated until the license fees, assessed penalty charges and a reinstatement
3 fee of fifty dollars have been paid. A license is eligible for reinstatement only within the four-month period
4 following its expiration.

5 (C) The Director may refer any delinquent license fees and assessed penalty charges to
6 a collection agency for collection if they have not been paid within sixty days after the license fee due date.
7 The Director may do likewise regarding any service charges and administrative fees that have been assessed
8 pursuant to LVMC 6.02.020(B)(7) and have not been paid in a timely manner.

9 (D) As a condition of reinstatement of a license deemed expired pursuant to Subsection
10 (B) of this Section, the licensee shall, in addition to payment of any outstanding license fees, penalty charges,
11 service charges, administrative fees, and reinstatement fees, reimburse the City for any expenses it has
12 incurred as a result of referring the licensee's delinquent license fees and assessed penalty charges to a
13 collection agency.

14 (E) The expiration of [Ice] ice cream truck licenses shall be governed by LVMC
15 6.47.030(B)(4). [Medical marijuana establishment and marijuana] The expiration of cannabis establishment
16 licenses shall be governed by LVMC Chapters 6.06 and 6.95.

17 SECTION 33: Title 6, Chapter 6, Section 80, of the Municipal Code of the City of Las
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.06.080:** (A) The application must be signed and verified by the applicant under oath.

20 (B) The applicant shall submit to fingerprinting and photographing, shall authorize the
21 City in writing to obtain information from the past and present employers, criminal justice agencies, financial
22 institutions, Federal, State and local governments and agencies, and other persons and entities, and shall
23 consent in writing to the release of such information to the City for use in connection with the application for
24 approval for suitability and other City business regulations. The applicant shall also sign a release of claims
25 and a hold harmless agreement to the City for its use of the information provided by the applicant or
26 discovered during any investigation thereof.

1 (C) Each applicant for a license within the following categories shall be subject to the
2 provisions of Subsection (D) of this Section:

- 3 (1) Adult nightclub establishment;
- 4 (2) Alcoholic beverage;
- 5 (3) Electronic security services;
- 6 (4) Erotic dance establishment;
- 7 (5) Gaming;
- 8 (6) Ice cream truck;
- 9 (7) Locksmith and safe mechanic;
- 10 (8) Massage establishment;
- 11 (9) [Medical marijuana] Cannabis establishment;
- 12 (10) Pawnbroker;
- 13 (11) Psychic arts;
- 14 (12) Reflexology;
- 15 (13) Secondhand dealer;
- 16 (14) Smoke shop; and
- 17 (15) Teenage dancehall or teenage nightclub.

18 (D) In the case of the license categories listed in Subsection (C) of this Section,
19 applicants are required to submit to fingerprinting for purposes of a fingerprint check through the Federal
20 Bureau of Investigation (FBI). In each such case:

21 (1) A complete set of fingerprints will be taken and will be forwarded to the
22 Central Repository for Nevada Records of Criminal History.

23 (2) The Central Repository for Nevada Records of Criminal History is
24 authorized to submit the fingerprints to the FBI for its report and to exchange fingerprint data with the FBI.

25 (3) The purpose for the submission of fingerprints is to allow for a State and
26 Federal criminal records investigation regarding the applicant to determine suitability for licensing relative

1 to the specified type of business.

2 (E) The provisions of Subsections (C) and (D) of this Section are adopted under the
3 authority of, and consistent with, NRS 239B.010(1)(a) and Public Law 92-544, and should be read and
4 interpreted in connection therewith.

5 SECTION 34: Title 6, Chapter 82, Section 10, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.82.010:** As used in this Chapter, the following terms shall have the meanings indicated:

8 ["Concentrated marijuana" means the separated resin, whether crude or purified, obtained from
9 marijuana.

10 "Designated substance" means salvia divinorum or Salvinorum A, including all parts of the plant
11 botanically classified as salvia divinorum, whether growing or not; any extract thereof; the seeds thereof; and
12 every compound, manufacture, salts derivative, mixture or preparation of the plant or its seeds or extracts.]

13 ["Marijuana"] "Cannabis" means all parts of any plant of the genus *cannabis*, whether growing or
14 not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt,
15 derivative, mixture, or preparation of the plant, its seeds, or resin. The term does not include:

16 (A) The mature stems of the plant, fiber produced from the stems, oil, or cake made from
17 the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the
18 mature stems (except the resin extracted therefrom), fiber, oil, or cake, the sterilized seed of the plant which
19 is incapable of germination; or

20 (B) The weight of any other ingredient combined with [marijuana] cannabis to prepare
21 topical or oral administrations, food, drink, or other products.

22 ["Marijuana paraphernalia"] "Cannabis paraphernalia" means any equipment, products, and
23 materials of any kind which are used, intended for use, or designed to be used for ingesting, inhaling, or
24 otherwise introducing [marijuana] cannabis into the human body,

25 ["Marijuana products"] "Cannabis products" means products comprised of [marijuana] cannabis or
26 concentrated [marijuana] cannabis and other ingredients that are intended for use or consumption, such as,

1 but not limited to, edible products, ointments, and tinctures.

2 “Concentrated cannabis” means the separated resin, whether crude or purified, obtained from
3 cannabis.

4 “Designated substance” means salvia divinorum or Salvinorum A, including all parts of the plant
5 botanically classified as salvia divinorum, whether growing or not; any extract thereof; the seeds thereof; and
6 every compound, manufacture, salts derivative, mixture or preparation of the plant or its seeds or extracts.

7 “Sell” (and related forms of the word) refer to the sale, offer to sell, exchange or offer to exchange
8 for any form of consideration.

9 “Smoke shop” means a business which has, as its principal activity or a primary activity, the sale of
10 tobacco paraphernalia, [marijuana] cannabis paraphernalia or designated substances, or a business that holds
11 itself out to the public as a business engaging in that activity.

12 “Smoking lounge” means a business which offers, as its principal activity or a primary activity, a
13 location and equipment for the consumption of tobacco products.

14 “Tobacco paraphernalia” means cigarette papers or wrappers, pipes, holders of smoking materials of
15 all types, cigarette rolling machines, and any other item designed for use in the smoking, preparation or
16 consumption of tobacco products. The term does not include tobacco products.

17 “Tobacco product” means any substance containing tobacco leaf, including but not limited to
18 cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidis, or any other
19 preparation of tobacco. The term does not include any cessation product specifically approved by the United
20 States Food and Drug Administration for use in treating nicotine or tobacco dependence, or any electronic
21 device that enables the introduction of nicotine into the human body but without the presence of tobacco.

22 SECTION 35: Title 6, Chapter 82, Section 20, of the Municipal Code of the City of Las
23 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **6.82.020:** (A) No person shall engage in business as a smoke shop within the City without first
25 obtaining a business license pursuant to this Chapter. The license required by this Chapter shall be a
26 privileged license subject to the provisions of LVMC Chapter 6.06.

1 (B) Each employee of a smoke shop who sells or handles tobacco paraphernalia,
2 [marijuana] cannabis paraphernalia or designated substances, or has daily control of the operations of the
3 smoke shop shall obtain a work card pursuant to LVMC Chapter 6.86, unless that person has been approved
4 for suitability as a principal.

5 SECTION 36: Title 6, Chapter 82, Section 30, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.82.030:** It is unlawful for any business subject to licensing as a smoke shop to:

8 (A) Employ a person under the age of eighteen (or allow such an employee) to sell or
9 handle tobacco paraphernalia or designated substances.

10 (B) Sell tobacco paraphernalia or any designated substance to a person under the age of
11 eighteen.

12 (C) Employ a person under the age of twenty-one (or allow such an employee) to sell or
13 handle [marijuana] cannabis paraphernalia.

14 (D) Sell [marijuana] cannabis paraphernalia to a person under the age of twenty-one.

15 SECTION 37: Title 6, Chapter 82, Section 40, of the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **6.82.040:** (A) In any smoke shop, tobacco paraphernalia must be stored or displayed in a
18 designated area within the business premises that is not open to view by persons under the age of eighteen
19 and to which such persons do not have access. Except in an establishment that does not permit entry to
20 persons under the age of eighteen, each entrance to the designated area shall have a sign clearly posted in
21 letters not less than three inches tall indicating that persons under the age of eighteen are not permitted within
22 that area unless accompanied by a parent or legal guardian. Any such designated area and signage are subject
23 to prior approval by the Director as part of the license approval process. No principal or employee of a smoke
24 shop described in this Subsection (A) shall permit a person under the age of eighteen years to enter or remain
25 within the designated area described in this Subsection (A) unless that person is accompanied by his or her
26 parent or legal guardian.

1 (B) In any smoke shop that sells [marijuana] cannabis paraphernalia, such paraphernalia
2 must be stored or displayed in an area within the business premises that is not open to view by persons under
3 the age of twenty-one. Any such smoke shop shall have a sign clearly posted at each entrance, in letters not
4 less than three inches tall, indicating that persons under the age of twenty-one are not permitted entry. Such
5 signage is subject to prior approval by the Director as part of the license approval process. No principal or
6 employee of a smoke shop described in this Subsection (B) shall permit a person under the age of twenty-
7 one years to enter or remain within the smoke shop.

8 SECTION 38: Title 6, Chapter 82, Section 60, of the Municipal Code of the City of Las
9 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **6.82.060:** It is unlawful for any business subject to licensing as a smoking lounge to:

11 (A) Employ a person under the age of [eighteen] twenty-one years (or allow such an
12 employee) to sell or handle tobacco products or tobacco paraphernalia;

13 (B) Allow a person under the age of twenty-one years to consume tobacco products; or

14 (C) Allow patron consumption of [marijuana,] cannabis, concentrated [marijuana]
15 cannabis or [marijuana] cannabis products.

16 SECTION 39: Title 6, Chapter 82, Section 80, of the Municipal Code of the City of Las
17 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.82.080:** Except as otherwise provided in this Section, a business that desires to operate both as a
19 smoke shop and a smoking lounge may apply for and obtain a license for each operation under this Chapter,
20 or the Department may at its option issue a combined license to authorize both types of activity. Under a
21 combination license, the licensee must comply with the provisions of this Chapter that apply to both types of
22 operations. A smoke shop that sells [marijuana] cannabis paraphernalia is not eligible for a smoking lounge
23 or a combined license.

24 SECTION 40: Title 6, Chapter 82, Section 90, of the Municipal Code of the City of Las
25 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **6.82.090:** Nothing in this Chapter shall be deemed to diminish the applicability of any other provision

1 of this Code pertaining to the sale or use of [marijuana] cannabis, concentrated [marijuana] cannabis or
2 [marijuana] cannabis products.

3 SECTION 41: Title 6, Chapter 82, Section 100, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.82.100:** Nothing in this Chapter is intended to limit the application of State law and regulations
6 governing tobacco products, drug paraphernalia, [marijuana] cannabis paraphernalia or substances that are
7 classified or to be classified as controlled substances under State law and regulations, including without
8 limitation NRS Chapters 453, [453A and 453D,] 678A through 678D, and regulations adopted thereunder.
9 Businesses subject to this Chapter are subject to compliance with State law and regulations in accordance
10 with the terms thereof, notwithstanding any provisions of this Chapter that pertain specifically to and are an
11 exercise of the City's licensing and regulatory powers and jurisdiction.

12 SECTION 42: Title 6, Chapter 86, Section 50, of the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.86.050:** Applicants for a work card for the following are subject to the provisions of Section 6.86.060:
15 (A) Employees of adult nightclub establishments licensed under Chapter 6.06B;
16 (B) Employees of erotic dance establishments licensed under Chapter 6.35;
17 (C) Employees of [medical marijuana] cannabis establishments [and marijuana
18 establishments] licensed under Chapter 6.95; and
19 (D) Employees of social use venues licensed under Chapter 6.96.

20 SECTION 43: Ordinance No. 6289 and the Unified Development Code adopted as Title 19
21 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in
22 Sections 44 to 51, inclusive, of this Ordinance. The amendments are deemed to be amendments to both
23 Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

24 SECTION 44: Title 19, Chapter 9, Section 50, is hereby amended by amending the use
25 tables located within each of Sections 19.09.050.E.004, 19.09.050.E.020 and 19.09.050.E.032 to replace each
26 reference to "Marijuana Dispensary" with "Cannabis Dispensary."

1 SECTION 45: Table 2 of the Land Use Tables adopted in Title 19, Chapter 12, Section 10,
2 is hereby amended by replacing the names of the uses “Marijuana Cultivation Facility,” “Marijuana
3 Dispensary” and “Marijuana Production Facility” with “Cannabis Cultivation Facility,” “Cannabis
4 Dispensary” and “Cannabis Production Facility,” respectively.

5 SECTION 46: Title 19, Chapter 12, Section 70, is hereby amended by amending the
6 Description of the use “Crop Production” to read as follows:

7 **Description:** An area for raising or harvesting agricultural crops, generally operated on a large-scale
8 commercial basis with accompanying wholesale and retail sales. This use does not include a [marijuana]
9 cannabis cultivation facility, a community garden, a garden that is incidental to a residential use whose
10 products are intended for the use of those residing on the parcel, or any other use involving the production of
11 plant material that is specifically defined in this Title.

12 SECTION 47: Title 19, Chapter 12, Section 70, is hereby amended by amending the entry
13 for the use “Marijuana Cultivation Facility” to read as follows:

14 **[Marijuana] Cannabis Cultivation Facility**

15 **Description:** An enclosed structure which cultivates, delivers, transfers, transports, supplies, or sells
16 [marijuana to marijuana dispensaries or marijuana production facilities. This use includes a “cultivation
17 facility,” as defined in NRS 453A.056 and a “marijuana cultivation facility” as defined in NRS 453D.030.]
18 cannabis to cannabis dispensaries or cannabis production facilities. This use includes an adult-use cannabis
19 cultivation facility and a medical cannabis cultivation facility, as defined in NRS Chapter 678A.

20 **Minimum Special Use Permit Requirements:**

21 *1. Pursuant to its general authority to regulate the cultivation, production, dispensing, and sale of
22 [marijuana,] cannabis, the City Council declares that the public health, safety and general welfare of the City
23 are best promoted and protected by generally requiring a minimum distance separation between [marijuana]
24 cannabis cultivation facilities and certain other uses that should be protected from the impacts associated with
25 a [marijuana] cannabis cultivation facility. Therefore, except as otherwise provided in these Requirements, no
26 [marijuana] cannabis cultivation facility may be located within 1000 feet of any school, or within 300 feet of

1 any of the following uses:

2 a. City park;

3 b. Church/house of worship;

4 c. Individual care - family home, individual care - group home, or individual care center (in
5 each case licensed for the care of children);

6 d. Community recreational facility (public); or

7 e. Any use whose primary function is to provide recreational opportunities to minors. Such
8 uses include without limitation commercial recreation/amusement (indoor or outdoor); library, art gallery or
9 museum (public); teen dance center; and martial arts studio that provides instruction to minors.

10 *2. [When a marijuana cultivation facility authorized pursuant to NRS Chapter 453D (the "Chapter
11 453D facility") is proposed to be located within a cultivation facility that is authorized pursuant to NRS
12 Chapter 453A (the "Chapter 453A facility"), and the Chapter 453A facility has obtained special use permit
13 approval as of July 1, 2017, the applicable distance separation requirements under Requirement 1 for the
14 proposed Chapter 453D facility shall be those that were in effect at the time of special use permit approval
15 for the Chapter 453A facility. A Chapter 453D facility that has received special use permit approval, either
16 pursuant to a new special use permit or by means of a review of conditions under an existing special use
17 permit, shall be deemed a conforming use for purposes of this Title.

18 *3.] The use shall conform to, and is subject to, the provisions of LVMC Title 6, as they presently exist
19 and may be hereafter amended.

20 [*4.] *3. No outside storage shall be permitted, including the use of shipping containers for on-site storage.

21 [*5] *4. An air filtration system to be designed by a Nevada licensed engineer shall be provided prior to
22 the issuance of a certificate of occupancy.

23 [*6.] *5. The Special Use Permit shall be void without further action if the use ceases for a period exceeding
24 90 days.

25 [*7.] *6. A [marijuana] cannabis cultivation facility shall obtain all required approvals from the State of
26 Nevada to operate such a facility prior to the Special Use Permit being exercised pursuant to LVMC

1 19.16.110.

2 [8.] 7. The use may not be located under the same roof as another use, except a [marijuana] cannabis
3 cultivation facility, [marijuana] cannabis dispensary or [marijuana] cannabis production facility.

4 *8. No cannabis cultivation facility may be located within 1500 feet of an establishment that holds a
5 nonrestricted gaming license described in subsection 1 or 2 of NRS 463.0177 and that existed on the date on
6 which the application for the proposed cannabis cultivation facility was submitted to the City, but only if and
7 to the extent the location of the proposed cannabis cultivation facility would be prohibited by Chapter 595,
8 Statutes of Nevada 2019 (Assembly Bill 533).

9 *9. An application for a Special Use Permit for a cannabis cultivation facility must include or be
10 accompanied by a survey that depicts the minimum distance separation buffers of 300, 1000 and 1500 feet
11 that are referenced within these Minimum Special Use Permit Requirements, as well as the location of all the
12 uses regarding which the separation distances are established. The survey must be signed and stamped or
13 sealed by a surveyor who holds a current license from the Nevada Board of Engineers and Land Surveyors.

14 **On-site Parking Requirement:** One space for each 1000 square feet of gross floor/yard area identified for
15 cultivation.

16 SECTION 48: Title 19, Chapter 12, Section 70, is hereby amended by amending the entry
17 for the use “Marijuana Dispensary” to read as follows:

18 **[Marijuana] Cannabis Dispensary**

19 **Description:** An establishment which acquires, possesses, delivers, transfers, transports, supplies, sells or
20 dispenses [marijuana] cannabis or related supplies and educational materials to [the holder of a valid registry
21 identification card. This use includes a “marijuana dispensary,” as defined in NRS 453A.115 and a “retail
22 marijuana store” as defined in NRS 453D.030.] holders of a valid registry identification card, consumers or
23 other cannabis dispensaries. This use includes an adult-use cannabis retail store and a medical cannabis
24 dispensary, as defined in NRS Chapter 678A.

25 **Minimum Special Use Permit Requirements:**

26 *1. Pursuant to its general authority to regulate the cultivation, production, dispensing, and sale of

1 [marijuana,] cannabis, the City Council declares that the public health, safety and general welfare of the City
2 are best promoted and protected by generally requiring a minimum distance separation between a [marijuana]
3 cannabis dispensary and certain other uses that should be protected from the impacts associated with a
4 [marijuana] cannabis dispensary. Therefore, except as otherwise provided in these Requirements, no
5 [marijuana] cannabis dispensary may be located within 1000 feet of any school, or within 300 feet of any of
6 the following uses:

- 7 a. City park;
- 8 b. Church/house of worship;
- 9 c. Individual care - family home, individual care - group home, or individual care center (in
10 each case licensed for the care of children);
- 11 d. Community recreational facility (public); or
- 12 e. Any use whose primary function is to provide recreational opportunities to minors. Such uses
13 include without limitation commercial recreation/amusement (indoor or outdoor); library, art gallery or
14 museum (public); teen dance center; and martial arts studio that provides instruction to minors.

15 2. Independent of the minimum distance separation requirements in Requirement 1, no [marijuana]
16 cannabis dispensary may be located within 1000 feet of any other [marijuana] cannabis dispensary, whether
17 or not that other dispensary is located within the jurisdictional limits of the City.

18 *3. [When a retail marijuana store authorized pursuant to NRS Chapter 453D (the "Chapter 453D
19 facility") is proposed to be located within a medical marijuana dispensary that is authorized pursuant to NRS
20 Chapter 453A (the "Chapter 453A facility"), and the Chapter 453A facility has obtained special use permit
21 approval as of July 1, 2017, the applicable distance separation requirements under Requirement 1 for the
22 proposed Chapter 453D facility shall be those that were in effect at the time of special use permit approval
23 for the Chapter 453A facility. A Chapter 453D facility that has received special use permit approval, either
24 pursuant to a new special use permit or by means of a review of conditions under an existing special use
25 permit, shall be deemed a conforming use for purposes of this Title.

26 *4.] The use shall conform to, and is subject to, the provisions of LVMC Title 6, as they presently exist

1 and may be hereafter amended.

2 [*5.] *4. No outside storage shall be permitted, including the use of shipping containers for on-site storage.

3 [*6.] *5. Subject to the requirements of applicable building and fire codes, public access to the building
4 shall be from one point of entry and exit, with no other access to the interior of the building permitted.

5 [*7.] *6. No drive-through facilities shall be permitted in conjunction with a [marijuana] cannabis
6 dispensary.

7 [*8.] *7. The Special Use Permit shall be void without further action if the use ceases for a period exceeding
8 90 days.

9 [*9.] *8. A [marijuana] cannabis dispensary shall obtain all required approvals from the State of Nevada to
10 operate such a facility prior to the Special Use Permit being exercised pursuant to LVMC 19.16.110.

11 [*10.] *9. No [marijuana] cannabis dispensary shall be located:

12 a. On any property which abuts Fremont Street west of 8th Street; or

13 b. Within 1500 feet of an establishment that holds a nonrestricted gaming license
14 described in subsection 1 or 2 of NRS 463.0177 and that existed on the date on which the application for the
15 proposed [marijuana] cannabis dispensary was submitted to the City, but only if and to the extent the location
16 of the proposed [marijuana] cannabis dispensary would be prohibited by Chapter 595, Statutes of Nevada
17 2019 (Assembly Bill 533).

18 [*11.] *10. An application for a Special Use Permit for a [marijuana] cannabis dispensary must include
19 or be accompanied by a survey that depicts the minimum distance separation buffers of 300, 1000 and 1500
20 that are referenced within these Minimum Special Use Permit Requirements, as well as the location of all the
21 uses regarding which the separation distances are established. The survey must be signed and stamped or
22 sealed by a surveyor who holds a current license from the Nevada Board of Engineers and Land Surveyors.

23 **On-site Parking Requirement:** One space for each 175 square feet of gross floor area.

24 SECTION 49: Title 19, Chapter 12, Section 70, is hereby amended by amending the entry
25 for the use "Marijuana Production Facility" to read as follows:

26 **[Marijuana] Cannabis Production Facility**

1 **Description:** An enclosed structure which acquires, possesses, manufactures, delivers, transfers, transports,
2 supplies or sells edible [marijuana products or marijuana-infused products to marijuana dispensaries. This
3 use includes a “facility for the production of edible marijuana products or marijuana-infused products,” as
4 defined in NRS 453A.105 and a “marijuana product manufacturing facility” as defined in NRS 453D.030.]
5 cannabis products or cannabis-infused products to cannabis dispensaries. This use includes an adult-use
6 cannabis production facility and a medical cannabis production facility, as defined in NRS Chapter 678A.

7 **Minimum Special Use Permit Requirements:**

8 *1. Pursuant to its general authority to regulate the cultivation, production, dispensing, and sale of
9 [marijuana,] cannabis, the City Council declares that the public health, safety and general welfare of the City
10 are best promoted and protected by generally requiring a minimum distance separation between a [marijuana]
11 cannabis production facility and certain other uses that should be protected from the impacts associated with
12 a [marijuana] cannabis production facility. Therefore, except as otherwise provided in these Requirements,
13 no [marijuana] cannabis production facility may be located within 1000 feet of any school, or within 300 feet
14 of any of the following uses:

- 15 a. City park;
- 16 b. Church/house of worship;
- 17 c. Individual care - family home, individual care - group home, or individual care center (in
18 each case licensed for the care of children);
- 19 d. Community recreational facility (public); or
- 20 e. Any use whose primary function is to provide recreational opportunities to minors. Such
21 uses include without limitation commercial recreation/amusement (indoor or outdoor); library, art gallery or
22 museum (public); teen dance center; and martial arts studio that provides instruction to minors.

23 *2. [When a marijuana product manufacturing facility authorized pursuant to NRS Chapter 453D (the
24 “Chapter 453D facility”) is proposed to be located within a medical marijuana production facility that is
25 authorized pursuant to NRS Chapter 453A (the “Chapter 453A facility”), and the Chapter 453A facility has
26 obtained special use permit approval as of July 1, 2017, the applicable distance separation requirements under

1 Requirement 1 for the proposed Chapter 453D facility shall be those that were in effect at the time of special
2 use permit approval for the Chapter 453A facility. A Chapter 453D facility that has received special use
3 permit approval, either pursuant to a new special use permit or by means of a review of conditions under an
4 existing special use permit, shall be deemed a conforming use for purposes of this Title.

5 *3.] The use shall conform to, and is subject to, the provisions of LVMC Title 6, as they presently exist
6 and may be hereafter amended.

7 [*4.] *3. No outside storage shall be permitted, including the use of shipping containers for on-site storage.

8 [*5.] *4. An air filtration system to be designed by a Nevada licensed engineer shall be provided prior to
9 the issuance of a certificate of occupancy.

10 [*6.] *5. Distillation or extraction by combustible solvent is prohibited.

11 [*7.] *6. The Special Use Permit shall be void without further action if the use ceases for a period exceeding
12 90 days.

13 [*8.] *7. A [marijuana] cannabis production facility shall obtain all required approvals from the State of
14 Nevada to operate such a facility prior to the Special Use Permit being exercised pursuant to LVMC
15 9.16.110.

16 [9.] 8. The use may not be located under the same roof as another use, except a [marijuana] cannabis
17 cultivation facility, [marijuana] cannabis dispensary or [marijuana] cannabis production facility.

18 *9. No cannabis production facility may be located within 1500 feet of an establishment that holds a
19 nonrestricted gaming license described in subsection 1 or 2 of NRS 463.0177 and that existed on the date on
20 which the application for the proposed cannabis production facility was submitted to the City, but only if and
21 to the extent the location of the proposed cannabis production facility would be prohibited by Chapter 595,
22 Statutes of Nevada 2019 (Assembly Bill 533).

23 *10. An application for a Special Use Permit for a cannabis production facility must include or be
24 accompanied by a survey that depicts the minimum distance separation buffers of 300, 1000 and 1500 feet
25 that are referenced within these Minimum Special Use Permit Requirements, as well as the location of all the
26 uses regarding which the separation distances are established. The survey must be signed and stamped or

1 sealed by a surveyor who holds a current license from the Nevada Board of Engineers and Land Surveyors.

2 **On-site Parking Requirement:** One space for each 500 square feet of gross floor area.

3 SECTION 50: Title 19, Chapter 18, Section 20, is hereby amended by amending the
4 definition of the term “Crop Production” to read as follows:

5 **Crop Production.** An area for raising or harvesting agricultural crops, generally operated on a large-scale
6 commercial basis with accompanying wholesale and retail sales. The term does not include a [marijuana]
7 cannabis cultivation facility, a community garden, a garden that is incidental to a residential use and whose
8 products are intended for the use of those residing on the parcel, or any other use involving the production of
9 plant material that is specifically defined in this Title.

10 SECTION 51: Title 19, Chapter 18, Section 20, is hereby amended by amending the
11 definitions for the terms “Marijuana Cultivation Facility,” “Marijuana Dispensary” and “Marijuana
12 Production Facility” to read respectively as follows:

13 **[Marijuana] Cannabis Cultivation Facility.** An enclosed structure which cultivates, delivers, transfers,
14 transports, supplies, or sells [marijuana to marijuana dispensaries or marijuana production facilities. The term
15 includes a “cultivation facility,” as defined in NRS 453.A.056 and a “marijuana cultivation facility” as
16 defined in NRS 453D.030.] cannabis to cannabis dispensaries or cannabis production facilities. The term
17 includes an adult-use cannabis cultivation facility and a medical cannabis cultivation facility, as defined in
18 NRS Chapter 678A.

19 **[Marijuana] Cannabis Dispensary.** An establishment which acquires, possesses, delivers, transfers,
20 transports, supplies, sells or dispenses [marijuana] cannabis or related supplies and educational materials to
21 [the holder of a valid registry identification card. The term includes a “marijuana dispensary,” as defined in
22 NRS 453A.115 and a “retail marijuana store” as defined in NRS 453D.030.] holders of a valid registry
23 identification card, consumers or other cannabis dispensaries. The term includes an adult-use cannabis retail
24 store and a medical cannabis dispensary, as defined in NRS Chapter 678A.

25 **[Marijuana] Cannabis Production Facility.** An enclosed structure which acquires, possesses,
26 manufactures, delivers, transfers, transports, supplies or sells edible [marijuana products or marijuana-

1 infused products to marijuana dispensaries. The term includes a “facility for the production of edible
2 marijuana products or marijuana-infused products,” as defined in NRS 453A.105 and a “marijuana product
3 manufacturing facility” as defined in NRS 453D.030.] cannabis products or cannabis-infused products to
4 cannabis dispensaries. The term includes an adult-use cannabis production facility and a medical cannabis
5 production facility, as defined in NRS Chapter 678A.

6 SECTION 52: For purposes of Section 2.100(3) of the City Charter, Sections 19.09.050,
7 19.12.010, 19.12.070 and 19.18.020 are deemed to be subchapters rather than sections.

8 SECTION 53: The Department of Planning is authorized and directed to incorporate into
9 the Unified Development Code the amendments set forth in Sections 44 to 51, inclusive, of this Ordinance,
10 including any relocating, renumbering and relettering of provisions as deemed necessary or appropriate.

11 SECTION 54: The adoption of this Ordinance is based upon two premises: 1) that the
12 provisions of State law and regulations governing marijuana and cannabis that are to go into effect on July
13 1, 2020, have been adopted and implemented, or are ready for implementation, and 2) that the City’s
14 Department of Planning and other departments and functions are prepared as of that date to implement this
15 Ordinance and respond to new State law and regulations as of that date. Of necessity, there will or may be
16 some delay in the implementation of State law or regulations, as well as delay in the implementation of this
17 Ordinance and the corresponding need to transition to the provisions of this Ordinance from ordinance
18 provisions previously in place. In addition, as the transition occurs, there will be a need to recognize actions
19 that have been taken under previous ordinance provisions and under the previous regulatory structure and
20 terminology. Therefore, to the extent necessary, appropriate or convenient in the light of these delays and
21 transitional periods, the Director of Planning and one or more designees, in the exercise of their reasonable
22 discretion, are authorized and directed during a period of transition to:

23 (A) Interpret and apply the provisions of this Ordinance as necessary or appropriate in
24 order to respond to any delay or transition referred to above, while at the same time effectuating the intent of
25 the City Council;

26 (B) Recognize and give effect to licensing and regulatory actions and statuses that have

1 taken place under ordinance provisions as they existed prior to the adoption of this Ordinance;

2 (C) Apply by analogy any such previously existing ordinance provisions in order to
3 effectuate the intent of the City Council.

4 SECTION 55: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
5 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
6 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
7 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
8 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
9 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
10 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

11 SECTION 56: 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 ...

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24 ...

25 ...

26 ...

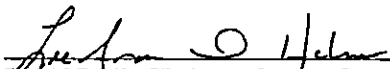
1 SECTION 57: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
3 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this 16th day of September, 2020.

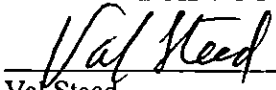
5 APPROVED:

6 By 
7 CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 
10 LUANN D. HOLMES, MMC
City Clerk


11 APPROVED AS TO FORM:

12  8-31-20
13 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 19th day of August, 2020, and referred to a committee for recommendation;
3 thereafter the said committee reported favorably on said ordinance on the 16th day of
4 September, 2020, which was a regular meeting of said Council; that at said regular
5 meeting, the proposed ordinance was read by title to the City Council as amended and
6 adopted by the following vote:

7 VOTING "AYE": Mayor Pro Tem Anthony and Councilmembers Fiore, Crear,
Knudsen, Seaman and Diaz
8 VOTING "NAY": None
9 EXCUSED: None
10 ABSTAINED: Mayor Goodman

11
12 APPROVED:
13 
14 CAROLYN G. GOODMAN, Mayor

15 ATTEST:
16 
17 LUANN D. HOLMES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2020 SEP 16 A 11: 01

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001116666

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 09/03/2020 to 09/03/2020, on the following days:

09 / 03 / 20

FIRST AMENDMENT
BILL NO. 2020-27

AN ORDINANCE TO AMEND VARIOUS PROVISIONS OF LVMC TITLES 6 AND 19 TO UPDATE LICENSING AND ZONING PROVISIONS REGARDING MARIJUANA-RELATED BUSINESSES, INCLUDING THE ELIMINATION OF PROVISIONS REGARDING COMPLIANCE PERMITS AND THE CHANGING OF TERMINOLOGY AND LICENSE CATEGORIES FROM THOSE ASSOCIATED WITH "MEDICAL MARIJUANA" AND "RETAIL MARIJUANA" TO THOSE NOW RECOGNIZED AND USED UNDER STATE LAW ("MEDICAL CANNABIS" AND "ADULT-USE CANNABIS"); AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:
Councilman Cedric Crear

Summary: Amends various provisions of LVMC Titles 6 and 19 to update licensing and zoning provisions regarding marijuana-related businesses, including the elimination of provisions regarding compliance permits and the changing of terminology and license categories from those associated with "medical marijuana" and "retail marijuana" to those now recognized and used under state law ("medical cannabis" and "adult-use cannabis").

At the City Council meeting of August 19, 2020

BILL NO. 2020-27 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: September 3, 2020
LV Review-Journal

[Signature]

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 3rd day of September, 2020

Notary *[Signature]*

Linda Espinoza



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2020 SEP 22 P 12:14

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 000118737

FIRST AMENDMENT
BILL NO. 2020-27
ORDINANCE NO. 6750

AN ORDINANCE TO AMEND VARIOUS PROVISIONS OF LVMC TITLES 6 AND 19 TO UPDATE LICENSING AND ZONING PROVISIONS REGARDING MARIJUANA-RELATED BUSINESSES, INCLUDING THE ELIMINATION OF PROVISIONS REGARDING COMPLIANCE PERMITS AND THE CHANGING OF TERMINOLOGY AND LICENSE CATEGORIES FROM THOSE ASSOCIATED WITH "MEDICAL MARIJUANA" AND "RETAIL MARIJUANA" TO THOSE NOW RECOGNIZED AND USED UNDER STATE LAW ("MEDICAL CANNABIS" AND "ADULT-USE CANNABIS"); AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:
Councilman Cedric Crear

Summary: Amends various provisions of LVMC Titles 6 and 19 to update licensing and zoning provisions regarding marijuana-related businesses, including the elimination of provisions regarding compliance permits and the changing of terminology and license categories from those associated with "medical marijuana" and "retail marijuana" to those now recognized and used under State law ("medical cannabis" and "adult-use cannabis").

The above and foregoing ordinance was first proposed and read by title to the City Council on the 19th day of August, 2020, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 16th day of September, 2020, 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": Councilmembers Anthony, Flore, Crear, Knudsen, Seaman and Diaz

VOTING "NAY": NONE

VOTING "ABSTAIN": Mayor Goodman

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: September 19, 2020
LV Review Journal

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 09/19/2020 to 09/19/2020, on the following days:

09 / 19 / 20

IS: Eileen Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 21st day of September, 2020

Notary Mary Lee

