
LEGAL

MEMO

City and Borough of Sitka

DEPARTMENT

To:	Mayor McConnell and Assembly Members Municipal Administrator Mark Gorman
From:	Reuben Yerkes, Paralegal <i>RY</i>
Subject:	City and Borough of Sitka Ordinance #2016-21
Date:	June 22, 2016

The Assembly has before it an ordinance which creates two new sections in Sitka General Code (SGC). The first section (starting at line 109) would designate the City Assembly as the Local Regulatory Authority (LRA). This section would require the Assembly to sit as the LRA in order to hear marijuana related conditional use permit (CUP) appeals. This section would also empower the municipality to receive 50 percent of State marijuana licensing fees, as well as to sit as the LRA for the purpose of regulating marijuana whenever it is deemed appropriate by the Assembly.

The second section of this ordinance (starting at line 126) outlines the methodology by which the Assembly will process marijuana license applications. The ordinance achieves this by taking language from SGC 10.44.030 which is the liquor regulation chapter, and applying it to the marijuana license process. State language allows a "local government" to protest a given application. This language has been determined (through the liquor license process) to include city assemblies. For purposes of satisfying state requirements, the Assembly currently has the power to hear marijuana license applications and take action based on that hearing. The passage of this ordinance is not necessary for the Assembly to be able to take action on State marijuana licenses. This second section of the ordinance simply states clearly in code that this responsibility will fall to the Assembly.