

POSSIBLE MOTION

I MOVE TO approve Ordinance 2015-57 on
second and final reading.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-57

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 7 OF THE SITKA GENERAL CODE BY CREATING A NEW CHAPTER 7.20, ENTITLED "MARIJUANA ADVISORY COMMITTEE" THAT WOULD ESTABLISH THE MARIJUANA ADVISORY COMMITTEE TO SERVE AS A LOCAL REGULATORY AUTHORITY WITH STAFF SUPPORT FROM THE OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT STARTING IMMEDIATELY AND ENDING FEBRUARY 24, 2016 OR UNTIL A PERMANENT BODY IS DESIGNATED

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code ("SGC").

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. **PURPOSE.** The purpose of this ordinance is to amend SGC Title 7 by adding Chapter 7.20 "Marijuana Advisory Committee" to recommend the Marijuana Advisory Committee become the interim Local Regulatory Authority, for purposes as set forth in Alaska Statute 17.38, with staff support from the Office of Planning and Community Development starting immediately and ending February 24, 2016 or until a permanent body is designated.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC Chapter 7.20 is created as set out below (new language underlined; deleted language stricken):

Title 7

Chapter 7.20 Marijuana Advisory Committee

7.20.010 Marijuana Advisory Committee

A. There is created the Marijuana Advisory Committee, referred to in this chapter as the Committee. The Committee shall serve as the Local Regulatory Authority for purposes of AS 17.38.

B. The Committee consists of nine voting members, the composition is as follows:

1. Six members; three from the public at large and one each from the Police and Fire Commission, Health Needs and Human Services Commission, and the School Board. If no volunteers from each of these boards and commissions can be found, the Assembly may select members from the public to fill each vacant seat.

2. Two Assembly members and one member from the Planning Commission.
3. The City Attorney will sit on the Committee in an advisory capacity, with no voting rights.
4. The Committee will receive staff support processing applications, setting up rules and regulations for time, place and manner restriction from the office of Planning and Community Development.

7.20.030 Proceedings of the Committee

The Committee shall meet regularly as needed and at the call of the Chair. Permanent records or minutes shall be kept of the vote of each member upon every question. Every decision of finding shall immediately be filed in the office of the City Clerk, and shall be public record open to inspection by any person. Every decision of finding shall be directed to the Assembly at the earliest possible date.

7.20.040 Sunset Clause

If no permanent body is designated by February 24, 2016, the Committee shall continue as the Local Regulatory Authority until a permanent body is appointed by the Assembly.

7.20.050 Duties and responsibilities of the Committee

It shall be the duty of the Committee to act in an advisory capacity to the Administrator and Assembly on the regulation of marijuana and operation of marijuana facilities within the City and Borough of Sitka. Further duties shall include but not be limited to:

- A. Work with the State to collect fees and administer licensing and regulations. Draft recommended laws and policies for Assembly approval, regulating marijuana and related facilities within the City and Borough of Sitka.
- B. Make recommendations, for Assembly approval, on time, place and manner regulations related to use, manufacturing and distribution of marijuana.
- C. Supervise and monitor the implementation and enforcement of laws and policies governing marijuana, in conjunction with the City Attorney, Department of Planning and Community Development, the City Administrator, and the State authorities.
- D. Analyze the economic impact of marijuana regulation in the City and Borough of Sitka, and working with the city Finance Department, make recommendations on taxation of marijuana.
- E. Analyze the environmental impact of manufacturing of marijuana, working with both the Electric department and wastewater treatment department.

5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 24th day of November, 2015.

Mim McConnell, Mayor

ATTEST:

Sara Peterson, CMC
Municipal Clerk