

ORDINANCE 1347
ORDINANCE EXTENDING ORDINANCE 1336 EXTENDING ORDINANCE 1327 A
TEMPORARY ORDINANCE REGARDING THE LOCAL PERMIT AND
LICENSING OF CULTIVATION, TESTING AND MANUFACTURING OF
MEDICAL CANNABIS
AND DELAYING IMPLEMENTATION OF ORDINANCE 1329 CREATING
ZONING REGULATIONS FOR CANNABIS ESTABLISHMENTS

WHEREAS, the City of Deadwood previously adopted Ordinance 1327 on June 10, 2021 regarding the temporary issuance of local medical cannabis establishment permits and/or licenses;

WHEREAS, Ordinance 1327 made a preliminary finding that the city's current regulations and controls may not adequately address the unique needs and impact of medical cannabis establishments as defined in SDCL 34-20G-1;

WHEREAS, Ordinance 1327 recognized that because the Department of Regulations had not yet adopted the final standards for medical cannabis the City would not be able to adequately assess the local zoning and licensing requirements necessary to approval local permits and to better ensure applicants have a more predictable permitting process to avoid stranded investments;

WHEREAS, Ordinance 1327 was adopted to ensure that more comprehensive zoning ordinance and building permit changes, licensing permits, and any proposed amendments to the City's Comprehensive Plan could be completely examined with adequate public input from citizens, business interests, and medical cannabis industry representatives;

WHEREAS, Ordinance 1327 was adopted to preserve the status quo and to prevent significant investment pending the passage of the final State Department of Regulations final standards;

WHEREAS, Ordinance 1327 was adopted to protect and immediately preserve the public health, safety, welfare, peace and support of the municipal government and its existing public institutions;

WHEREAS, the City adopted Ordinance 1329 to create zoning regulations for cannabis establishments on September 8, 2021;

WHEREAS, the City believes it is still unable to adequately address facilities designed for cannabis testing, cultivation and manufacturing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF DEADWOOD, SD:

Ordinance Number 1327 Entitled A Temporary Ordinance Regarding the Issuance of Local Medical Cannabis Establishment Permits and / or Licenses shall be modified to include cannabis testing, cultivation and manufacturing facilities. In accordance with this Ordinance and Ordinance Number 1327,

no licenses or permits regarding Medical Cannabis Establishments shall be expanded to include cannabis testing, cultivation and manufacturing facilities issued by the City of Deadwood until February 15, 2022.

Be it further resolved, Immediate Effect. This ordinance is necessary to protect and immediately preserve the public health, safety, welfare, peace, and support of the municipal government and its existing public institutions pursuant to SDCL 11-4-3.1 and SDCL 9-19-13.

Dated this 20th day of December, 2021.

CITY OF DEADWOOD

David Ruth Jr., Mayor

ATTEST:

Jessica McKeown, Finance Officer

First Reading: December 6, 2021
Second Reading: December 20, 2021
Published: December 23, 2021
Adopted: January 12, 2022