

Memo

To: Mayor Hall

From: Sanya Vitale

cc: City Council

Date: 3/21/23

Re: Marijuana Ordinance Update

As you are aware, the City of Hartford opted in to MRTMA and allows for marijuana vendors in the City. Upon reviewing the City's Ordinance and meeting with staff and local businesses, several things have come to light as follows:

1. Per the Ordinance and State law, there must be a fair and equitable competition for licenses when there are a limited number available. (**333.27959 Sect 9.4**)
 - This process is outlined in the City's Ordinance 320-2020
 - As such, the City is issuing a RFP for marijuana vendors to solicit vendors for available licenses.
2. Per the State law a marijuana establishment cannot be located within 1,000 feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12, unless a municipality adopts an ordinance that reduces this distance requirement (**333.27959 Sect 9.3.c**)
 - The City has been using a standard that includes other landmarks and distances that are not identified in the State law or in the City's Ordinance.
 - As the local standards are not identified in the City's Ordinance the areas where a marijuana establishment can locate has expanded unless the Council takes action to include this standard in the local ordinance.
3. Per the City's Ordinance, a grow facility can currently only be located in a light industrial zone. However, the City recently sold property to a grow facility that is located in a general industrial zone. Therefore, I am suggesting an Ordinance Amendment to allow this grower the opportunity to apply for a license at their current location.
4. Per the City's Ordinance, a Microbusiness is only allowed to apply for the standard Microbusiness application in Hartford. There is a new Class A Microbusiness application available through the State and potential vendors are requesting access to this type of license in Hartford.
 - Changes include (Section R. 420.105a):
 - 300 Plant Cap (was 150 plant cap previously)
 - A class A marihuana microbusiness may accept the transfer of marihuana plants only once upon licensure from a registered primary caregiver if the registered primary caregiver was an applicant for that class A marihuana microbusiness license.

- Purchase marihuana concentrate and marihuana-infused products from a licensed marihuana processor.

5. Per the City's Ordinance, Hartford has not limited marijuana services to indoor areas.

- As such I am recommending adding the following language to the Ordinance:
Unless otherwise allowed for through State and local ordinance, all activities of marihuana establishments or other regulated activity authorized by the Rules promulgated by the State, including, without limitation, the cultivating, growing, processing, displaying, manufacturing, selling, and storage of marihuana and marihuana-infused products shall be conducted indoors and out of public view except those entities and/or events with an approved event permit by the State and City Council.