



CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Joe Sathe/Pam Whitmore
Meeting Date:	Tuesday, May 14, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Registration Requirements for Intoxicating Cannabinoid Products
Background Information:	<p>Adding On-Site to the Zoning Code. I did not add On-Site Intoxicating Hemp Product Businesses as a “use” in the zoning code because there is no “zoning” regulation associated with the registration. The On-Site registration can only be issued to a business also licensed for on-sale liquor (which is regulated by the zoning code), but if we do not have to establish a new “use” then I think the City avoids accidentally creating an issuing with legal non-conforming uses in the future. Let me know if I am off-base here.</p> <p>500-foot buffer from schools (Ord. Sections 3-6). The only buffer remaining after the L&O committee was a 500-foot buffer from schools for the Off-site stores (Intoxicating Hemp Products Business). The language provides that the distance would be measured from the center of the primary school building to the property line of the registering business and that the “primary building” would be established by the City in a map published by the city. The language purposefully does not refer to the “zoning map” to avoid any confusion with the official zoning map, as there should instead be in a separate map specifically for the purpose of establishing the primary structure and outlining the associated buffers.</p> <p>Moveable Place of Business (Section 22-223). I added a separate section on Moveable Place of business saying that no registration will be issued for a moveable place of business. The definition of moveable place of business excludes businesses operating under a caterer’s permit.</p> <p>Administrative Citations (Section 22-233). Does the City want to subject this chapter to the standard Administrative Citation process or, as is currently drafted, include a standalone process for Intoxicating Hemp violations similar to tobacco? Administrative Citations are found in Article 2-VII</p> <p>Misdemeanor Prosecution (Section 22-234 (f-g) – We recommend leaving these provisions on Misdemeanor Prosecution and Continued violations regardless of the decision on whether to issue administrative citations under the code-wide provision or a chapter specific provision.</p> <p>Penalty Location (Section 22-234) – The current draft language includes the amount of administrative citations in the ordinance language. I think that when we revise the ordinance to address high-potency products we can move the penalty amounts to the fee schedule. It is not clear to me what level of authority the City will be have to impose fines/fee once the state takes over licensing.</p>
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	To provide comment and direction on THC registration.