

Introduced by: Council Member Springer
Date: July 28, 2015
Public Hearing: August 11, 2015
Action: Passed
Vote: 6-0

CITY OF BETHEL, ALASKA

Ordinance #15- 18

AN ORDINANCE BY THE BETHEL CITY COUNCIL ESTABLISHING A MARIJUANA ADVISORY COMMITTEE

WHEREAS, on November 4, 2014, the voters approved Ballot Measure 2, an Act to Tax and Regulate the Production, Sale and Use of Marijuana;

WHEREAS, Ballot Measure 2 provides for the legalization of the production and sale of marijuana and adopted a new chapter in the Alaska Statutes, which has been codified at Alaska Statute 17.38;

WHEREAS, Alaska Statutes 17.38.110, grants local control to municipalities. The statute permits municipalities to prohibit or govern the time, place, and manner and number of marijuana establishment operations, within their borders, to establish ordinances, penalties, procedures, fees and to create or designate a local regulatory authority;

WHEREAS, the State of Alaska recently seated a Marijuana Control Board tasked with developing regulations regarding marijuana production and sales;

WHEREAS, should the State fail to adopt regulations or a sufficient number of regulations by November 24, 2015, it will be up to the municipalities to have regulations in place;

WHEREAS, even if the State adopts regulations by the mandated deadline, the City of Bethel should be responsible and should be knowledgeable about these new regulations and their impact on the marijuana industry in Bethel;

WHEREAS, even when the State has regulations in place, those regulations do not focus on or address local concerns;

WHEREAS, the creation of an advisory body would assist the City in monitoring the actions of the State and the proposed regulations to ensure that any proposed new regulations are effective, meet the intent of the City Council, and are comprehensive in following the public process;

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WHEREAS, a local Marijuana Advisory Committee would assist the City in ensuring the Bethel Municipal Code complies with all new regulations or can take over in place of the Board's failure to timely adopt regulations;

WHEREAS, responsibilities of the Marijuana Advisory Committee would include, but not be limited to:

- Monitoring the progress of any state, federal or municipal legislative and or regulatory action pertaining to Ballot Measure 2/AS 17.38;
- Reviewing the current Bethel Municipal Code (BMC) and identifying those sections of the code that may be affected by Ballot Measure 2/AS 17.38;
- Reporting and making recommendations to the City Council related to the implementation of Ballot Measure 2/AS 17.38 at the local municipal level including, but not limited to, recommendations pertaining to possible changes and/or additions to the BMC, zoning and regulation changes;

WHEREAS, Administration will designate an individual from city staff as an Ex Officio Member to the committee for the purposes of acting as secretary/recorder to the body;

WHEREAS, unless otherwise provided in this ordinance, the Marijuana Advisory Committee shall be governed by the requirements outlined in Bethel Municipal Code Chapter 2.52, Boards Committees and Commission;

WHEREAS, Council approved members should be familiar with the marijuana industry, the current and proposed marijuana regulations from the State;

WHEREAS, the Marijuana Advisory Committee, will be the committee charged with the initiation of marijuana regulations however, it is the Council's intent to establish a separate local regulatory authority, responsible for the processing of applications submitted for a registration to operate a marijuana establishment within the boundaries of the City;

NOW, THEREFORE BE IT ORDAINED, that the Bethel City Council establishes a Marijuana Advisory Committee.

SECTION 1. Classification. This ordinance is of a general and permanent nature and shall not become a part of the Bethel Municipal Code.

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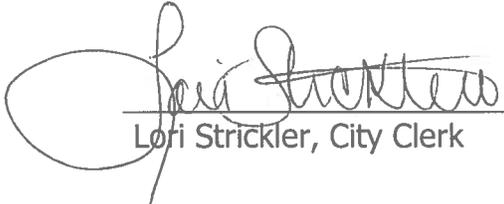
SECTION 2. Effective Date. This Ordinance shall become effective September 1, 2015 following the passage by the Bethel City Council.

SECTION 3. Expiration Date. This Ordinance shall expire on January 1, 2017.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL ALASKA, THIS 11th DAY OF AUGUST 2015, BY A VOTE OF 6 IN FAVOR AND 0 OPPOSED.


Richard Robb, Mayor

ATTEST:


Lori Strickler, City Clerk