

Introduced by: Mayor Watson
Date: July 23, 2019
Public Hearing: August 13, 2019
Action: Passed
Vote: 5-0

CITY OF BETHEL, ALASKA

Ordinance #19-16

AN ORDINANCE BY THE BETHEL CITY COUNCIL SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF BETHEL, ON OCTOBER 1, 2019, A BALLOT PROPOSITION INITIATED THROUGH MARIJUANA LOCAL OPTION PETITION

- WHEREAS;** Alaska Statute 17.38.210, Marijuana, Local Control states, a local government may prohibit the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, or retail marijuana stores through the enactment of an ordinance or by a voter initiative;
- WHEREAS;** Alaska Administrative Code 306.230 states, when it receives a petition to adopt, change, or remove a local option under 3 AAC 306.200 – 3AAC 306.22, the local government shall conduct the election in compliance with the initiative process under the local government’s election ordinance and regulations and the applicable provisions of AS 29;
- WHEREAS;** the City’s local government initiative process is found in Bethel Municipal Code 7.100.060 which states, if the municipality has fewer than 7,500 people, the petitioners will be required to obtain 25% of the votes cast at the last regular election;
- WHEREAS;** the City Clerk’s Office certified a petition application for a marijuana local option question on June 18, 2019, the petition booklets were issued to the petitioners on June 19, 2019;
- WHEREAS;** the petition sponsors had 90 days from June 19, to secure 299 signatures from qualified Bethel voters;
- WHEREAS;** on July 09, 2019, the City Clerk’s Office received the petition booklets, the petition was certified by the City Clerk’s Office on July 16, 2019;
- WHEREAS;** pursuant to BMC 7.100.060, the petition sponsors obtained the minimum 299 qualifying signatures from Bethel registered voters (25% of the number of votes cast at the City’s last regular election);

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WHEREAS; pursuant to Bethel Municipal Code 7.10.070, an ordinance placing propositions and questioned before the voters must be adopted by the council not later than forty-five calendar days before a regular or special election which is August 17, 2019;

SECTION 1. ELECTION An election is to be held October 1, 2019 in and for the City of Bethel for the purpose of submitting questions and a ballot proposition to the qualified voters of the City of Bethel for approval or rejection.

SECTION 2. PROPOSITION The proposition must receive a majority vote of the qualified voters in the City of Bethel voting on the question to be approved. The Proposition shall be substantially in the following form:

Shall the City of Bethel adopt a local option to prohibit the sale or importation for sale of marijuana and any marijuana product and to prohibit the operation of any marijuana establishment, which includes the following license or endorsement types:

- a) A retail marijuana store (both with and without an onsite consumption endorsement);
- b) A marijuana cultivation facility;
- c) A marijuana manufacturing facility;
- d) A marijuana testing facility;

Yes

No

IMPATIAL SUMMARY OF THE BALLOT QUESTION

~~A yes vote on this ballot question means you DO NOT support the operation of any marijuana businesses within the community of Bethel.~~

A yes vote on this ballot question means you want the community of Bethel to fall under local option, preventing the operation of any marijuana businesses within the community of Bethel.

Marijuana businesses are summarized below.

~~A no vote on this ballot question means you DO support the operation of any marijuana business within the community of Bethel.~~

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A no vote on this ballot question means you want the community of Bethel to remain out of local option, allowing for the operation of marijuana businesses within the community of Bethel.

Marijuana businesses are summarized below.

Marijuana Businesses Include:

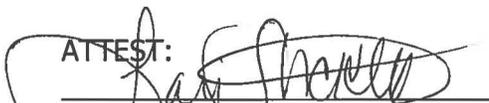
1. Retail Marijuana Store is allowed to sell marijuana and marijuana products which include concentrated marijuana products, marijuana products that contain marijuana and other ingredients and are intended for use or consumption, such as, but not limited to edible products, vaping concentrates, ointments, and tinctures.
2. Marijuana Cultivation Facility is allowed to cultivate, harvest, prepare, cure, package, store, and label marijuana to be sold to retail marijuana stores.
3. Marijuana Product Manufacturing Facility is authorized to manufacture, refine, process, cook, package, label and store marijuana manufacture any product intended for consumption or use on the body that is made up of marijuana and other ingredients including, edible products, ointments, salves, patches, or tinctures.
4. Marijuana Testing Facility is authorized to test and analyze marijuana to certify potency, check for moisture content, pesticides or solvent residue, mold, mildew, bacteria, or other contaminants in marijuana or marijuana products.
5. Retail License with Onsite consumption endorsement authorizes the retail marijuana store to allow their customers to consume marijuana, marijuana edibles products.

SECTION 4. Classification. This ordinance is of permanent nature and shall not become a part of the Bethel Municipal Code.

SECTION 5. Effective Date. This Ordinance shall become effective upon the approval by the Bethel City Council.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL ALASKA, THIS 13th DAY OF AUGUST 2019, BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED.


Thor Williams, Vice-Mayor

ATTEST:

Lori Strickler, City Clerk