

Submitted by: Assembly Member ...  
Prepared by: Municipal Clerk's Office and  
Assembly Counsel  
For reading:

**ANCHORAGE, ALASKA**  
**AO No. 2019-\_\_\_\_\_**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**  
2 **ANCHORAGE MUNICIPAL CODE SECTIONS 10.80.045 AND 10.80.080C.2 TO**  
3 **REMOVE THE MARIJUANA TRANSFER APPLICATION REQUIREMENT FOR**  
4 **DISCLOSURE OF DEBTS AND TAXES OF THE BUSINESS PERTAINING TO**  
5 **CREDITORS AND ASSEMBLY DENIAL OF APPLICATION FOR THIS REASON.**  
6

Commented [HML1]: Dean, this is the 10.80.080C.2 you were talking about right? Is there any other sections that need to be amended?

7  
8 **WHEREAS**, when the Assembly adopted AO 2016-16(S) to add a new chapter for  
9 marijuana licensing, much of Chapter 10.80 was mirrored language from the State  
10 of Alaska marijuana regulations; and

11  
12 **WHEREAS**, through processing and reviewing municipal marijuana applications,  
13 some requirements which are duplicates of State requirements have been found to  
14 not benefit in the review of municipal marijuana license applications.

15  
16 **THE ANCHORAGE ASSEMBLY ORDAINS:**

17  
18 **Section 1.** Anchorage Municipal Code section 10.80.045 is hereby amended to  
19 read as follows (*the remainder of the section is not affected and therefore not set*  
20 *out*):

21  
22 **10.80.045 Procedure for change in or transfer of a controlling interest**  
23 **in a license issued to non-natural persons, and for**  
24 **temporary operation following the death of an individual.**

25 \*\*\* \*\*

26  
27 C. *Procedure.* An application for transfer of a controlling interest in a marijuana  
28 establishment license issued to a partnership, a limited liability company, or a  
29 corporation, must be filed in writing on a form the municipal clerk prescribes  
30 within 10 days of the effective date of an agreement or contract for such a  
31 transfer, in compliance with the application procedure set out in section  
32 10.80.026. The application must name the current holder of the marijuana  
33 establishment license and the proposed transferee, including all persons listed  
34 in 3 AAC 306.020 if the transferee is a partnership, limited liability company, or  
35 a corporation. The application must contain:

- 36  
37 1. The same information about each transferee as is required of an applicant  
38 for a new license under section 10.80.020, section 10.80.021 except for  
39 information regarding the previously approved special land use permit as  
40 required by subsection 10.80.021C., and 3 AAC 306.020;  
41  
42 [2. A STATEMENT, UNDER OATH, EXECUTED BY THE CURRENT  
43 HOLDER OF THE MARIJUANA ESTABLISHMENT LICENSE, LISTING

ALL DEBTS OF THE BUSINESS, ALL TAXES THE BUSINESS OWES, CURRENT CONTACT INFORMATION FOR EACH CREDITOR, AND AN AFFIRMATION THAT THE CRRENT HOLDER OF THE MARIJUANA ESTABLISHMENT LICENSE HAS SUBMITTED A COPY OF THE TRANSFER APPLICATION TO ALL CREDITORS; AND]

[3]2. Any other information required by the municipal clerk for the type of marijuana establishment license sought to be transferred.

\*\*\* \*\*\*(AO No. 2016-16(S), § 1, 2-9-16; AO No. 2017-71(S), § 6, 4-25-17; AO No. 2017-95(S), § 3, 5-1-17)

Section 2. Anchorage Municipal Code section 10.80.080 is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

10.80.080 Denial of license application.

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C. After review of the application and all relevant information, the assembly will deny an application for transfer of license to another person if the assembly finds:

- 1. Any cause listed in subsection A. of this section;
[2. THAT THE TRANSFEROR HAS NOT PAID ALL DEBTS OR TAXES ARISING FROM THE OPERATION OF THE BUSINESS LICENENSED UNDER THIS CHAPTER UNLESS THE TRANSFEROR GIVES SECURITY FOR THE PAYMENT OF THE DEBTS OR TAXES SATISFACTORY TO THE CREDITOR OR TAXING AUTHORITY;]

[3]2. That transfer of the license to another person would result in violation of the standards of this chapter relating to identity of licensees and financing of licensees; or

[4]3. That the prospective transferee does not have the qualifications of an original applicant required under this chapter.

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(AO No. 2016-16(S), § 1, 2-9-16; 2017-71(S), § 4, 4-25-17; AO No. 2017-95(S), § 2, 5-1-17)

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Chair

ATTEST:

1 \_\_\_\_\_  
2 Municipal Clerk  
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DRAFT

