

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 CHAPTER 10.80 TO UPDATE THE**
3 **MARIJUANA LICENSING REGULATIONS TO CONFORM TO RECENT STATE**
4 **REGULATION CHANGES.**
5

6
7 **THE ANCHORAGE ASSEMBLY ORDAINS:**
8

9 **Section 1.** Anchorage Municipal Code section 10.80.015 is hereby amended to
10 read as follows (*the remainder of the section is not affected and therefore not set*
11 *out*):
12

13 **10.80.015 License conditions.**

14 *** **

15
16 E. In this section,

- 17 1. "Direct or indirect financial interest" means:
18 a. A legal or equitable interest in the operation of a business licensed
19 under this chapter;
20 b. Does not include a person's right to receive:
21 i. Rental charges on a graduated or percentage lease-rent agreement
22 for real estate leased to a licensee; or
23 ii. A consulting fee from a licensee for services that are allowed under
24 this chapter;
25 2. "Resident of the state" means a person who [MEETS THE RESIDENCY
26 REQUIREMENT UNDER AS 43.23 FOR A PERMANENT FUND
27 DIVIDEND IN THE CALENDAR YEAR IN WHICH THAT PERSON
28 APPLIES FOR A MARIJUANA ESTABLISHMENT LICENSE UNDER
29 THIS CHAPTER.]is eligible at the time of application for the most recent
30 permanent fund dividend under AS 43.23.
31 *** **

32 (AO No. 2016-16(S), § 1, 2-9-16)
33

34 **Section 2.** Anchorage Municipal Code section 10.80.036 is hereby amended to
35 read as follows (*the remainder of the section is not affected and therefore not set*
36 *out*):
37

38 **10.80.036 Municipal application for renewal of license; failure to**
39 **timely renew results in potential closure; expiration results**
40 **in termination of license and special land use permit.**
41

42 A. On or before May 1 of each year, the municipal clerk shall send notice that a
43 marijuana establishment with a license in active and operating status must file

Commented [HML1]: May not need due to
previous changes:
10.80.036D.

If a marijuana establishment has received approval for
its original license and special land use permit by the
assembly, but it is not effective before July 1 of the
current year because all conditions have not been met,
a renewal application is not required to be submitted.

1 a renewal application not later than June 30 of the current year. Renewal
2 applications filed after that date are delinquent and subject the marijuana
3 establishment to potential closure pending approval of the application as
4 described in subsection G. Renewal applications for the next license period will
5 be accepted by the municipal clerk's office only between May 1 and August 31,
6 inclusive.

7 *** **

8 D. If a marijuana establishment has received approval for its original license
9 and special land use permit by the assembly, but it is not effective before
10 July 1 of the current year because all conditions have not been met, a
11 renewal application is not required to be submitted.

12 *** **

13 (AO No. 2016-16(S), § 1, 2-9-16; 2017-71(S), § 4, 4-25-17; AO No. 2017-
14 95(S), § 2, 5-1-17)

15
16 **Section 3.** Anchorage Municipal Code section 10.80.045 is hereby amended to
17 read as follows (*the remainder of the section is not affected and therefore not set*
18 *out*):

19
20 **10.80.045 Application for License Transfer. Procedures for change in**
21 **or transfer of a controlling interest in a license issued to**
22 **non-natural persons, for a transfer of license, and for**
23 **temporary operation following the death of an individual.**

24 *** **

25
26 F. When a transferee intends to continue to operate a marijuana license with the
27 operating plan approved by the Assembly for the transferor, the transferee may
28 submit a form approved by the Assembly certifying that the transferee is
29 making no changes to the operating plan or licensed premises, instead of
30 submitting information required under Sections 10.80.020, 10.80.021, and
31 10.80.026.....

32 *** **

33 (AO No. 2016-16(S), § 1, 2-9-16; AO No. 2017-71(S), § 6, 4-25-17; AO No.
34 2017-95(S), § 3, 5-1-17; AO No. 2017-96(S), § ~~XX~~, 11-7-18)

35
36 **Section 4.** Anchorage Municipal Code section 10.80.530 is hereby amended to
37 read as follows:

38
39 **10.80.530 Marijuana handler permit and food safety worker training.**

- 40
41 A. A marijuana product manufacturing facility shall ensure that each licensee,
42 employee, or agent who is required or permitted to be physically present on
43 the licensed premises at any time:
44 B. Obtains a marijuana handler permit as provided in 3 AAC 306.700 before
45 being present or employed at the marijuana product manufacturing facility's
46 licensed premises; and
47 1. Has the marijuana handler permit card in the person's immediate
48 possession, or a valid copy on file on the premises, at all times while on
49 the marijuana product manufacturing facility's licensed premises.
50 2. A licensee, employee, or agent of a marijuana product manufacturing
51 facility who handles marijuana at the facility shall obtain a food worker

Commented [HML2]: I put the sections that I know of, but need help making sure I get all of them that apply.

Commented [HML3]: Dean, I'm not sure what the number in front of the AO is. This is a new one that's not codified yet.

card in compliance with 18 AAC 31.330 and keep that card in that person's possession at all times while on the licensed premises of the marijuana product manufacturing facility.

(AO No. 2016-16(S), § 1, 2-9-16)

Section 5. Anchorage Municipal Code section 10.80.620 is hereby added to read as follows (*the remainder of the section is not affected and therefore not set out*):

10.80.620 Marijuana handler permit required.

A. A marijuana testing facility shall ensure that each licensee, employee, or agent who is required or permitted to be physically present on the licensed premises at any time:

1. obtains a marijuana handler permit as provided in 3 AAC 306.700 before being licensed or employed at the marijuana testing facility's licensed premises; and
2. has the marijuana handler permit card in the person's immediate possession, or a valid copy on file on the premises, at all times while on the marijuana testing facility's licensed premises.

*** *** ***

Section 6. 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:

Municipal Clerk