

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.**  
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6  
7 **THE ANCHORAGE ASSEMBLY ORDAINS:**  
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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*):  
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13 **10.80.015 License conditions.**  
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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)  
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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*):  
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38 **10.80.036 Municipal application for renewal of license; failure to**  
39 **timely renew results in potential closure; expiration results in**  
40 **termination of license and special land use permit.**  
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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]:** Maybe not needed 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.

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9 (AO No. 2016-16(S), § 1, 2-9-16; 2017-71(S), § 4, 4-25-17; AO No. 2017-  
 10 95(S), § 2, 5-1-17)

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

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 16 **10.80.045 Application for License Transfer. Procedures for change in**  
 17 **or transfer of a controlling interest in a license issued to non-natural**  
 18 **persons, for a transfer of license, and for temporary operation following**  
 19 **the death of an individual.**

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

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29 (AO No. 2016-16(S), § 1, 2-9-16; AO No. 2017-71(S), § 6, 4-25-17; AO No.  
 30 2017-95(S), § 3, 5-1-17; AO No. 2017-96(S), § XX, 11-7-18)

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 32 **Section 4.** Anchorage Municipal Code section 10.80.320 is hereby amended to  
 33 read as follows (*the remainder of the section is not affected and therefore not set*  
 34 *out*):

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 36 **10.80.320 Marijuana handler permit required.**

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 38 A. A retail marijuana store shall ensure that:

- 39 1. Each [LICENSEE, EMPLOYEE, OR]agent who is required or permitted to  
 40 be physically present on the licensed premises at any time, each licensee,  
 41 and each employee obtains a marijuana handler permit as provided in 3  
 42 AAC 306.700 before being licensed or employed at a retail marijuana  
 43 store; and

44 \*\*\* \*\*

45 (AO No. 2016-16(S), § 1, 2-9-16)

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 47 **Section 5.** Anchorage Municipal Code section 10.80.425 is hereby amended to  
 48 read as follows (*the remainder of the section is not affected and therefore not set*  
 49 *out*):

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 51 **10.80.425 Marijuana handler permit required.**

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A. A marijuana cultivation 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, each licensee, and each employee:

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(AO No. 2016-16(S), § 1, 2-9-16)

**Section 6.** Anchorage Municipal Code section 10.80.530 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

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

A. A marijuana product manufacturing 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, each licensee, and each employee:

\*\*\*                    \*\*\*                    \*\*\*  
(AO No. 2016-16(S), § 1, 2-9-16)

**Section 7.** 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 agent who is required or permitted to be physically present on the licensed premises at any time, each licensee and each employee

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.

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**Section 8.** Anchorage Municipal Code section 10.80.700 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**10.80.700    Marijuana handler permit.**

A. Any marijuana establishment and each[LICENSEE, EMPLOYEE, OR] agent of the marijuana establishment who sells, cultivates, manufactures, tests or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor, each licensee and employee must obtain a marijuana handler permit pursuant to State of Alaska regulation 3 AAC 306.700 before being licensed or beginning employment at a marijuana establishment.

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(AO No. 2016-16(S), § 1, 2-9-16)

1 **Section 9.** This ordinance shall be effective immediately upon passage and  
2 approval by the Assembly.

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

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10 \_\_\_\_\_  
Chair

11 ATTEST:  
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14 \_\_\_\_\_  
15 Municipal Clerk  
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