



LAI-ON-THE-TABLE

Submitted by: Assembly Chair Constant
Assembly Vice Chair Brawley
Prepared by: Municipal Clerk's Office
Office of Assembly Counsel
For reading: March 24, 2026

**ANCHORAGE, ALASKA
AO No. 2026-42**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY REPEALING**
2 **AND REENACTING ANCHORAGE MUNICIPAL CODE CHAPTER 10.80,**
3 **LICENSING AND REGULATION OF MARIJUANA ESTABLISHMENTS, TO**
4 **INCORPORATE CERTAIN PROVISIONS OF APPLICABLE STATE LAW AND**
5 **FUTURE AMENDMENTS TO THEM FOR OPERATION REQUIREMENTS AND**
6 **RESTRICTIONS, UPDATE AND CLARIFY MUNICIPAL MARIJUANA LICENSING**
7 **REGULATIONS, AMENDING AMC SECTION 10.10.015 REGARDING RECORDS**
8 **RELATED TO MUNICIPAL LICENSE APPLICATIONS, AND AMENDING AMC**
9 **SECTION 14.60.030, FINE SCHEDULE, ACCORDINGLY, AND RELATED**
10 **MATTERS.**

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13 **WHEREAS**, in the 2014 state general election the voters approved Ballot Measure 2,
14 An Act to Tax and Regulate the Production, Sale, and Use of Marijuana ("the Act"),
15 and the initiative was codified in a new chapter as Alaska Statute 17.38 *et seq*; and

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17 **WHEREAS**, the Act provided for local governments to issue registrations in the event
18 the state failed to enact regulations for the same, or to issue licenses to applicants,
19 and authorizes municipalities to "enact ordinances or regulations not in conflict with
20 this chapter or with regulations enacted pursuant to this chapter, governing the time,
21 place, manner, and number of marijuana establishment operations," AS 17.38.210(b);
22 and

23
24 **WHEREAS**, the Municipality of Anchorage enacted a robust local regulatory and
25 licensing framework similar to the state statute by enacting a new Chapter 10.80
26 in the Anchorage Municipal Code for the licensing and regulation of local marijuana
27 establishments at Anchorage Municipal Code Chapter 10.80, largely restating the
28 state regulations. See AO 2016-16(S), As Amended; and

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30 **WHEREAS**, the licensed and regulated businesses have been successfully operating
31 since 2016 providing many valuable lessons about the industry; and

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33 **WHEREAS**, numerous amendments have been adopted and implemented since the
34 enactment of the initial state statute, state regulations, and municipal code; and

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36 **WHEREAS**, to limit duplication and to highlight the differences between the state and
37 municipal legislation, this ordinance incorporates by reference most of the state
38 regulatory statutory provisions and regulations without restating these provisions,
39 reducing the need to mimic state law changes by introduction of ordinances, which

1 will improve the efficiency of local marijuana industry regulation and keep municipal
2 code aligned with state law as it is amended from time to time; and
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4 **WHEREAS**, this ordinance outlines in detail the procedures, code provisions, and
5 policies of the Municipality that are different and distinct from state law, particularly
6 the Municipality's concurrent licensing jurisdiction; now, therefore,
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8 **THE ANCHORAGE ASSEMBLY ORDAINS:**
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10 **Section 1.** Anchorage Municipal Code Chapter 10.80 is repealed and is reenacted
11 in accordance with AMC section 1.05.050B., a copy of the existing text of the
12 repealed chapter is attached.
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15 **Chapter 10.80 MUNICIPAL LICENSING AND REGULATION OF**
16 **MARIJUANA ESTABLISHMENTS**
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18 **10.80.001 Designation of local regulatory authority.**
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- 20 A. *Assembly authority.*
21 1. The assembly, as the local governing body of the Municipality
22 of Anchorage, holds the authority to grant, deny, suspend and
23 revoke municipal marijuana licenses.
24 2. The assembly is authorized by the state to protest a state
25 marijuana license application.
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27 B. Pursuant to AS 17.38.210(c), the clerk is designated as the local
28 regulatory authority for the municipality.
29
30 C. The clerk has final authority to determine the interpretation or usage of
31 terms used in this chapter, pursuant to this section. Any person may
32 request an interpretation of any term by submitting a written request to
33 the clerk, who shall respond in writing within 30 days. The clerk's
34 interpretation shall be binding on all officers and departments of the
35 municipality. The clerk shall maintain a file of all interpretations made
36 pursuant to this subsection. Any person may appeal an interpretation
37 by the director regarding a term used in this title to the assembly in
38 accordance with subsection 10.85.716.
39
40 D. It is unlawful for licensees, agents, or employees to violate provisions of
41 this chapter, chapter 8.35, applicable provisions of Title 21, 3 AAC ch.
42 306, and state law. The municipality may enforce all regulations upon
43 marijuana facilities covered by these regulations.
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46 **10.80.005 Definitions.**
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- 48 A. Definitions set forth in AS 17.38.900 and 3 AAC 306 are hereby
49 incorporated by reference, except where a term is defined in this
50 section, as supplemented or modified in this chapter, or where the

1 context clearly indicates a different meaning.

2
3 B. For purposes of this chapter:

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5 "AMCO" means the State of Alaska Alcohol and Marijuana Control
6 Office;

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8 "*Application*" means the application for a municipal license,
9 including for a new, renewal, transfer of location, or transfer to
10 another person of the municipal license and/or municipal
11 endorsement unless context indicates it means a different state or
12 municipal application.

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14 "*Approved*" means assembly has passed an assembly resolution for
15 the approval of a license application and/or special land use permit
16 application, but conditions of the approval have not been complied
17 with;

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19 "*Board*" means the State Marijuana Control Board;

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21 "*Clerk*" means the Municipal Clerk or the Clerk's designee;

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23 "*Effective*" means the date the license application and/or special
24 land use permit application approved by the assembly complies with
25 all conditions of approval and a license and/or permit has been
26 issued;

27
28 "License" means the municipal license unless the context clearly
29 indicates otherwise.

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31 "*State Law*" means those provisions of the state marijuana licensing
32 statutes at AS Chapter 17.38, and the regulations promulgated
33 thereunder in 3 AAC Chapter 306 that are applicable to marijuana
34 establishment premises, operations, and license administration
35 actions regulated by and described in this chapter or set out in
36 section 10.80.100, including subsequent amendments to such laws
37 and regulations.

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40 **10.80.100 Incorporation of state statutes and regulations.**

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42 A. The following provisions of the state marijuana regulation statutes AS
43 chapter 17.38 are incorporated by reference as privileges and
44 restrictions on marijuana establishments licensed by the municipality,
45 and may be enforced under this chapter:

- 46 1. AS 17.38.070, Lawful operation of marijuana-related facilities.
 - 47 2. AS 17.38.200, Marijuana establishment registrations, only
48 subsections (g), (h), and (i).
 - 49 3. AS 17.38.900, Definitions.
- 50

- 1 B. The state regulations listed below are adopted and incorporated by
2 reference except as supplemented or modified in this chapter.
- 3 1. 3 AAC 306.010-.015, License restrictions and conditions.
 - 4 2. 3 AAC 306.049, Foreclosures.
 - 5 3. 3 AAC 306.051, Application for return of a license to a person
6 with a retained security interest.
 - 7 4. 3 AAC 306.055, Criminal justice information and records.
- 8
- 9 C. The articles of state marijuana regulations listed below are adopted and
10 incorporated by reference, including as may be amended in the future
11 to repeal or modify existing sections or add new sections. Where
12 provisions of this chapter regulate the same act or conduct as that in
13 state law, the provisions of this chapter shall govern.
- 14 1. 3 AAC 306 Article 3, Retail Marijuana Stores. Excluding these
15 sections:
 - 16 a. 3 AAC 306.315, Application for Retail Marijuana Store
17 License.
 - 18 b. 3 AAC 306.370, Onsite consumption endorsement for
19 Retail marijuana stores.
 - 20 c. 3 AAC 306.380, Walk-up or Drive-Through Exterior
21 Window Pick-up for Retail Marijuana Stores.
 - 22 2. 3 AAC 306 Article 4, Marijuana Cultivation Facilities. Excluding
23 these sections:
 - 24 a. 3 AAC 306.420, Application for Marijuana Cultivation
25 Facility License.
 - 26 b. 3 AAC 306.480, Marijuana Tax to be Paid.
 - 27 3. 3 AAC 306 Article 5, Marijuana Product Manufacturing Facilities.
28 Excluding these sections:
 - 29 a. 3 AAC 306.520, Application for Marijuana Product
30 Manufacturing Facility License.
 - 31 4. 3 AAC 306 Article 7, Operating Requirements for All Marijuana
32 Establishments. Excluding these sections:
 - 33 a. 3 AAC 306.760, Trade shows.
 - 34 5. Only the following sections in 3 AAC 306 Article 8, Enforcement;
35 civil penalties:
 - 36 a. 3 AAC 306.801, Powers and duties.
 - 37 b. 3 AAC 306.806, Verbal warning, Inspection Report,
38 Advisory Notice, or Notice of Violation.
 - 39 c. 3 AAC 306.830, Seizure of or administrative hold on
40 marijuana or marijuana products.
 - 41 d. 3 AAC 306.836, Probation.
 - 42 e. 3 AAC 306.850, Surrender or Destruction of License.
 - 43 6. 3 AAC 306 Article 9, General Provisions. Excluding these
44 sections:
 - 45 a. 3 AAC 306.930, Staff.
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21, the more restrictive requirements shall apply.

- C. The licensee has a duty to promptly update the clerk of any changes to its contact information for correspondence and notices.
- D. The assembly may impose other conditions or restrictions on a license issued under this chapter when the assembly finds that it is in the interests of the public to do so.

10.80.115 License restrictions.

License restrictions include the prohibitions and restrictions set forth in State Law, section 10.05.020, and this chapter.

State law reference: 3 AAC 306.010.

10.80.120 Applications for new, renewal or transfer of license and/or endorsement.

- A. *Municipal Application.* An applicant for a new, renewal or transfer of a municipal marijuana establishment license and/or endorsement must submit a municipal application.
- B. *Fees.* The applicant must pay to the municipality the application and licensing fees set out in Section 10.80.135.
- C. *New Application.*
1. The municipality will accept an application for a new marijuana license only after AMCO has deemed the corresponding state marijuana establishment license application complete.
 2. The combined application for a new marijuana establishment license with special land use permit shall be submitted by the applicant to the planning department director who shall determine if the application is complete.
 3. A marijuana establishment's new application must include:
 - a. the establishment name, applicant name, premises address and legal description, and license type, and endorsement if applicable;
 - b. a current email address at which the applicant agrees to receive any correspondence and notices from the municipality before and after it receives a license;
 - c. identification of the license number issued by the State for the corresponding State marijuana license;
 - d. the physical address of each individual who is identified as a licensee under State Law;
 - e. all information required under Title 21 for the special land use permit for marijuana; and

- 1 f. if applying for a new municipal endorsement for onsite
2 consumption, the information required by section
3 10.80.205.
- 4 4. If the Planning Director determines the application is complete,
5 the Planning Director shall as soon as practicable give written
6 notice to the applicant and the community council in which the
7 proposed licensed premises is located. This is separate and
8 exclusive of the notice requirements of Title 21.
- 9 5. If the municipal application is incomplete, the Planning Director
10 shall notify the applicant by email at the address provided by the
11 applicant and:
 - 12 a. return an incomplete application in its entirety to the
13 applicant; or
 - 14 b. request the applicant to provide specific additional
15 information needed to complete the application.
- 16 6. When the Planning Director informs an applicant that their
17 application is incomplete, the applicant must provide the
18 information necessary to complete the application not later than
19 90 days after the date of the Planning Director's notice. If an
20 applicant fails to complete its application during this 90-day
21 period, the applicant must file a new application.
- 22
- 23 D. *Biennial renewal.* Marijuana establishment license applications for
24 biennial renewal shall be filed with the clerk's office and:
 - 25 1. will be accepted by the clerk's office only between May 1 and
26 August 31; and
 - 27 2. must be received by the clerk's office not later than 5:00 p.m. on
28 June 30 of the renewal year or they will be considered
29 delinquent;
 - 30 3. must include:
 - 31 a. the information required under section 10.80.120C.3.
32 except for information regarding a previously approved
33 special land use permit; and
 - 34 b. any other information required by the clerk.
 - 35 4. delinquent applications are subject to closure as described in
36 subsection E.2.; and
 - 37 5. a renewal application is not required if a marijuana
38 establishment has received approval for its original license by
39 the assembly, but it is not effective before July 1 of the renewal
40 year.
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- 42 E. *Expiration.*
 - 43 1. All marijuana establishment licenses and endorsements expire
44 at 12:00 midnight on August 31 of the renewal year, unless a
45 different date is set in the assembly resolution approving the
46 license or endorsement.
 - 47 2. If a marijuana establishment files a complete license renewal
48 application between May 1 and on or before August 31:
 - 49 a. *filed on or before June 30.* The marijuana establishment
50 may continue operating under the current license

1 notwithstanding the expiration date until the renewed
2 license is approved and effective, or until the assembly
3 denies the application for renewal.

- 4 b. *filed on or after July 1 is delinquent.* The marijuana
5 establishment shall not operate after August 31 until the
6 renewed license is approved and effective. The
7 establishment may retain possession of the marijuana or
8 marijuana product that is otherwise compliant with this
9 chapter on its premises although prohibited from
10 operations pending a decision on the renewal application.
- 11 3. If a marijuana establishment fails to file a complete license
12 renewal application on or before August 31, the holder of that
13 expired license shall, within ten days of expiration, surrender the
14 license to the clerk.
- 15 4. Any holder of an expired license with no renewal application
16 pending that seeks authority to operate must file a new
17 application under sections 10.80.120C.
- 18 5. Endorsements that are not transferred with a license that is
19 transferred to another person or to another location shall expire
20 upon the effective date of such transfer.

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22 F. *Transfer of ownership.*

- 23 1. An ownership change that transfers the license to another
24 person or transfers a controlling interest in a license issued to a
25 partnership, a limited liability company, or a corporation must be
26 approved by the assembly in accordance with this subsection.
27 An ownership change that does not result in a change in
28 controlling interest of the license requires no action and the clerk
29 will keep a record of such changes to each license as reported
30 to the state pursuant to 3 AAC 306.040 for state licenses.
31 “Ownership change” has the meaning in that state regulation.
- 32 2. An application for transfer of ownership must be filed in writing
33 on a form the clerk prescribes. Regardless of any private
34 agreement, a transfer of ownership is not effective until after
35 issuance of the license.
- 36 3. The application must name the current licensee(s) transferor(s)
37 of the marijuana establishment license and the proposed
38 licensee(s) transferee(s). Ownership must match the
39 corresponding State marijuana license ownership transfer
40 application information.
- 41 4. The application must contain:
- 42 a. the information required under section 10.80.120C.3.
43 except for information regarding the previously approved
44 special land use permit; and
- 45 b. any other information required by the clerk for the type of
46 marijuana establishment license sought to be transferred.
- 47 5. A municipal onsite consumption endorsement may only be
48 transferred to another person if the license for which the
49 endorsement was issued is also transferred to that person.
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1 G. *Transfer of location.*

- 2 1. An application for transfer of a license with or without any
3 associated endorsement to another location must be filed in
4 writing on a form the clerk prescribes.
5 2. An application for transfer of a license to another location must
6 contain:
7 a. the information required under section 10.80.120C.3.
8 b. the current location of the licensed premises,
9 c. the proposed location of the proposed licensed premises
10 including legal description,
11 d. whether the license holder intends to transfer the
12 endorsements, and
13 e. any other information required by the clerk for the type of
14 license sought to be transferred.
15 3. An application for a special land use permit under Title 21 is
16 required if the proposed new location does not have a current
17 valid special land use permit for marijuana.
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19 H. *Transfer of location with transfer to another person.*

- 20 1. If the transfer of a license to another location is concurrent with
21 the transfer of the license to another person as described in this
22 section, an application must be filed in writing on a form the clerk
23 prescribes.
24 2. A concurrent transfer application must contain the information
25 listed under subsections F. and G.
26

27 I. *Transfer and renewal.*

28 A current holder of a license shall submit a renewal application before
29 or at the same time as an application for a transfer of a license to
30 another location that is submitted after April 30 and before August 31 in
31 the calendar year that such license is to be renewed.
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33 J. After the assembly approves a license application, the applicant may
34 not begin operating the marijuana establishment until the applicant has
35 received and posted the municipal marijuana license and special land
36 use permit certificate inside the licensed establishment in a
37 conspicuous place.
38

39 K. Each person signing an application for a marijuana establishment
40 license must declare under penalty of unsworn falsification that
41 1. the application is true, correct, and complete;
42 2. the applicant has read and is familiar with AS 17.38 and this
43 chapter; and
44 3. the applicant will provide all information the board requires in
45 support of the application.
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47 L. Nothing in this section supersedes any proceeding to suspend or
48 revoke a license.
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10.80.125 Action by the clerk.

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3 A. *Protest of new state marijuana license.* Upon receipt by the clerk of
4 notice from AMCO of the filing of a new state marijuana license
5 application, the clerk shall conditionally protest, on behalf of the
6 assembly, the license or endorsement application. The applicant must
7 possess all licenses, permits and approvals needed to operate a
8 marijuana establishment or endorsement activity within the municipality
9 before the protest may be lifted.

10
11 B. *Notice of renewal.* On or before May 1 of each year the clerk shall:
12 1. send notice to marijuana establishments with license(s) in active
13 and operating status that they must file a renewal application for
14 each license due for renewal not later than June 30 of the
15 current year.
16 2. notify each community council of all the marijuana establishment
17 licenses located within its boundaries that are due to expire in
18 August that calendar year and advise councils they may request
19 a public hearing before the assembly on any renewal within its
20 boundaries.
21 a. Requests for a public hearing before the assembly shall
22 be made no later than June 15 of that same year and
23 shall be submitted to the clerk's office.
24 i. Requests should be in the form of a community
25 council resolution with grounds for the public
26 hearing request including, but not limited to:
27 (A) total votes in favor and opposed to the
28 resolution; and
29 (B) comments from residents or community
30 council members; and
31 (C) photographs, videos, data, or other
32 documentation.
33 ii. Requests received on or before June 15 shall be
34 accepted by the clerk under this section and a
35 public hearing will be scheduled.
36 iii. The clerk shall prepare a resolution and schedule
37 a public hearing on behalf of the assembly, with
38 the community council resolution and other
39 pertinent information attached to it.
40 b. Holders of licenses for which a public hearing has been
41 scheduled shall be notified by the clerk of the request for
42 a public hearing and provided a copy of the community
43 council request and documentation.

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45 C. *Notice of expiration.* On or before August 15 of each year, the clerk
46 shall deliver a notice of expiration to each marijuana establishment due
47 for renewal that has not filed a complete application for renewal. A
48 marijuana establishment is not excused from filing a license renewal
49 application not later than August 31 even if the marijuana establishment
50 does not receive the notice of expiration described in this section.

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- D. *Notice of deemed complete applications.* When the clerk receives an application for a renewal or transfer of a license (location or ownership) and determines that the application is complete, the clerk shall give notice of the deemed complete application to:
1. the applicant; and
 2. the community council in which the licensed premises is located.
- E. *Compliance determination.* In determining whether applications have complied with the provisions of this chapter, the clerk shall compile all department reviews received determining whether the proposed activity or business complies with the specific laws or municipal regulations administered by the municipal departments referenced in Section 10.10.020. and submit them to the assembly with the application in the form of a resolution. The resolution shall include all comments received by the clerk's office from the public or community council as well as any enforcement actions if applicable.

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10.80.130 Public participation.

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- A. *Public comment.* A person may comment on an application by submitting a written statement to the clerk. If a public hearing is held, a person may also give oral testimony at the public hearing held in accordance with subsection B.
- B. *Public hearing.* Notice of public hearing required under this section shall be published at least seven days in advance.
1. The assembly will hold a hearing:
 - a. for a new application for a marijuana establishment. The hearing will be consolidated with the hearing required by Title 21 on the applicant's associated application for a special land use permit.
 - b. for a new application for an onsite consumption endorsement. The hearing may be consolidated with the hearing required for a new application for a marijuana establishment license under subsection a. of this section.
 2. The assembly may hold a hearing for any other municipal marijuana application.

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10.80.135 Assembly procedure for action on license or endorsement application and protest to State Marijuana Control Board.

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- A. *Action by the assembly.* The assembly may act upon a municipal marijuana license application and corresponding state marijuana license application by one resolution. Upon receipt by the clerk of notice from AMCO of the filing of a state marijuana license renewal or

1 transfer application, the assembly may protest the application,
2 conditionally protest the application, or waive its right to protest.

- 3 1. *Waiver.* The clerk may prepare a resolution for the assembly's
4 approval of the municipal marijuana license issuance and
5 stating waiver of the right to protest the state license if all
6 review certifications of compliance required from municipal
7 departments have been received.
- 8 2. *Conditional protest.* The clerk may prepare a resolution for the
9 assembly's approval of a conditional protest of the municipal
10 license and State license, pending completion of items listed in
11 the resolution. The clerk shall send the resolution to the
12 applicant and to the community council involved at least ten
13 days prior to the date set for assembly action on the resolution.
14 The assembly shall schedule and conduct a public hearing to
15 allow the applicant an opportunity to be heard before exercising
16 its right to conditionally protest the licenses. Upon confirmation
17 that all items have been addressed, a conditional protest may
18 be lifted by the clerk without further action by the assembly.
- 19 3. *Denial and protest.* The assembly shall deny a municipal
20 marijuana license application and protest a state marijuana
21 license application by resolution with grounds for protest
22 specified. The clerk shall prepare a proposed resolution and
23 send it to the applicant and to the community council involved
24 at least ten days prior to the date set for assembly action. The
25 assembly shall schedule and conduct a public hearing to give
26 the applicant an opportunity to defend their application before
27 exercising its right to deny and protest the licenses.
- 28 a. A protest by the assembly under this section cannot be
29 based in whole or in part on police reports or other
30 written materials available to the municipality but which
31 were not provided to the affected owner or operator
32 before the public hearing on that protest.
- 33 b. The assembly will consider any written objection,
34 suggested condition, or petition, and any testimony
35 received at a public hearing when it considers the
36 application. The clerk will retain the written objection,
37 suggested condition, or petition as part of the record of
38 the assembly's review of an application.
- 39 c. A motion to reconsider may not be made regarding the
40 assembly's action on whether to protest an application.

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42 **B. *Conditions.***

- 43 1. The assembly may place conditions on the municipal license
44 and request conditions to be placed on the state license by the
45 Board.
- 46 2. The clerk shall prepare a proposed resolution and send it to the
47 applicant and to the community council involved at least ten
48 days prior to the date set for assembly action.
- 49 3. The assembly shall schedule and conduct a public hearing to
50 give the applicant an opportunity to defend their application

1 before conditions are added to the municipal license and
 2 requested for the state license.

- 3 4. The assembly may amend the proposed resolution to include
 4 facts and findings to support placing conditions on the
 5 municipal marijuana license or for the request for conditions to
 6 be placed on the State marijuana license, by the Board.
 7 a. *Municipal license conditions:* will be enforced until
 8 further action is taken by the assembly.
 9 b. *State license conditions:* conditions placed on the State
 10 license by the Board are valid for the duration of the
 11 current license period for which the assembly requested
 12 them.
 13 i. A public hearing must be held prior to requesting
 14 conditions be continued in place for the following
 15 licensing period.
 16 5. The assembly may add, remove, or modify conditions of the
 17 license, including conditioning its waiver of protest on
 18 satisfaction of any such conditions of the transfer or imposed on
 19 the transferees.
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 22 **10.80.140 Standards governing assembly review of marijuana license**
 23 **applications.**
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- 25 A. The assembly shall consider whether the proposed state and/or
 26 municipal application meets standards set forth in this subsection, as
 27 follows:
 28 1. *General requirements.* Whether all review certifications of
 29 compliance from municipal departments have been received as
 30 required by AMC 10.10.020.
 31 2. *Public comments.* Whether comments have been received
 32 regarding the application from the public or the corresponding
 33 community council.
 34 3. *Payment of taxes, fees, and fines.*
 35 a. Whether the applicant is delinquent in payment of
 36 accounts owed to the municipality.
 37 b. When application is made for transfer of ownership of a
 38 license the assembly shall consider whether the
 39 municipality has received either payment or adequate
 40 security for the payment of any debts or taxes, including
 41 any estimated taxes for the current year arising from the
 42 conduct of the licensed business.
 43 4. *Security for payment of taxes, fees, and fines.* Adequate
 44 security for the payment of debts and taxes may be in the form
 45 of:
 46 a. escrowed funds sufficient to pay the taxes, fees and
 47 fines claimed and any escrow fees; or
 48 b. actual payment of debts and taxes claimed; or
 49 c. a guarantee agreement in accordance with this
 50 subsection. Any guarantee agreement under this

1 subsection shall be in writing, shall be signed by the
2 transferor, transferee and municipality, and must
3 include:

- 4 i. acknowledgment and acceptance of responsibility
5 by the transferee for the debts and taxes, fees,
6 and fines due to the municipality; and
7 ii. recognition of the municipality as the beneficiary
8 of the agreement; and
9 iii. recognition of the municipality's remedies for
10 breach of the agreement including:
11 (A) a civil suit for enforcement of the
12 agreement; and
13 (B) protest of a subsequent renewal for
14 nonpayment of taxes arising from conduct
15 of the licensed business or breach of the
16 guarantee agreement; and
17 (C) any other remedies or claims that the
18 municipality might have asserted against
19 the transferor.

- 20 d. Release of guarantee. Upon payment of all taxes, fees
21 and fines due the municipality pursuant to the written
22 guarantee agreement, the municipality shall execute a
23 written release of guarantee.
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26 **10.80.145 Denial of application.**
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- 28 A. *New application.* After review of the application, including the
29 applicant's proposed operating plan and all relevant information
30 included in the resolution submitted by the clerk, the assembly may
31 deny an application for a new license or endorsement and protest the
32 issuance of the corresponding state marijuana license if it finds that:
33 1. the application contains any false statements of material fact; or
34 2. the license or endorsement would violate any restriction in AMC
35 10.80 or State Law; or
36 3. the assembly finds that the operating plan does not adequately
37 demonstrate that the applicant will comply with applicable
38 standards of this chapter; or
39 4. issuance of the license or endorsement will adversely impact the
40 health, welfare or public safety of the neighborhood in which the
41 marijuana establishment is proposed to be located, or otherwise
42 would not be in the best interests of the public.
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- 44 B. *Renewal application.* After review of the application and all relevant
45 information included in the resolution submitted by the clerk, the
46 assembly may deny an application for renewal of a marijuana
47 establishment license and may protest the issuance of the
48 corresponding state marijuana license if it finds:
49 1. any cause listed in subsection A. of this section; or
50 2. the license has been revoked for any cause; or

1 3. the license has been operated in violation of a condition or
2 restriction the assembly previously imposed.

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4 C. *Transfer.* After review of the application and all relevant information
5 included in the resolution submitted by the clerk, the assembly may
6 deny an application for transfer of a license and may protest the
7 issuance of the corresponding state marijuana license if it finds:
8 1. any cause listed in subsection A. of this section; or
9 2. that the transferor has not paid all debts or taxes arising from the
10 operation of the business licensed under this chapter unless the
11 transferor gives security for the payment of the debts or taxes
12 satisfactory to the creditor or taxing authority; or
13 3. that transfer of the license or of a controlling interest in the
14 license would result in violation of the standards of this chapter
15 relating to identity of licensees and financing of licensees; or
16 4. that a prospective transferee does not have the qualifications of
17 an original applicant required under this chapter.

18
19
20 **10.80.150 Appeals of license application actions.**

21
22 If the assembly denies an application for a license or endorsement, or imposes
23 conditions or restrictions on one, the clerk will, not later than 15 days after the
24 meeting at which the assembly's final decision was made, send notice in
25 writing to the applicant of the denial by furnishing the assembly resolution and
26 all facts and findings supporting the denial. A final decision may be appealed
27 to the superior court within 30 days of the date the decision is sent to the
28 applicant.

29
30 **10.80.155 Fees; refund.**

- 31
32
33 A. *License and operating fees.* The biennial license or endorsement fee to
34 be paid with each application for a new marijuana license or
35 endorsement and for each renewal application for a marijuana license
36 or endorsement is \$0, and the annual license or endorsement operating
37 fee to be paid with each application for a new marijuana license or
38 endorsement and for each renewal application for a marijuana license
39 or endorsement is \$0.
40
41 B. If the assembly denies an application for a license or for renewal of a
42 license, the municipality will refund the annual license operating fee
43 received with the denied application for a license or renewal. The
44 municipality will not refund a license operating fee after the license has
45 been issued.
46
47 C. Fees as described in chapter 10.70 or established elsewhere in this
48 code that are charged by municipal departments for inspections or
49 other applicable requirements shall be paid by the applicant.
50

1
2 **10.80.200 Retail marijuana store general privileges and prohibitions.**
3

- 4 A. *Privileges.* Licensed retail marijuana stores are granted all privileges
5 granted to them under state law, including to:
6 1. accept payment for the transactions accepted over the internet
7 or by telephone for marijuana or marijuana products and provide
8 the purchased products only to the consumer present at the
9 licensed premises who placed the order; and
10 2. sell food or beverages not containing marijuana or alcohol for
11 consumption on the premises; and
12 3. if permitted by the establishment's special land use permit for
13 marijuana granted under Title 21, display marijuana or marijuana
14 products at a walk-up or drive through exterior window; all orders
15 received through it must be placed by the consumer from a
16 menu in compliance with this section and Title 21.
17
- 18 B. A licensee of a retail store may also apply for a cultivation license,
19 manufacturing license, or both.
20 1. Except for areas of overlapping premises approved under state
21 law and Title 21 if applicable, the licensee shall conduct any
22 cultivation operation in a room separate from other operation
23 and the retail store, and shall conduct any manufacturing
24 operation in a room separate from any other operation and the
25 retail store:
26 a. if the rooms are connected and co-located, a secure door
27 must separate the rooms from each other; and
28 b. a secure door must separate any room connected to a
29 retail store and co-located with the retail store.
30 2. The licensee shall comply with each provision of this chapter
31 that applies to any other type of marijuana facility license that
32 the licensee of a retail store obtains.
33
- 34 C. *Prohibited acts.* In addition to the prohibited acts under state law and
35 this chapter, a licensed municipal marijuana retail store may not:
36 1. offer or deliver free marijuana or marijuana product, including a
37 sample unless allowed by state law; or
38 2. offer service or conduct any activity that requires an
39 endorsement except as provided in 10.80.205.
40

41
42 **10.80.205 Onsite consumption endorsement for retail marijuana**
43 **stores.**
44

- 45 A. *Endorsement.* An applicant for an onsite consumption endorsement
46 must file an application on a form prescribed by the clerk, including the
47 documents set out in this section, which must include:
48 1. the information required under 10.85.120C.;
49 a. licensed retail stores must include any changes made to
50 the license if applicable;

2. information required by the planning department regarding the special land use permit under Title 21; and
3. establishments must comply with characteristics for an edible only consumption area under State Law applicable.

B. *Privileges.* A marijuana retail store with an approved onsite consumption endorsement is authorized to:

1. sell edible marijuana products for consumption on the licensed premises at the time of purchase in compliance with this section and Title 21 as applicable:
 - a. in quantities not to exceed 25 mg of THC to any one person per day; and
2. sell food or beverages not containing marijuana or alcohol for consumption on the premises; and
3. allow a person to remove from the licensed premises marijuana or marijuana product that has been purchased on the licensed premises for consumption under this section, provided it is packaged in accordance with State Law.

C. *Prohibited acts.* In addition to prohibitions under State Law, a marijuana retail store with an approved onsite consumption endorsement may not sell for onsite consumption:

1. products consumed by inhalation; and
2. all methods of consumption that would be prohibited under chapter 16.65, Secondhand Smoke Control Ordinance.

D. The retail marijuana store holding an onsite consumption endorsement under this chapter shall comply with any conditions imposed by the assembly or placed on the State endorsement by the Board.

E. The holder of an onsite consumption endorsement must apply for renewal biennially at the time of renewal of the underlying retail marijuana store license.

F. A municipal onsite consumption endorsement may only be transferred to another person if the license for which the endorsement was issued is also transferred to that person.

10.80.210 Local restrictions on advertising of marijuana and marijuana products; signs.

A. In addition to the advertising restrictions of State Law:

1. An advertisement for marijuana or marijuana products may not contain a statement or illustration that advertises any type of military discount for an individual in the status of Active Duty, Guard, or Reserves in any branch of the United States military.
2. For purposes of this section, "military discount" means any reduction in price or other special offer to encourage sales

1 based on the current Active Duty, Guard, or Reserve military
2 status of a potential customer.

3 a. The prohibition shall sunset without further action by the
4 Assembly upon the Department of Defense or the United
5 States Congress issuing guidance or changing the law
6 to allow service members to use cannabis and remain in
7 Active, Guard, and Reserve status without potential for
8 discipline or administrative separation.
9

10 B. A retail marijuana store's signs must comply with Title 21 of the
11 Anchorage Municipal Code and other applicable municipal code
12 sections. To the extent of any conflict between this chapter and the
13 requirements of Title 21, the more restrictive requirements shall apply.
14

15
16 **10.80.215 Health and safety standards.**
17

18 A. All marijuana concentrates intended for non-smoking oral consumption
19 must be maintained at a temperature of 41 degrees F or lower.
20

21 B. The Director of the Anchorage Health Department may waive the
22 requirements of subsection A. upon review of written procedures and
23 scientific evidence submitted by the manufacturer that demonstrates
24 that the procedures used to produce the marijuana concentrate results
25 in a product that does not require refrigeration.
26

27
28 **10.80.220 Walk-up or drive-through exterior window pick-up for retail
29 marijuana stores.**
30

31 A licensed retail marijuana store may serve a consumer through a walk-up or
32 drive-through exterior window in compliance with the requirements of State
33 Law and in compliance with requirements of its special land use permit for
34 marijuana under Title 21.
35

36
37 **10.80.225 Retail marijuana tax and certificate of registration.**
38

39 A retail marijuana store must obtain a certificate of registration as required by
40 AMC chapter 12.50 for each location at which the business of retail sales of
41 marijuana or marijuana products are conducted prior to operating as a
42 retailer within the municipality.
43

44
45 **10.80.300 Marijuana cultivation facility general privileges and
46 prohibitions.**
47

48 Licensed cultivation facilities have the privileges, restrictions, and prohibitions
49 applicable under state law.
50

1 inspection by a municipal official charged with the enforcement of this
2 chapter, and by the Anchorage Police Department, the Anchorage Fire
3 Department, the Anchorage Health Department or any other local
4 official with health and safety responsibilities.
5

- 6 B. Inspection under this section includes inspection of the premises,
7 facilities, qualifications of personnel, methods of operation, business
8 and financial records, marijuana inventory tracking system, policies,
9 and purposes of any marijuana establishment and of any applicant for a
10 marijuana establishment license.
11

12
13 **10.80.515 Health and safety standards.**
14

15 A marijuana establishment is subject to inspection by the Anchorage Police
16 Department, the Anchorage Fire Department, the Municipal Code Enforcement
17 Department, the Anchorage Health Department or any other local official with
18 health and safety responsibilities to confirm that no health or safety concerns
19 are present upon inspection required for issuance of license, and the
20 establishment is in compliance with applicable municipal codes and State
21 laws.
22

23
24 **10.80.520 Waste disposal.**
25

26 A marijuana establishment shall store, manage, and dispose of any solid or
27 liquid waste, including wastewater generated during marijuana cultivation
28 production, processing, testing, or retail sales, in compliance with the approved
29 operating procedure for waste disposal and applicable federal, state, and local
30 code, ordinances and regulations.
31

32
33 **10.80.525 Public records.**
34

- 35 A. Marijuana establishment applications are public records. The clerk, in
36 consultation with the Municipal Attorney, may, at the request of any
37 applicant, designate materials confidential if they:
38 1. contain proprietary information including trade secrets; or
39 2. are required to be kept confidential by any federal or state law or
40 regulation.
41

42
43 **10.80.530 Minors on licensed premises.**
44

- 45 A. Notwithstanding any other provision of this chapter or as allowed by the
46 State, a licensee or employee of a licensee may bring a child, who is
47 the child of the licensee or employee and of an age that is allowed
48 under State Law, onto the licensed premises
49 1. for the purpose of breastfeeding the child or the expression of
50 breast milk in a designated area, which must not expose the

1 child in any way to marijuana or any marijuana product, including
2 marijuana pollen. A designated area may not include an onsite
3 consumption area described under section 10.80.205.

4 2. as otherwise allowed by State Law.
5

6 B. This section may not be construed to supersede or change the
7 requirements of 29 U.S.C. 207 (Section 7 of the Fair Labor Standards
8 Act of 1938) or any other law applicable to breastfeeding in the
9 workplace.
10

11 **10.80.535 Samples.**

12 Samples allowed and prohibited by State Law for licensed facilities are
13 incorporated.
14

15 **10.80.600 Powers and duties.**

16 A. *Inspect.* Along with the powers and duties under State Law, the
17 municipality may inspect during normal working hours of the business,
18 the licensed premises of a marijuana establishment, including:
19

- 20 1. approved overlapping premises ; and
- 21 2. marijuana and marijuana products; and
- 22 3. equipment used in cultivating, processing, testing, or storing
23 marijuana.
24

25 B. *Enforcement.* Before taking action to initiate proceedings for the
26 suspension or revocation of a marijuana establishment license and
27 special land use permit for marijuana, or an endorsement, as provided
28 under section 10.80.710, the municipality shall:
29

- 30 1. issue a review certification to document an inspection of the
31 licensed premises and may be documented in the licensee's file
32 maintained by the clerk;
33
- 34 2. issue a written notice of violation (warning) to address more
35 serious or repetitive violations of State Law, this chapter, or
36 other local law that has occurred or is occurring on the licensed
37 premises. It may be issued as a stand-alone document or based
38 on a single event described in a previously issued inspection
39 report or non-compliance advisory notice;
40
- 41 3. issue a citation if a review certification or other credible
42 information shows a marijuana establishment is in violation of
43 State Law, this chapter, or other provision of the Anchorage
44 Municipal Code; and
45

46 C. Along with the powers and duties under State Law incorporated by
47 reference to this chapter, the municipality may:

- 48 1. exercise peace officer powers as authorized under AMC
49 1.45.030; and
50
2. take other action the clerk considers necessary to ensure the

enforcement of this chapter.

- D. A marijuana establishment, licensee, employee, or agent in charge shall cooperate with the municipality by:
1. permitting entry to and inspection of the licensed premises; and
 2. providing access to business records not later than 10 business days after a request.

10.80.605 Civil fines, penalties and remedies.

- A. The clerk or other municipal official authorized to enforce this chapter may, in addition to any other penalties imposed under this title, seek civil fines on a marijuana establishment, licensee, or person by initiating proceedings before the Administrative Hearing Officer by filing and serving a charging document in accordance with Title 14. The fine shall be in accordance with the fine schedule in Section 14.60.030,

10.80.610 Suspension or revocation of license or endorsement.

- A. *Opportunity to be heard.* Except where suspension or revocation is provided for in this chapter, no decision of the assembly to suspend, revoke, or restrict a license or endorsement granted under this chapter shall be effective until the person holding that license is first given an opportunity to be heard by the assembly before the decision is made.

- B. *Suspension of license by clerk.*

1. *Summary suspension, suspension, or revocation:*

- a. If the clerk finds that a person holding a marijuana establishment license or endorsement has acted and appears to be continuing to act in a way that constitutes an immediate threat to the public health, safety or welfare, the clerk may issue an order immediately suspending the license of that person, and ordering an immediate stop to the activity that constitutes the threat to the public health, safety, or welfare.

- i. When the clerk issues a summary suspension under this section, the clerk shall immediately give the marijuana establishment subject to the summary suspension order notice of the reasons for the summary suspension, and of the time and place for an expedited hearing before the Administrative Hearings Officer. Unless the marijuana establishment subject to the summary suspension order requests a delay, the hearing will be held not later than five days after the clerk gives notice of the reasons for the summary suspension and the scheduled hearing.

- 1 b. The clerk will suspend or revoke a marijuana
2 establishment license or endorsement issued under this
3 chapter if any licensee is convicted of violating any
4 provision of law listed in section 8.35, or if the clerk
5 becomes aware that a licensee did not disclose a
6 previous such conviction.
 - 7 i. Except as provided in a., a person aggrieved by
8 an action of the clerk may request a hearing
9 before the assembly.
 - 10 2. At the request of the assembly, the clerk may prepare a
11 resolution for the assembly to suspend or revoke a marijuana
12 establishment license or endorsement issued under this chapter.
- 13
- 14 C. *Assembly action.*
- 15 1. In addition to other provisions of this chapter, the grounds for
16 suspension, revocation or restriction of a marijuana
17 establishment license or endorsement include, but are not
18 limited to, when the assembly finds a licensee:
 - 19 a. is convicted or cited for violating any provision of state or
20 municipal law,
 - 21 b. did not disclose a previous conviction,
 - 22 c. misrepresented a material fact on an application for a
23 marijuana establishment license, or an affidavit, report, or
24 signed statement required by this chapter;
 - 25 d. is following any practice or procedure contrary to public
26 health and safety:
 - 27 i. demonstrates the inability to maintain order and
28 prevent unlawful conduct in the licensed premises;
 - 29 ii. has a pattern of prior violations of state and or
30 practices harmful to public health or safety, such
31 as providing marijuana to minors or intoxicated
32 persons;
 - 33 iii. has taken or authorized other actions that pose
34 risks to public health or safety;
 - 35 iii. failed to correct any defect that is the subject of
36 the notice of violation;
 - 37 iv. knowingly allowed an employee or agent to violate
38 State Law, this chapter, or a condition or
39 restriction imposed by the assembly, including a
40 condition on a special land use permit for
41 marijuana;
 - 42 v. failed to comply with any applicable land use,
43 public health, fire, safety, or tax law or regulation
44 in the municipality; or
 - 45 vi. used the licensed premises for an illegal purpose
46 such as gambling, prostitution, sex trafficking, or
47 possession or use of narcotics other than
48 marijuana.

- 1 2. The assembly may hold hearings or refer hearings to the
2 Administrative Hearings Officer to conduct as the assembly's
3 designee.
4 a. If the assembly holds the hearing, it shall be conducted
5 as prescribed in chapters 2.30 and 3.60.
6 b. The assembly may consider any and all relevant
7 evidence in the record, may determine the credibility and
8 weight of evidence, and shall render a decision based on
9 substantial evidence and a totality of the circumstances.
10 c. If referred to an administrative hearings officer, the
11 hearing officer shall conduct the hearing as prescribed in
12 chapter 3.60 and prepare recommended findings,
13 conclusions, and decision or order. The administrative
14 hearings officer shall forward the record of proceedings
15 and the recommendations to the assembly for adoption,
16 rejection or modification.
17 i. If the assembly modifies the hearing officer's
18 recommended order or decision, the reasons shall
19 be stated in the record before issuance of the final
20 order or decision.
21
22 D. The assembly may, at its discretion, direct its decision to be forwarded
23 to AMCO.
24
25 E. *Appeal*: A final decision of the assembly regarding the suspension or
26 revocation of a license or endorsement may be appealed by an
27 aggrieved party to the superior court within 30 days of the date the
28 written decision was issued in accordance with court rules.
29
30

31 **10.80.615 Surrender or destruction of license or endorsement.**
32

- 33 A. A license or endorsement issued under this chapter must be
34 surrendered to the clerk no later than ten days after the marijuana
35 establishment loses or vacates the licensed premises.
36 1. *Exceptions*. Following the death of a licensee, a facility may
37 continue to be operated per 10.80.620.
38
39 B. If a license is lost, destroyed, or stolen, the marijuana establishment
40 shall promptly notify the clerk for replacement and the clerk shall notify
41 the code enforcement division.
42

43 **10.80.620 Death of licensee.**

- 44 A. If an individual who is the sole licensee of a marijuana establishment
45 dies, the marijuana establishment shall cease operation. A personal
46 representative appointed by the superior court for the estate of the
47 deceased licensee may submit to the municipal clerk a written request
48 to reopen the business, along with a copy of the court order appointing
49 the personal representative. If the licensed marijuana establishment is

1 in good standing, and the personal representative is not a person
2 prohibited from holding a marijuana establishment license by AS
3 17.38.200(i) or sections 10.80.110-.115, the municipal clerk shall grant
4 permission to the personal representative to operate the business on
5 the licensed premises subject to subsection B of this section. In this
6 section, a marijuana establishment is in “good standing” if the marijuana
7 establishment:

- 8 1. Has a valid current license;
- 9 2. Has paid all fees due under this chapter and all local
10 taxes due; and
- 11 3. Has no unresolved suspension or revocation proceedings
12 against it.

13
14 B. A personal representative authorized to operate a marijuana
15 establishment under subsection A of this section must submit an
16 application for a transfer of ownership to another person in compliance
17 with section 10.80.120 not later than 180 days after obtaining the
18 municipal clerk's approval to operate. The municipal clerk may extend
19 the time allowed in this section for another 180 days if the personal
20 representative requests the additional time.

21
22 C. This section does not authorize the transfer of a marijuana
23 establishment license unless the assembly approves the personal
24 representative's application for transfer of license to another person.

25
26 D. *Exceptions.* Following the death of a licensee, a facility may continue to
27 be operated if a transfer application is pending. A personal
28 representative appointed by the superior court for the estate of a
29 deceased licensee who is:

- 30 1. a sole proprietorship may operate the marijuana establishment
31 in accordance with State Law; or
- 32 2. a partner holding a controlling interest in a partnership, a
33 member holding a controlling ownership interest in a limited
34 liability company, or an owner of a controlling interest in a
35 corporation's stock, may:
 - 36 a. represent the deceased licensee's interest in the entity for
37 a period not to exceed 180 days, and
 - 38 b. shall submit an application for a transfer of a controlling
39 interest within that time.
 - 40 i. The clerk may extend the time allowed in this
41 section for up to an additional 180 days upon
42 written request of the personal representative.
43 This subsection does not authorize the transfer of
44 a controlling interest in a marijuana establishment
45 license by the personal representative,
46 administrator or executor to the estate of a
47 decedent.

48
49
50 **Section 2.** Anchorage Municipal Code section 10.10.015 is hereby amended to

read as follows (*the remainder of the section is not affected and therefore not set out*):

10.10.015 - Contents of application for license.

*** *** ***

D. The clerk may limit publication of such records into online systems that may create security concerns, including, but not limited to security plans and camera placement.

Section 3. Anchorage Municipal Code section 14.60.030 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

14.60.030 Fine schedule.

The fine schedule under this chapter is as follows:

Code Section	Offense	Penalty/Fine
*** *** ***		
<u>10.80.100</u>	<u>Violation of state law or regulation adopted and incorporated by reference (identify specific section or provision of AS 17.38 or 3 AAC Chapter 306)</u>	<u>50.00–1,000.00</u>
<u>Ch. 10.80</u>	<u>Violation of any other provision of Chapter 10.80 not specifically listed in this fine schedule.</u>	<u>50.00-1,000.00</u>
<u>10.80.105[005]</u>	<u>Operation without effective [LICENSE] required license</u>	<u>500.00 [/DAY]</u>
<u>10.80.210C.2.</u>	<u>Offering Prohibited Military Discount</u>	<u>200.00</u>
<u>10.80.200C.3.</u>	<u>Operation without required endorsement</u>	<u>500.00</u>
<u>10.80.205</u>	<u>Violate prohibitions for onsite marijuana consumption areas</u>	<u>300.00</u>
[10.80.040A.1.—3.	FAILURE TO REPORT OWNERSHIP CHANGE	100.00/DAY
10.80.045A.	TRANSFER/RECEIVE LICENSE OR INTEREST WITHOUT CONSENT	100.00/DAY
10.80.050	RELOCATION OF PREMISES	100.00/DAY
10.80.300A.	SELL, GIVE, DISTRIBUTE, DELIVER, OR OFFER THE SAME WITHOUT A RETAIL MARIJUANA STORE LICENSE	500.00/DAY OR UNIQUE TRANSACTION
10.80.300B.	RETAILER'S INTEREST IN TESTING FACILITY	100.00/DAY]
10.80.306B.	VIOLATE PROHIBITIONS FOR ON-SITE MARIJUANA CONSUMPTION AREAS	300.00
[10.80.306E.	REQUIRED ON-SITE OPERATING REQUIREMENTS	300.00
10.80.310A.	SELL, GIVE, DISTRIBUTE, DELIVER,	

	OR OFFER THE SAME:	
10.80.310A.1.	TO A PERSON UNDER THE AGE OF 21	500.00
10.80.310A.2.	TO A PERSON UNDER THE INFLUENCE	500.00
10.80.310A.3.	THAT IS NOT LABELED AND PACKAGED AS REQUIRED	100.00/PRODUCT
10.80.310A.4.	IN A QUANTITY EXCEEDING PERMISSIBLE LIMITS	100.00
10.80.310A.5.	OVER THE INTERNET	100.00
10.80.310A.6.	AFTER THE EXPIRATION DATE	100.00
10.80.310B.1.	CONDUCTING BUSINESS/CONSUMER ACCESS DURING PROHIBITED TIMES	100.00
10.80.310B.2.	ALLOW CONSUMPTION ON RETAIL PREMISES WITH NO ENDORSEMENT	500.00
10.80.310B.3.	ALLOW OVERCONSUMPTION WHILE IN ON-SITE CONSUMPTION AREA	300.00
10.80.310B.4.	OFFER/DELIVER ALCOHOL OR FREE MARIJUANA	100.00
10.80.310B.5.	ALLOW DRUNKEN OR INTOXICATED PERSON TO ENTER PREMISES	300.00
10.80.311	OFFERING PROHIBITED MILITARY DISCOUNT	200.00
10.80.320A.1., 2.	MARIJUANA HANDLER PERMIT REQUIRED; POSSESSION OF PERMIT ON PREMISES	50.00
10.80.325A.	UNDER 21 ON PREMISES	200.00
10.80.325B.	SIGNAGE REQUIRED	50.00/DAY
10.80.325C.	ALLOW PUBLIC IN RESTRICTED AREAS	100.00
10.80.330A.—D.	FAILURE TO COMPLY WITH INVENTORY TRACKING SYSTEM REQUIREMENTS	200.00
10.80.340	SELL, GIVE, DISTRIBUTE, DELIVER, OR OFFER THE SAME WITHOUT REQUIRED TESTING	100.00
10.80.345A.1.	REQUIRED PACKAGING AND LABELING OF MARIJUANA	200.00
10.80.345A.2.	REQUIRED PACKAGING AND LABELING OF MARIJUANA PRODUCT	200.00
10.80.345A.3.	REQUIRED PACKAGING WHEN PURCHASER LEAVES THE PREMISES	200.00
10.80.345B.1.—3.	ADDITIONAL LABEL REQUIREMENTS	200.00
10.80.350A.	ID REQUIRED FOR SALE	100.00
10.80.355A.1.—3.	LIMITS ON QUANTITY SOLD	200.00
10.80.360B.1.—5.	ADVERTISEMENT STATEMENTS OR	200.00

	ILLUSTRATIONS	
10.80.360C.1.—5.	PLACEMENT OF ADVERTISING	200.00
10.80.360D.	GIVEAWAY COUPONS; PROMOTIONAL ACTIVITIES	200.00
10.80.360E.	WARNINGS REQUIRED	200.00
10.80.361.	ADVERTISING PROHIBITED MILITARY DISCOUNT	200.00
10.80.366A.	FAILURE TO SUBMIT A SAMPLE	500.00/DAY
10.80.366D.	FAILURE TO DISPOSE OF OR EMBARGO MARIJUANA OR MARIJUANA PRODUCT	500.00/DAY
10.80.366E.1., 2.	REPORTING TEST RESULTS	100.00
10.80.366E.2.	FORM OF TEST RESULTS	100.00
10.80.371A.1., 2.	TEMPERATURE OF CONCENTRATES; LABELING	100.00
10.80.400A.	PLANT, PROPAGATE, CULTIVATE, ETC., OR SELL THE SAME TO ANY MARIJUANA ESTABLISHMENT, WITHOUT A MARIJUANA CULTIVATION FACILITY LICENSE	500.00/DAY OR UNIQUE TRANSACTION
10.80.400C.	CULTIVATOR'S INTEREST IN TESTING FACILITY	100.00/DAY
10.80.405A.2.	SALE TO UNLICENSED ENTITY	500.00
10.80.405A.4.	STORAGE OF PRODUCT NOT IN THE INVENTORY TRACKING SYSTEM	500.00
10.80.405B.1.	FAILURE TO SEPARATE CO- LOCATED BUSINESSES	500.00/DAY
10.80.405C.1.	SELL, DISTRIBUTE, OR TRANSFER TO A CONSUMER	500.00
10.80.405C.2.	ALLOW CONSUMPTION ON PREMISES	200.00
10.80.405C.3.	TREAT/ADULTERATE MARIJUANA	100.00
10.80.405C.4.	EXTRACTION OF CONCENTRATE WITHOUT A PERMIT	500.00
10.80.405C.5.	SELL WITHOUT PROPER PACKAGING AND LABELING	100.00
10.80.425A.1., 2.	MARIJUANA HANDLER PERMIT REQUIRED; POSSESSION OF PERMIT ON PREMISES	50.00
10.80.430B.	OPERATION IN FULLY ENCLOSED FACILITY	100.00/DAY
10.80.430C.1., 2.	PUBLIC VISIBILITY; ODOR	100.00/DAY
10.80.430D.	VIDEO SURVEILLANCE OF GROWTH, PRODUCTION, AND DESTRUCTION, ETC.	200.00
10.80.435A.—C.	FAILURE TO COMPLY WITH INVENTORY TRACKING SYSTEM REQUIREMENTS	200.00

10.80.440B.1.—3.	HEALTH AND SAFETY REQUIREMENTS	50.00
10.80.450A.1.	PRODUCTION OF MARIJUANA CONCENTRATE	300.00
10.80.460A.—C.	MARIJUANA SAMPLES	100.00
10.80.500A.	MARIJUANA PRODUCTION WITHOUT LICENSE	500.00/DAY
10.80.500C.	MANUFACTURER'S INTEREST IN TESTING FACILITY	100.00/DAY
10.80.505A.4.	SALE TO UNLICENSED ENTITY	500.00
10.80.510A.1.	SELL, DISTRIBUTE, OR TRANSFER TO A CONSUMER	500.00
10.80.510A.2.	SELL WITHOUT PROPER PACKAGING AND LABELING	100.00
10.80.510A.3.	ALLOW CONSUMPTION ON PREMISES	200.00
10.80.510A.4.	TREAT/ADULTERATE MARIJUANA; APPEARANCE OF CANDY OR APPEAL TO CHILDREN	100.00
10.80.510C.1., 2.	ACCEPT IMPROPERLY DOCUMENTED MARIJUANA	100.00
10.80.530A.1., 2.	MARIJUANA HANDLER PERMIT REQUIRED; POSSESSION OF PERMIT ON PREMISES	50.00
10.80.530B.	FOOD SAFETY WORKER CARD REQUIRED	50.00
10.80.535A.	MANUFACTURE IN RESTRICTED AREA REQUIRED	100.00/DAY
10.80.535B.	VIDEO SURVEILLANCE OF PRODUCTION, STORAGE, DESTRUCTION, ETC.	200.00
10.80.535C.	CONTROLLED STORAGE	50.00/DAY
10.80.540A.—D.	FAILURE TO COMPLY WITH INVENTORY TRACKING SYSTEM REQUIREMENTS	200.00
10.80.600A.	MARIJUANA TESTING WITHOUT LICENSE	500.00/DAY
10.80.600C.	INTEREST IN OTHER TYPE OF MARIJUANA FACILITY	100.00/DAY
10.80.610A.	POSSESSION OF PRODUCT NOT IN THE INVENTORY TRACKING SYSTEM	500.00
10.80.610A.1.	LICENSEE, EMPLOYEE, OR AGENT WITH OTHER TYPE OF MARIJUANA ESTABLISHMENT LICENSE	100.00/DAY
10.80.610A.2.	SELL, DISTRIBUTE, OR TRANSFER TO A CONSUMER	500.00
10.80.610A.3.	ALLOW CONSUMPTION ON	200.00

	PREMISES	
10.80.655A., B.	FAILURE TO COMPLY WITH INVENTORY TRACKING SYSTEM REQUIREMENTS	200.00
10.80.660A.1., 2.	FAILED TEST DISPOSAL; DOCUMENTATION	200.00
10.80.665B.1., 2.	PERFORM REQUIRED TEST; REPORT	500.00
10.80.670A.	REPORTING TEST RESULTS	100.00
10.80.670B.	FORM OF TEST RESULTS	100.00
10.80.675A.	RECORDS	100.00/DAY
10.80.705B.	LICENSE MUST BE POSTED	100.00/DAY
10.80.710B.	RESTRICTED ACCESS SIGNAGE; VISITORS LIMITED	200.00/DAY
10.80.710C.1.—3.	VISITOR REQUIREMENTS	50.00/VISITOR
10.80.715A.	IDENTIFICATION BADGE	50.00
10.80.715B.1.—3.	LIGHTING; SECURITY SYSTEM; VIDEO	100.00/DAY
10.80.715C.	POLICIES AND PROCEDURES REQUIRED	100.00
10.80.715D.	LOCKS	50.00/DOOR
10.80.720A.—E.	VIDEO SURVEILLANCE REQUIRED	200.00
10.80.740D.	WASTE DISPOSAL	100.00
10.80.745A.	CERTIFIED SCALES REQUIRED	50.00
10.80.750D.	TRANSPORTATION OF MARIJUANA	50.00/PACKAGE
10.80.755A., B.	BUSINESS RECORDS TO BE MAINTAINED	50.00/DAY]
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(AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-118, § 3, 9-1-95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-195(S-1), 1-1-96; AO No. 96-51(S-1), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97; AO No. 96-126(S), § 3, 10-1-96; AO No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3, 6-3-97; AO No. 97-107, § 3, 11-17-97; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-27(S-1), § 2, 11-11-97; AO No. 98-160, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO No. 99-91(S), § 4, 7-13-99; AO No. 2000-64, § 1, 4-18-00; AO No. 2000-116(S), § 4, 7-18-00; AO No. 2000-127(S), § 2, 10-14-00; AO No. 2000-129(S), § 26, 11-21-00; AO No. 2001-48, § 1, 3-13-01; AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 2-6-01; AO No. 2001-145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO No. 2003-97, § 4, 9-30-03; AO No. 2003-117, § 2, 1-28-03; AO No. 2003-130, § 8, 10-7-03; AO No. 2003-152S, § 10, 1-1-04; AO No. 2004-1, § 2, 1-1-03; AO No. 2004-99, § 2, 6-22-04; AO No. 2004-100(S-1), § 6, 1-1-05; AO No. 2004-171, § 1, 1-11-05; AO No. 2005-160, § 9, 11-1-05; AO No. 2005-84(S), § 3, 1-1-06; AO No. 2005-185(S), § 35, 2-28-06; AO No. 2005-124(S-1A), § 33, 4-18-06; AO No. 2006-39, § 6, 4-11-06; AO No. 2006-54, § 1, 5-2-06; AO No.

2006-80, § 1, 6-6-06; AO No. 2007-50, § 4, 4-10-07; AO No. 2007-60, § 4, 11-1-07; AO No. 2007-70, § 3, 5-15-07; AO No. 2008-84(S), § 5, 7-15-08; AO No. 2009-61, § 3, 7-7-09; AO No. 2009-82, § 5, 7-7-09; AO No. 2009-40(S), § 3, 7-21-09; AO No. 2009-112, § 4, 10-13-09; AO No. 2009-122, § 2, 12-17-09; AO-2010-35(S), § 7, 5-11-10; AO No. 2010-39, § 2, 5-11-10; AO No. 2010-87(S), § 3, 12-7-10; AO No. 2011-46, § 4, 4-12-11; AO No. 2011-59, § 10, 5-24-11; AO No. 2011-106(S), § 3, 11-8-11; AO No. 2011-112, § 4, 11-22-11, eff. 12-22-11; AO No. 2012-10, § 1, 1-31-12; AO No. 2012-77, § 29, 8-7-12; AO No. 2013-109(S-1), § 5, 12-3-13; AO No. 2013-130(S-1), § 1, 1-14-14; AO No. 2014-42, § 31, 6-21-14; AO No. 2014-85, § 4, 8-5-14; AO No. 2014-110(S), § 2, 9-9-14; AO No. 2014-137(S), § 3, 11-18-14; AO No. 2015-23(S), § 20, 3-24-15; AO No. 2015-48, § 16, 5-14-15; AO No. 2015-54, § 1, 5-26-15; AO No. 2015-65, § 4, 6-9-15; AO No. 2015-111(S-1), § 2, 1-1-16; AO No. 2016-16(S), § 4, 2-9-16; AO No. 2016-76(S), § 7, 7-12-16; AO No. 2016-81(S), § 4, 8-25-16; AO No. 2016-83(S), § 9, 7-26-16; AO No. 2016-82, § 3, 8-9-16; AO No. 2016-116, § 2, 10-18-16; AO No. 2016-115(S), § 2, 11-15-16; AO No. 2016-124(S), § 11, 12-20-16; AO No. 2017-26, § 2, 5-1-17; AO No. 2017-29(S), § 61, 6-1-17; AO No. 2017-30, § 3, 3-21-17; AO No. 2017-31(S), § 5, 5-26-17; AO No. 2017-119(S), § 4, 11-9-17; AO No. 2017-101, § 2, 2-5-18; AO No. 2017-161(S), § 3, 2-27-18; AO No. 2017-16, § 3, 2-14-17; AO No. 2017-129, § 2, 1-23-18; AO No. 2018-63(S), § 2, 8-28-18; AO No. 2018-100(S), § 2, 1-1-19; AO No. 2018-110, § 2, 12-18-18; AO No. 2019-9(S), § 2, 2-12-19; AO No. 2019-12, § 2, 3-5-19; AO No. 2019-15(S), § 2, 3-19-19; AO No. 2019-34, § 5, 4-18-19; AO No. 2019-50(S), § 2, 6-6-19; AO No. 2019-66, § 26, 6-18-19; AO No. 2019-74(S), § 2, 6-18-19; AO No. 2019-79(S), § 2, 7-9-19; AO No. 2019-90(S), § 7, 8-20-19; Ord. No. 2020-4(S), § 3, 6-24-20; AO No. 2020-65, § 2, 9-25-20; AO No. 2020-103, § 2, 11-4-20; AO No. 2022-97, § 1, 11-9-22; AO No. 2023-27, § 2, 3-21-23; AO No. 2023-38(S), § 6, 4-18-23; AO No. 2024-82, § 2, 9-10-24; AO No. 2025-127(S), § 2, 12-2-25)

Section 4. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2026.

Chair of the Assembly

ATTEST:

Municipal Clerk

MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

No. AM 234-2026



Meeting Date: March 24, 2026

1 **From: Assembly Chair Constant and Vice Chair Brawley**

2
3 **Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY**
4 **REPEALING AND REENACTING ANCHORAGE MUNICIPAL CODE CHAPTER**
5 **10.80, LICENSING AND REGULATION OF MARIJUANA ESTABLISHMENTS,**
6 **TO INCORPORATE CERTAIN PROVISIONS OF APPLICABLE STATE LAW**
7 **AND FUTURE AMENDMENTS TO THEM FOR OPERATION REQUIREMENTS**
8 **AND RESTRICTIONS, UPDATE AND CLARIFY MUNICIPAL MARIJUANA**
9 **LICENSING REGULATIONS, AMENDING AMC SECTION 10.10.015**
10 **REGARDING RECORDS RELATED TO MUNICIPAL LICENSE APPLICATIONS,**
11 **AND AMENDING AMC SECTION 14.60.030, FINE SCHEDULE, ACCORDINGLY,**
12 **AND RELATED MATTERS.**
13
14

15 This ordinance repeals and reenacts Anchorage Municipal Code Chapter 10.80, the
16 current marijuana licensing code to update version with focus on independent
17 municipal licensing requirements.
18

19 In 2014, the voters of Alaska passed Ballot Measure 2, An Act to Tax and Regulate
20 the Production, Sale and Use of Marijuana. This initiative was codified by the state
21 at AS 17.38 and subsequently codified by the Municipality at AMC 10.80, with the
22 intent to “mirror” the state requirements and “to make clear where municipal law
23 differs from or expands beyond, the requirements of state law.” See AS 2016-16(S).
24

25 Since these initial enactments, there have been numerous amendments to both
26 state law (statute and regulations) and municipal code. Rather than restating and
27 updating the state code in the municipal code, however, this proposed ordinance
28 establishes a system where the state statute and regulations, and some provisions
29 *as amended over time*, are incorporated by reference into the municipal code. This
30 serves to incorporate current state law and the amendments to them in the future
31 while avoiding duplication, and at the same time, highlighting municipal
32 requirements and process, including where municipal law differs from or expands
33 beyond the requirements of state law.
34

35 When incorporating or adopting state law by reference, AMC section 1.05.075
36 require it to be made available to the public “at the municipal clerk's office, unless a
37 different depository is set forth in the ordinance adopting the standard code or
38 statutes by reference.” As state statutes and regulations are readily available freely
39 on the internet and at State offices, the State is the depository for the state laws
40 adopted and incorporated by references.
41

42 In order to keep the Assembly informed and apprised of state law changes in the

1 future that are automatically incorporated by the language of AMC section
2 10.80.100, the intent is for the Municipal Clerk's Office, by the licensing clerk, to
3 attach new state law enactments to an AIM and distribute to the Assembly on a
4 regular meeting agenda as soon as practicable after final action to enact the new
5 state law. The Licensing Clerk actively monitors all notices of proposed state
6 regulations for marijuana and alcohol, and will take on this duty to notice the
7 Assembly of new changes. This notification provides the Assembly prompt notice
8 of the state law change and opportunity to assent to its inclusion as an amendment
9 incorporated by reference, or to introduce an ordinance to modify or exclude
10 provision(s) of the new state law enactment.

11
12 The proposed Chapter 10.80 rewrite recognizes that marijuana licensing involves
13 both a state licensing application, operational requirements, and license, as well as
14 a municipal application, operational requirements, and a municipal license. While
15 both approval of a state and municipal license application and licensing are required,
16 the application, licensing requirements, procedure, and license at times differ
17 between the state and municipality

18
19 In the process of updating municipal code, the following substantive changes are
20 incorporated (as more fully detailed in the attached cross walk):

- 21
- 22 • Allow transfer of location for marijuana licenses. The application process for
23 these is described in new sections AMC 10.80.120F., G., H., and I., with the
24 standards for approval in AMC 10.80.140 and grounds for denial in AMC
25 10.80.145C. Transfers of the license location will now be allowed and
26 processed similarly to how the state does, as well as ownership transfers.
 - 27 • Allow overlapping premises. This is not explicit in the code provisions, but
28 effectuated by adoption of the State Regulations setting out privileges for the
29 retail marijuana stores (3 AAC 306.305(c)), marijuana cultivation facilities (3
30 AAC 306.405(b)), marijuana product manufacturing facilities (3 AAC
31 306.505(b)), and the provisions related to restricted access areas for all
32 marijuana establishments (3 AAC 306.710 and .715). The process for
33 approval may be done as a minor modification approved by the Planning
34 Director to existing premises to designate them overlapping with adjacent
35 premises; others with a new special land use permit application or
36 enlargement of the floor area greater than twenty percent will require
37 Assembly approval. No change to Title 21 is necessary to allow for this, but
38 the Title 10 changes to legalize overlapping common areas consistent with
39 state law is accomplished with this ordinance.
 - 40 • Include language for inspection fees and re-inspection fees.
 - 41 • Update minors on premises language to allow for potential future changes to
42 include minor situations other than just breastfeeding.
 - 43 • Simplify Title 14 civil fines for marijuana code violations with an emphasis on
44 compliance with municipal licensing and operational requirements.
 - 45 • Remove Marijuana Testing Facilities from Municipal regulation, it will no
46 longer require a municipal license, but will continue under state license
47 administration. There has only been one testing facility within the
48 Municipality since 2016.

1
2 Finally, a few sections reference and suggest upcoming policy issues:
3

- 4 • Update the fee schedule.
- 5 • Option to increase fees.
- 6 • Only allows walk-up/drive through windows when they are permitted by Title
7 21, which currently does not allow them.
8

9 During development of this ordinance, there was discussion of whether the
10 Municipality should limit the number of marijuana establishment licenses allowed in
11 the Municipality, which state law AS 17.38.200(e) allows each municipality to do.
12 However, the policy of the Municipality since legalization by Ballot Measure 2 has
13 been to allow the market to determine license capacity, and that is not changed by
14 this proposal.
15

16 Meetings were held with municipal code enforcement, the Administrative Hearing
17 Officer, the Anchorage Health Department, the Code Enforcement Division, and the
18 Anchorage Fire Department for information gathering and recommendations for the
19 changes presented. This rewrite should make the Municipality's marijuana licensing
20 code easier to track with the State's evolving regulations, more efficient to
21 administer, friendlier to the industry and enhance effective enforcement and license
22 review.
23

24 **We request your support for the ordinance.**
25

26 Prepared by: Office of Assembly Counsel
27

28 Respectfully submitted: Christopher Constant, Assembly Chair
29 District 1 – North Anchorage
30

31 Anna Brawley, Assembly Vice Chair
32 District 3 – West Anchorage
33

34 Attachments are available in digital form on the Municipal website under the
35 Assembly Meetings page, and at the page "Licenses Issued by the Municipal Clerk"
36 under the heading "Additional Marijuana Information."
37

38 Attachment A: Current text of AMC Chapter 10.80 being repealed.

39 Attachment B: State Law adopted and incorporated by reference per AMC
40 10.80.100.
41

42 [https://www.muni.org/Departments/Assembly/Clerk/Licensing/SiteAssets/Pages/Default/Attachment%20B %20for%20AO%202026-xx MJ%20License%20Rewrite-%20Ch%2010.80 draft.v1.pdf](https://www.muni.org/Departments/Assembly/Clerk/Licensing/SiteAssets/Pages/Default/Attachment%20B%20for%20AO%202026-xx%20MJ%20License%20Rewrite-%20Ch%2010.80%20draft.v1.pdf)
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Code Section	Title	Section	Change	Notes*
				*Any section that has been removed without replacement section, is incorporated by reference. These are sections that have exact language as
10.80	Licensing and Regulation of Marijuana Establishments		10.80 has been repealed and reinstated. Applicable State statutes and regulations are now incorporated by reference and updates and clarifications have been included.	AO allows for State reg changes to occur and immediately be included in AMC. Assembly may take action to modify or prohibit any future changes the State incorporates that are not
		10.80.001	Designation of local regulatory authority.	
		10.80.002	Definitions.	Moved from 10.80.990, incorporated State definitions by reference, listed MOA specific definitions.
		10.80.100	Incorporation of applicable state statutes and	
10.80.005	License required.	10.80.105	License required.	Moved language from 10.80.300, 400, 500 & 600 here.
10.80.010	License restrictions.	10.80.111	License restrictions.	Same restrictions as listed in 3 AAC 306 with additional MOA specific
10.80.011	License restrictions-Sup-plemental standards.		Removed.	Included in 10.80.111 License restrictions.
10.80.015	License conditions.	10.80.110	License conditions.	
10.80.020	Application for new, renewal or transfer of license - State application forms incorporated.	10.80.115	Applications for new, renewal or transfer of license and/or endorsement.	Combined 10.80.020 and 021.
10.80.021	Application for new license-Supplemental municipal marijuana establishment license application.		Removed.	Included in 10.80.115C. Removed B. and D. as these are part of the internal review process.
10.80.026	Municipal application procedure for new license or endorsement.		Removed.	Included in 10.80.115C. Applications for new, renewal or transfer of license and/or endorsement.

10.80.036	of license or endorsement; failure to timely renew results in potential closure; expiration results in termination of license, endorsement and special land use	10.80.115D.-E.	Applications for new, renewal or transfer of license and /or endorsement.	10.80.036A. moved to new section 10.80.120 Action by the clerk.
10.80.045	Application for license transfer, procedures for change in or transfer of a controlling interest in a license issued to non-natural persons, for a transfer of license, transfer of a license with an endorsement, and for temporary operation following the death of an individual.	10.80.115G.-I.	Applications for new, renewal or transfer of license and/or endorsement.	Moved temporary operation following death to new section 10.80.720B.
10.80.045D.	Same as above.	10.80.120	Action by the clerk.	by the Clerk and separated from Action of the Assembly.
10.80.046	Reporting of ownership changes; non-controlling ownership changes to be reported; controlling interest ownership change and transfer of license requires transfer application.	10.80.115F.	Applications for new, renewal or transfer of license and/or endorsement.	
10.80.050	Relocation of licensed premises not allowed.	10.80.115G.	Applications for new, renewal or transfer of license and/or endorsement.	
10.80.056	Criminal justice information and records.		Removed.	
10.80.061	Protest to State Marijuana Control Board by municipality.	10.80.130	Assembly procedure for action on license or endorsement application and protest to State Marijuana Control Board.	Combined protest procedures for the assembly action on State license and MOA license.
10.80.065	Public participation.	10.80.125	Public participation.	
10.80.071	Public hearing.		Removed.	Included in 10.80.125 Public participation.
10.80.076	Procedure for action on license or endorsement application; commencement of operations.		Removed.	procedure for action on license or endorsement application and protest to State Marijuana Control Board.

10.80.080	Denial of application.	10.80.132	Denial of application.	Updated with MOA procedures, similar to alcohol.
		10.80.131	Standards governing assembly review of state marijuana license applications.	New section added.
10.80.095	Appeals.	10.80.716	Appeal.	Combined current 10.80.095/10.80.846
10.80.100	Fees; refund.	10.80.135	Fees; refund.	
10.80.300, 305, 310 & 311	Retail marijuana store license required. Retail marijuana store privileges. Acts prohibited at retail marijuana store. Acts additionally prohibited at retail marijuana store.	10.80.200	Retail marijuana store license required.	
10.80.306	On-site consumption endorsement for retail marijuana stores.	10.80.201	Onsite consumption endorsement for retail marijuana stores.	More restrictive than State regs.
10.80.315	Application for retail marijuana store license.		Removed.	
10.80.320	Marijuana handler permit required.		Removed.	
10.80.325	Access restricted at marijuana retail store.		Removed.	
10.80.330	Marijuana inventory tracking system.		Removed.	
10.80.335	Health and safety requirements.	10.80.215	Health and safety standards.	Updated per AHD.
10.80.340	Testing required for marijuana and marijuana products.		Removed.	
10.80.345	Packaging and labeling.		Removed.	
10.80.350	Identification requirement to prevent sale to person under 21.		Removed.	drive-through exterior window pick-up for retail stores.
10.80.355	Limit on quantity sold.		Removed.	

10.80.360, 361 & 362	Restriction on advertising of marijuana and marijuana products.- Supplemental provisions. Local restrictions on advertising of marijuana and marijuana products.	10.80.210	Local restrictions on advertising of marijuana and marijuana products.	More restrictive than State regs.
10.80.365	Required consumer notices for retail marijuana stores.		Removed.	
10.80.366	Retail Marijuana Store Product Testing Program.		Removed.	
10.80.371	Prevention of Clostridium botulinum in marijuana concentrates.	10.80.215	Health and safety standards.	Updated per AHD.
		10.80.216	Walk-up or drive-through exterior window pick-up for retail marijuana stores.	10.80.310 Retail prohibitions and 10.80.350 ID required for sale.
		10.80.217	Retail marijuana tax and certificate of registration.	Updated per Treasury.
10.80.400, 405, 420, 425, 430, & 435	Marijuana cultivation facility license required. Marijuana cultivation facility; privileges and prohibited acts. Application for marijuana cultivation facility license. Marijuana handler permit required. Restricted access area. Marijuana inventory tracking system.	10.80.300	Marijuana cultivation facility license required.	
10.80.440	Health and safety requirements.		Removed.	Updated per AHD.
10.80.450	Production of marijuana concentrate prohibited.		Removed.	
10.80.460	Samples.	10.80.625	Samples.	Clarified allowed sample types.

10.80.500, 505, 510, 520, 530, 535, & 540	Marijuana product manufacturing facility license required. Marijuana product manufactuirng facility privileges. Acts prohibited at marijuana product manufacturing facility. Application for marijuana product manufacturing facility license. Marijuana handler permit and food safety worker trainig. Restricted access and storage areas. Marijuana inventory tracking	10.80.400	Marijuana manufacturing facility license required.	Updated per AHD.
10.80.545	Health and safety standards.	10.80.415	Health and safety standards.	Updated per AHD.
10.80.546	Prevention of Clostridium botulinum in marijuana concentrates.		Removed.	Included in new 10.80.415 Health and safety standards.
10.80.600, 605, & 610	Applicability. Marijuana testing facility license required. Marijuana testing facilities: privileges and prohibitions.		Removed.	Testing license requirement removed. State has more robust license requirements. Only one license currently within MOA.
10.80.615, 655, 660, 665, 670, & 675	facility license. Marijuana inventory tracking system. Failed materials, retests. Supplemental marijuana quality testing. Reporting, verification. Records retention.		Removed.	
10.80.700	Marijuana handler permit required.		Removed.	
		10.80.600	Exercise of authority.	Moved from current 10.80.915
10.80.705	Licensed premises alteration.	10.80.610	Licensed premises alteration.	
10.80.710	Restricted access areas.		Removed.	
10.80.711	No overlapping licenses.		Removed.	
10.80.712	Breastfeeding on licensed premises.	10.80.620	Minors on licensed premises.	
10.80.715 & 720	Security alarm systems and lock standards. Video surveillance.		Removed.	
10.80.725	Inspection of licensed premises.	10.80.616	Inspection of licensed premises.	
10.80.730	Marijuana inventory tracking system.		Removed.	

10.80.735	Health and safety standards.	10.80.617	Health and safety standards.	Updated per AHD.
10.80.740	Waste disposal.	10.80.618	Waste disposal.	Updated per AHD.
10.80.745, 750, & 755	Standardized scales. Transportation. Business records.		Removed.	
10.80.800 & 805	Inspection and investigation. Report or notice of violation.	10.80.700	Powers and duties.	
10.80.810, 815, 821, & 825	or endorsement, certain civil fines. Suspension or revocation based on an act of employee. Procedure for action on license or endorsement suspension or revocation. Summary suspension ot protect public health, safety, or	10.80.710	Suspension or revocation of license or endorsement.	
10.80.830	Seizure of marijuan or marijuana		Removed.	
10.80.835	Hearing.		Removed.	Included in new 10.80.716 Appeal.
10.80.840	Civil fines.	10.80.705	Civil fines.	
10.80.846	Appeal.	10.80.716	Appeal.	
10.80.850	Surrender or destruction of license or endorsement.	10.80.720	Surrender or destruction of license or endorsement.	
10.80.905	Public records.	10.80.619	Public records.	
10.80.911	Refusal to sell marijuana.		Removed.	
10.80.915	Exercise of authority.	10.80.600	Exercise of authority.	
10.80.920	Death of licensee.	10.80.725	Death of licensee.	Included current 10.80.045B.2. operation after death section.
10.80.931	Designation of Local Regulatory Authority.		Removed.	Included in new 10.80.001 Designation of local regulatory authority.
10.80.990	Definitions.		Removed.	Included in new 10.80.002 Definitions.
14.60.030	Fine schedule.		Updated. See below deleted and duplicated State references.	State Fines incorporated by reference and additional MOA specific fines listed.
Code Section	Offense			Penalty/Fine
***	***	***		
10.80	Alaska Administrative Code 3 AAC 306 (identify specific violation)			75.00–500.00

10.80.1XX	Any violations of chapters 10.85 or 8.35.300 through 8.35.350 unless penalty or fine is listed below:	
	Suspensions and revocations of license or endorsements imposed by the assembly are appealed separately in accordance with procedures in section 10.80.710 and 715.	
10.80.105	License required 3 AAC 306.005	500.00/day
[10.80.040A.1.—3.	Failure to report ownership change 3 AAC 306.040	100.00/day
10.80.045A.	Transfer/receive license or interest without consent 3 AAC 306.045	100.00/day
10.80.050	Relocation of premises 3 AAC 306.050	100.00/day
10.80.300A.	Sell, give, distribute, deliver, or offer the same without a retail marijuana store license 3 AAC	500.00/day or unique transaction
10.80.300B.	Retailer's interest in testing facility 3 AAC 306.300	100.00/day
10.80.306B.	Violate prohibitions for on-site marijuana consumption areas 3 AAC 306.300	300
10.80.306E.	Required on-site operating requirements 3 AAC 306.305	300
10.80.310A.	Sell, give, distribute, deliver, or offer the same:	
10.80.310A.1.	To a person under the age of 21 3 AAC 306.310	500
10.80.310A.2.	To a person under the influence 3 AAC 306.310	500
10.80.310A.3.	That is not labeled and packaged as required 3 AAC 306.310	100.00/product
10.80.310A.4.	In a quantity exceeding permissible limits 3 AAC 306.310	100
10.80.310A.5.	Over the internet 3 AAC 306.310	100
10.80.310A.6.	After the expiration date 3 AAC 306.310	100
10.80.310B.1.	Conducting business/consumer access during prohibited times 3 AAC 306.310	100
10.80.310B.2.	Allow consumption on retail premises with no endorsement 3 AAC 306.370	500
10.80.310B.3.	Allow overconsumption while in on-site consumption area 3 AAC 306.370	300
10.80.310B.4.	Offer/deliver alcohol or free marijuana 3 AAC 306.370	100
10.80.310B.5.	Allow drunken or intoxicated person to enter premises 3 AAC 306.310	300.00}
10.80.[311]210	Offering Prohibited Military Discount	200
[10.80.320A.1., 2.	Marijuana handler permit required; possession of permit on premises 3 AAC 306.320	50
10.80.325A.	Under 21 on premises 3 AAC 306.325	200
10.80.325B.	Signage required 3 AAC 306.325	50.00/day
10.80.325C.	Allow public in restricted areas 3 AAC 306.325	100
10.80.330A.—D.	Failure to comply with inventory tracking system requirements 3 AAC 306.330	200
10.80.340	Sell, give, distribute, deliver, or offer the same without required testing 3 AAC 306.340	100
10.80.345A.1.	Required packaging and labeling of marijuana 3 AAC 306.345	200
10.80.345A.2.	Required packaging and labeling of marijuana product 3 AAC 306.345	200
10.80.345A.3.	Required packaging when purchaser leaves the premises 3 AAC 306.345	200

10.80.345B.1.—3.	Additional label requirements 3 AAC 306.345	200
10.80.350A.	ID required for sale 3 AAC 306.350	100
10.80.355A.1.—3.	Limits on quantity sold 3 AAC 306.355	200
10.80.360B.1.—5.	Advertisement statements or illustrations 3 AAC 306.770	200
10.80.360C.1.—5.	Placement of advertising 3 AAC 306.770	200
10.80.360D.	Giveaway coupons; promotional activities 3 AAC 306.770	200
10.80.360E.	Warnings required 3 AAC 306.770	200.00}
10.80.[361.]210	Advertising Prohibited Military Discount	200
[10.80.366A.	Failure to submit a sample 3 AAC 306.340	500.00/day
10.80.366D.	Failure to dispose of or embargo marijuana or marijuana product 3 AAC 306.340	500.00/day
10.80.366E.1., 2.	Reporting test results 3 AAC 306.340	100
10.80.366E.2.	Form of test results 3 AAC 306.340	100
10.80.371A.1., 2.	Temperature of concentrates; labeling 3 AAC 306.340	100
10.80.400A.	Plant, propagate, cultivate, etc., or sell the same to any marijuana establishment, without a marijuana cultivation facility license 3 AAC 306.400	500.00/day or unique transaction—
10.80.400C.	Cultivator's interest in testing facility 3 AAC 306.405	100.00/day
10.80.405A.2.	Sale to unlicensed entity 3 AAC 306.405	500
10.80.405A.4.	Storage of product not in the inventory tracking system 3 AAC 306.405	500
10.80.405B.1.	Failure to separate co-located businesses 3 AAC 306.405	500.00/day
10.80.405C.1.	Sell, distribute, or transfer to a consumer 3 AAC 306.405	500
10.80.405C.2.	Allow consumption on premises 3 AAC 306.405	200
10.80.405C.3.	Treat/adulterate marijuana 3 AAC 306.405	100
10.80.405C.4.	Extraction of concentrate without a permit 3 AAC 306.405	500
10.80.405C.5.	Sell without proper packaging and labeling 3 AAC 306.405	100
10.80.425A.1., 2.	Marijuana handler permit required; possession of permit on premises 3 AAC 306.425	50
10.80.430B.	Operation in fully enclosed facility 3 AAC 306.430	100.00/day
10.80.430C.1., 2.	Public visibility; odor 3 AAC 306.430	100.00/day
10.80.430D.	Video surveillance of growth, production, and destruction, etc. 3 AAC 306.430	200
10.80.435A.—C.	Failure to comply with inventory tracking system requirements 3 AAC 306.435	200
10.80.440B.1.—3.	Health and safety requirements 3 AAC 306.440	50
10.80.450A.1.	Production of marijuana concentrate 3 AAC 306.450	300
10.80.460A.—C.	Marijuana samples 3 AAC 306.460	100
10.80.500A.	Marijuana production without license 3 AAC 306.500	500.00/day
10.80.500C.	Manufacturer's interest in testing facility 3 AAC 306.500	100.00/day
10.80.505A.4.	Sale to unlicensed entity 3 AAC 306.505	500

10.80.510A.1.	Sell, distribute, or transfer to a consumer 3 AAC 306.510	500
10.80.510A.2.	Sell without proper packaging and labeling 3 AAC 306.510	100
10.80.510A.3.	Allow consumption on premises 3 AAC 306.510	200
10.80.510A.4.	Treat/adulterate marijuana; appearance of candy or appeal to children 3 AAC 306.770	100
10.80.510C.1., 2.	Accept improperly documented marijuana 3 AAC 306.510	100
10.80.530A.1., 2.	Marijuana handler permit required; possession of permit on premises 3 AAC 306.530	50
10.80.530B.	Food safety worker card required 3 AAC 306.530	50
10.80.535A.	Manufacture in restricted area required 3 AAC 306.535	100.00/day
10.80.535B.	Video surveillance of production, storage, destruction, etc. 3 AAC 306.535	200
10.80.535C.	Controlled storage 3 AAC 306.535	50.00/day
10.80.540A.—D.	Failure to comply with inventory tracking system requirements 3 AAC 306.540	200
10.80.600A.	Marijuana testing without license 3 AAC 306.600, 3 AAC 306.615, 3 AAC 306.620	500.00/day
10.80.600C.	Interest in other type of marijuana facility 3 AAC 306.600	100.00/day
10.80.610A.	Possession of product not in the inventory tracking system 3 AAC 306.610	500
10.80.610A.1.	Licensee, employee, or agent with other type of marijuana establishment license 3 AAC 306.610	100.00/day
10.80.610A.2.	Sell, distribute, or transfer to a consumer 3 AAC 306.610	500
10.80.610A.3.	Allow consumption on premises 3 AAC 306.610	200
10.80.655A., B.	Failure to comply with inventory tracking system requirements 3 AAC 306.655	200
10.80.660A.1., 2.	Failed test disposal; documentation 3 AAC 306.660	200
10.80.665B.1., 2.	Perform required test; report 3 AAC 306.665	500
10.80.670A.	Reporting test results 3 AAC 306.670	100
10.80.670B.	Form of test results 3 AAC 306.670	100
10.80.675A.	Records 3 AAC 306.675	100.00/day
10.80.705B.	License must be posted 3 AAC 306.705	100.00/day
10.80.710B.	Restricted access signage; visitors limited 3 AAC 306.710	200.00/day
10.80.710C.1.—3.	Visitor requirements 3 AAC 306.710	50.00/visitor
10.80.715A.	Identification badge 3 AAC 306.715	50
10.80.715B.1.—3.	Lighting; security system; video 3 AAC 306.715	100.00/day
10.80.715C.	Policies and procedures required 3 AAC 306.715	100
10.80.715D.	Locks 3 AAC 306.715	50.00/door
10.80.720A.—E.	Video surveillance required 3 AAC 306.720	200
10.80.740D.	Waste disposal 3 AAC 306.740	100
10.80.745A.	Certified scales required 3 AAC 306.745	50
10.80.750D.	Transportation of marijuana 3 AAC 306.750	50.00/package
10.80.755A., B.	Business records to be maintained 3 AAC 306.755	50.00/day}

<u>10.80.616</u>	<u>Inspection of licensed premises</u> 3 AAC 306.725	<u>100</u>
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