CITY OF KODIAK
ORDINANCE NUMBER 1350

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK ENACTING KODIAK CITY CODE CHAPTER 5.52 PROHIBITING MARIJUANA ESTABLISHMENTS IN THE CITY

BE IT ORDAINED by the Council of the City of Kodiak, Alaska, as follows:

Section 1: Kodiak City Code Chapter 5.52, Marijuana Establishments, is enacted to read as follows:

Chapter 5.52
MARIJUANA ESTABLISHMENTS

Sections:
5.52.010 Definitions.
5.52.020 Interpretation.
5.52.030 Marijuana establishments prohibited.
5.52.040 Violation—penalty.

5.52.010 Definitions.

In this chapter:

"marijuana" means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate; "marijuana" does not include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.

"marijuana cultivation facility" means an entity registered to cultivate, prepare, and package marijuana and to sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers;

"marijuana establishment" means a marijuana cultivation facility, a marijuana testing facility, a marijuana product manufacturing facility, or a retail marijuana store.

"marijuana product manufacturing facility" means an entity registered to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

"marijuana products" means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.

"marijuana testing facility" means an entity registered to analyze and certify the safety and potency of marijuana.

"retail marijuana store" means an entity registered to purchase marijuana from marijuana cultivation facilities, to purchase marijuana and marijuana products from marijuana product manufacturing facilities, and to sell marijuana and marijuana products to consumers.

5.52.020 Interpretation.

All terms used in this chapter that are defined in AS 17.38 or the regulations promulgated thereunder shall be interpreted in accordance with such definitions.

5.52.030 Marijuana establishments prohibited.

The operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores in the city is prohibited.

5.52.040 Violation—penalty.

A violation of this chapter is an offense punishable by a fine not exceeding $1,000, plus any surcharge required to be imposed by AS 12.55.039.

Section 2: This ordinance shall be effective one month following final passage and publication in accordance with Kodiak Charter Article II Section 13, and shall expire six months after its effective date.

CITY OF KODIAK

MAYOR

ATTEST:

DEPUTY CITY CLERK

First Reading: May 12, 2016
Second Reading: May 26, 2016
Effective Date: July 1, 2016