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Alaska Marijuana Control Board

# Operating Plan Supplemental
# Form MJ-28b: Onsite Consumption Marijuana Retail Endorsement

**Why is this form needed?**

An operating plan supplemental form is required for all retail marijuana establishments seeking an onsite consumption endorsement. Applicants should review **Alaska Regulation 306.370.** This form will be used to document how an applicant intends to meet the requirements of the regulation.

**What must be covered in this operating plan supplemental?**

Applicants must identify how the proposed onsite consumption premises will comply with applicable statutes and regulations regarding the following:

- Security [in addition to what is required for a retail store].
- Ventilation [if consumption by inhalation is to be permitted].
- Monitoring overconsumption.
- Disposal or packaging of unconsumed marijuana.
- Prevention of the introduction of marijuana products not sold by the retail marijuana store or products not sold for onsite consumption.

**This form must be completed and submitted to AMCO's Anchorage office before any new onsite consumption endorsement application will be considered complete.**

## Section 1 – Establishment & Contact Information

Enter information for the business seeking to be licensed, as identified on the license application.

| | | | | | |
|---|---|---|---|---|---|
| **Licensee:** | The Tufted Puffin LLC | **MJ License #:** | 36580 | | |
| **License Type:** | Retail Marijuana Store | | | | |
| **Doing Business As:** | The Tufted Puffin | | | | |
| **Premises Address:** | 408 Port Ave | | | | |
| **City:** | Seward | **State:** | Alaska | **ZIP:** | 99664 |

| | | | | | |
|---|---|---|---|---|---|
| **Mailing Address:** | PO Box 1934 | | | | |
| **City:** | Seward | **State:** | Alaska | **ZIP:** | 99664 |

| | | | |
|---|---|---|---|
| **Designated Licensee:** | Randy C. Wells | | |
| **Main Phone:** | 907-947-3349 | **Cell Phone:** | 907-947-3349 |
| **Email:** | tuftedpuffinllc@gmail.com | | |

**Which type(s) of consumption will occur at your premises (check all that apply):**

**Consumption by inhalation (smoking or vaping)-** ☑ **Consumption by other method(s)-** ☑



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## Section 1 – Freestanding

Freestanding Licensed Retail Store (3 AAC 306.370(a) and AS 18.35.301(i)(1))

Please read the definition of "Freestanding" as defined in AS 18.35.301(i)(1) below-

*"freestanding" means a building that is not supported by another structure and does not share ventilation or internal air space with an adjoining structure and smoke from the building cannot travel into the adjoining structure.*

You must be able to certify the statements below. Read the following and then sign your initials in the box to the right: Initials

1.1- I certify that the location for which I am requesting this endorsement is "freestanding" as defined by AS 18.35.301(i)(1). RW

1.2- I certify that I have attached to this operating plan a photo of each side of the exterior of my building that show it meets the definition of "freestanding." RW

## Section 2 – Security

Security (3 AAC 306.370(d)(1)(A)) and 3 AAC 306.370 (c)(1)

**2.1. Describe the equipment in place (doors and locks) that will provide security for your consumption space, including access points and windows:**

The Tufted Puffins indoor and outdoor consumption spaces will be equipped with 24-hour monitoring alarm systems and video surveillance to maintain the security of the on-site consumption areas and the facility. The alarm system will be set up to monitor for intrusions with motion detectors, glass break sensors, and door sensors. If triggered, an automatic electronic alert will be sent to the security monitoring center as well as to the licensee's cell phone and/or the general manager. This will also trigger an audible alarm to help deter potential intruders. Live security footage will also be accessible to licensees and/or the general manager via their cell phones so they may keep an eye on the consumption area even when they are away.

Only after a person has shown their valid identification to the ID check agent upon entrance to the premises (shown on the diagram as "Entry Desk" they will be allowed access into the consumption area.

**2.2. Describe how you will prevent diversion of marijuana and marijuana product from your consumption area:**

All marijuana and marijuana product will be transferred and tracked in Metrc. This will ensure that there will be no inversion or diversion of marijuana or marijuana product from or into the consumption area. All marijuana/products will be securely stored in the restricted access area. Customers will not be able to access those products unless purchased through a budtender. Customers wishing to purchase marijuana or marijuana product to consume in the consumption area will do so from the consumption area point of sale. Only marijuana products intended for on site consumption will be available in the consumption area alongside non-marijuana-infused products. In addition, to help The Tufted Puffin staff to ensure that only products purchased for on-site consumption are consumed in the consumption area and to differentiate from marijuana/marijuana products purchased from the retail (non-consumption area), The Tufted Puffin shall utilize color contrasting packaging and/or identifying stickers that will allow a staff member to easily decipher marijuana/products that were purchased from the non-consumption retail area vs. the products purchased in the consumption area.

All marijuana or marijuana products left unclaimed by customers in the consumption area shall be quickly cleared by The Tufted Puffin staff members and shall be disposed of in a manner that is compliant with 3 AAC 306.740.



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**2.3. Describe how you will prevent access by persons under the age of 21 to your consumption area:**

The Tufted Puffin will refuse entrance to any person who does not produce a form of valid photo identification showing that person is twenty-one (21) years of age or older. A valid form of identification includes; (1) an unexpired, unaltered passport; (2) an unexpired, unaltered driver's license; instruction permit, or identification card of any state or territory of the United States, the District of Columbia, or a province of Canada; and (3) an identification card issued by a federal or state agency authorized to issue a driver's license or identification card.
At no time will a person under the age of twenty-one (21) be permitted to remain on the premises. If any of The Tufted Puffin staff members suspect that a person is a minor, the staff member will refuse access and have the individual escorted off the premises. A designated staff member will request from all customers a government-issued, photo ID and will thoroughly examine the ID before allowing entrance into the consumption area. There are two points of entry (shown on the diagram) both points of entry shall have staff monitoring the door and shall ensure a person's ID is valid and the person is over the age of 21 before allowing entry into the consumption area.

**2.4. Describe how the consumption area shall be isolated from the other areas of the retail marijuana store:**

The Tufted Puffin consumption areas will be isolated from the other areas of the retail marijuana store in the following ways:
1. The indoor consumption area is in a designated area on the opposite side of the facility. It is only attached to the licensed premises via the south-side of the building.
2. The outdoor consumption area is outdoors.
3. The consumption areas are manned by a The Tufted Puffin staff members and further secured by a secured door that is clearly labeled "On-site Consumption Area".
4. The indoor consumption area is for edibles only.
5. Customers can only have access to the outdoor on-site consumption area via a spring-loaded secure door on the front deck of the building. There are no retail areas that touch the outdoor consumption areas. Plan for on-site consumption on page 7

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right: Initials

**2.5. The proposed area(s) for consumption are clearly identified on Form MJ-02: Premises Diagram or MJ-14: Premises Diagram Change that is submitted with this application.** RW

Answer "Yes" or "No" to the following question: Yes No

**2.6 Will the consumption area be outdoors?** ☑ ☐

**If "Yes", describe the outdoor structure(s) or the expanse of open or clear ground and how it is fully enclosed by a sight-obscuring wall or fence:**

The outdoor consumption area will have an 8' wooden, privacy, stockade-style fenc/ wall surrounding the clear ground perimeter to ensure regulated access and that the interior is completely sight-obscured from the exterior.

**If "Yes", describe the neighboring uses and state why an outdoor consumption area is compatible with the surrounding area:**

The neighboring uses are compatible with outdoor consumption and are in compliance with 3 AAC 306.370. There are no restricted uses, conflicting neighboring uses, or areas within 500ft of the property line. The nearest building with an intake vent is over 500ft from the property line.

The outdoor, on-site, open ground area will be completely surrounded by an 8' sight obscuring fence/ wall to block the view of anyone attempting to see inside the restricted area, and will be so far from any individuals that the smell and or sight of smoke will dissipate before reaching any building or person outside of the designated, on-site consumption area. The door to the area will be spring loaded and the exit door will only be able to open from the outside by employees.

The Tufted Puffin does not anticipate having any smell/smoke issues, however if any are brought up, the problem will be mitigated immediately.



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## Section 3 – Ventilation

Ventilation (3 AAC 306.370(d)(1)(B))

If you are proposing an indoor marijuana consumption area, where consumption by inhalation will occur you must be able to certify the statements below.

Read the following and then sign your initials in the box to the right: Initials

I certify that I have attached to this form ventilation plans that:

**3.1 Show a ventilation system for the marijuana consumption area that is separate from the remainder of the retail store** RW

**3.2 Signed and approved by a licensed mechanical engineer.** RW

**3.3 Sufficient to remove visible smoke.** RW

**3.4 Consistent with all applicable building codes and ordinances.** RW

## Section 4 – Overconsumption

Monitoring Overconsumption (3 AAC 306.370(d)(1)(C))

**4.1. Describe the policies and procedures that will be used to monitor overconsumption of marijuana or marijuana product:**

The Tufted Puffin will train all retail staff to ask particular questions when a customer is purchasing marijuana or marijuana products for consumption in the consumption area. A budtender will use their best efforts and the information available to help, if possible, the customer understand their tolerance levels so that the customer does not over consume.

The Tufted Puffin employees will also be trained on quantity limitations for on-site consumption, and signs of impairment or over-consumption while in the consumption area. The Tufted Puffin LLC will not permit any sale which exceeds the amount of any marijuana product or THC limit in 3AAC 306.370.

If a The Tufted Puffin staff member suspects that a customer has over-consumed, the staff member will assist the customer in arranging a ride (such as a taxi/Lyft/Uber) to meet the customer and make sure that the customer gets into the vehicle.

## Section 5 – Repackaging or Disposal

Repackaging or Disposal (3 AAC 306.370(d)(1)(D))

**5.1. Describe how you will dispose of or repackage unconsumed marijuana or marijuana product in accordance with 3AAC 306.740 and 3AAC 306.345:**

The Tufted Puffin has a disposal plan for marijuana bud/flower and marijuana edible waste that is not consumed and unclaimed in the consumption area. The marijuana bud/flower or edible waste will be immediately collected by a staff member and stored in the marijuana waste locked container and by rendering it unusable by mixing the waste at least 50:50 with compost able and non-compost able materials such as: food waste, cardboard, paper, yard waste, vegetable oil, etc before having the waste destroyed in accordance with 3 AAC 306.740

Customers who choose to remove partially-consumed marijuana products that have been purchased for on-site consumption will have all products re-packaged in accordance with 3 AAC 306.345.

All packaging will be opaque, child resistant, and will be properly labeled (in accordance with 3 AAC 565 and 3 AAC 306.570) before leaving the licensed premises.



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## Section 6 – Prevention of Introduction

Prevention of Introduction (3 AAC 306.370(d)(1)(E))

**6.1. Describe your policies and procedures to ensure marijuana from a source other than your retail marijuana store is not introduced to your consumption area:**

The Tufted Puffin understands the importance of preventing the inversion of marijuana and marijuana products into the consumption area that were not purchased from the point of sale located in the consumption area. The Tufted Puffin will ensure that, at the time of purchase, the budtender assisting the customer will explain that there is a strict policy that no outside marijuana or marijuana product may be consumed in the consumption area.
In the event that a customer attempts to consume marijuana or marijuana product from a source other than The Tufted Puffin consumption area and point of sale counter, the consumption area staff member will ask the customer to leave the facility and store any marijuana or marijuana product that they have on them in their vehicle or dispose of it prior to completing the transaction.
In addition, to help The Tufted Puffin staff ensure that only products purchased for on-site consumption are consumed in the consumption area and to differentiate from marijuana/marijuana products purchased from the retail (non-consumption area), The Tufted Puffin shall utilize color contrasting packaging and/or identifying stickers that will allow a staff member to easily decipher marijuana/products that were purchased from the non-consumption retail area vs. the products purchased in the consumption area.

**6.2 Describe your policies and procedures to ensure that marijuana from your retail marijuana store that is not intended for onsite consumption is not introduced into your consumption area:**

The Tufted Puffin will also utilize color-contrasting packaging and/or identifying stickers that will allow a staff member to easily decipher marijuana/products that were purchased from the non-consumption retail area vs. the products purchased in the consumption area.

This will ensure that only products purchased for on-site consumption are consumed in the consumption area and differentiate from marijuana/marijuana products purchased from the retail section (non-consumption area).

## Section 7 – Dosage and Safety Information

Written Materials (3 AAC 306.370(e)(4))

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right: Initials

7.1- I certify that I have attached copies of the written materials to be provided in the consumption area(s) to patrons at no cost that contain marijuana dosage and safety information for each type of marijuana or marijuana product to be sold for consumption at the marijuana consumption area. DW



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## Section 8 – Employee monitoring

Employee Monitoring (3AAC 306.370(c)(2))

| Answer "Yes" or "No" to the following question: | Yes | No |
|---|---|---|
| **8.1 Will consumption by smoking or vaping be allowed?** | ☑ | ☐ |

**If "Yes", describe the smoke-free area from which employees will monitor the marijuana consumption area:**

The Tufted Puffin consumption area staff member(s) will monitor customers through video surveillance at two separate monitoring locations within the retail section of the licensed premises.

They are separated via a secure, commercial locking door, and the only access to the monitoring area is through the retail section.

These monitoring areas are smoke-free.

The indoor on-site consumption area will only allow edibles, there will be no smoking or vaping indoors. The outdoor consumption area will allow edibles, smoking, vaping. and is consistent with all applicable building codes and ordinances and adequate to eliminate odor before the property line.

## Section 9 – Declaration

Read the line below, and then sign your initials in the box to the right of the statement:

Initials

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification. RW

Randy C. Wells
Printed name of licensee

Signature of Licensee



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(Additional Space as Needed):

Section 2.4 Continued:
The Tufted Puffin will develop the on-site consumption areas during the same construction timeframe.
Outdoor on- site consumption area, with the 8' privacy fencing/walls etc.
Interior on-site consumption of edibles only area with the continuous video surveillance etc.



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