

## **14-421 ~~MEDICAL MARIJUANA FACILITY~~FACILITIES<sup>1</sup>**

### **14-421-01 Applicability**

The standards of this article apply to ~~medical~~-marijuana ~~facilities~~facility.

### **14-421-02 Buffer requirements**

No ~~medical marijuana facility~~Marijuana facility shall be located within 1,000 feet of any then existing elementary or secondary school, day care, or church. In the case of a freestanding ~~marijuana facility~~facility, the distance between the facility and the school, day care, or church shall be measured from the external wall of the facility structure closest in proximity to the school, day care, or church to the closest point of the property line of the school, day care, or church. If the school, day care, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, day care, or church closest in proximity to the facility. In the case of a facility is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.

The City Council may reduce this distance by resolution if an applicant shows good cause for the same. The determination of what constitutes good cause shall be the sole discretion of the City Council.

### **14-421-03 Storage and Security**

- A. All storage of medical marijuana materials, products, or equipment shall be in accordance with the rules ~~as amended and~~ promulgated by the Missouri Department of Health and Senior Services ~~and any successor agency~~.
- B. Marijuana Dispensaries may operate an offsite storage facility for storage of products and inventory. A single offsite storage facility may only be used by a single entity licensed as a marijuana dispensary. An offsite storage facility shall not be open to the public. An offsite storage facility shall comply with the same requirements of a dispensary in regard to location, security, and odor control.
- C. For ~~marijuana-infused products manufacturing facilities, marijuana cultivation and testing facilities,~~ all operations and all storage of materials, products, or equipment shall be within a ~~fully secured area inside the building, structure, or outdoors on the property on the area in an area enclosed by a fence with razor wire at least ten (10) feet) in height, not including the razor wire or other such alternative security measures approved by the City Council.~~
- D. A marijuana dispensary shall provide adequate security on the premises of the marijuana dispensary including, but not limited to the following:
  - a. Security surveillance cameras installed to monitor the main entrance along with the interior and exterior of the premises to discourage and to facilitate the reporting of

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criminal acts and nuisance activities occurring at the premises. Security videos shall be preserved for at least 72 hours by the permittee;

b. Alarm systems which are professionally monitored and maintained in good working conditions;

c. A locking safe permanently affixed to the premises, or locked storage room, that is suitable for storage of all of the saleable inventory of marijuana if marijuana is to be stored overnight on the premises; and

d. Exterior lighting that illuminates the exterior walls of the business and is compliant with City Code.

#### **14-421-04 Onsite usage prohibited**

No marijuana may be smoked, ingested, or otherwise consumed on the premises of a ~~medical~~-marijuana dispensary, a marijuana-infused products manufacturing facility, and marijuana cultivation and testing facilities.-

#### **14-421-05 Hours of operation**

All ~~medical~~-marijuana dispensaries shall be closed to the public, no persons not employed by the business shall be on the premises, and no sales or distribution of marijuana shall occur upon the premises or by delivery from the premises between the hours of 10:00 p.m. and 8:00 a.m.

#### **14-421-06 Display of licenses required**

~~The medical marijuana license issued by the State of Missouri shall be displayed in an open and conspicuous place on the premises at all times in accordance with State of Missouri requirements.~~

Any applicable marijuana license issued by the State of Missouri shall be displayed in an open and conspicuous place on the premises at all times in accordance with the State of Missouri's requirements.

#### **14-421-07 Residential dwelling units prohibited**

No ~~medical~~-marijuana dispensary shall be located in a building that contains a residence.

#### **14-421-08 Ventilation required**

All ~~medical~~ marijuana facilities shall install and operate a ventilation system that will prevent any odor of marijuana from leaving the premises of the business. No odors shall be detectable by a person with a normal sense of smell outside the boundary of the parcel on which the facility is located.

#### **14-421-09 Business license**

A ~~medical~~-marijuana facility shall be required to have a City business license as required in Chapter 5 of the City Code.

#### **14-421-10 Conformance with State of Missouri Rules**

All ~~medical~~-marijuana facilities shall be operated in accordance with the rules from the State of Missouri Department of Health and Senior Services.

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#### **14-421-11 Minimum Age Requirements**

No person under the age of twenty-one who is not a qualifying patient shall be allowed into a comprehensive marijuana dispensary facility. No person under the age of twenty-one shall be allowed into any microbusiness dispensary. No person under the age of eighteen years old shall be allowed into a medical marijuana dispensary. The foregoing notwithstanding, a comprehensive marijuana dispensary, or micro-business, may do so if such qualifying patient is accompanied by a parent or guardian or such qualifying patient has been emancipated and shows proof of emancipation.

#### **14-421-12 Permanent and Fixed Locations**

Each marijuana dispensary shall be operated from a permanent and fixed location. No marijuana dispensary shall be permitted to operate from a moveable, mobile, or transitory location. This subsection shall not prevent the physical delivery of marijuana to a customer, patient or the patient's primary caregiver at a location off of the premises of the permittee's marijuana dispensary, to the extent so allowed by law, if:

- A. The marijuana was lawfully purchased;
- B. The marijuana was delivered by the permittee or an employee of the permittee;
- C. The marijuana is delivered only by the use of a motor vehicle, bicycle, or other lawful means of transportation; marijuana may not be delivered by drone or any remotely operated vehicle, or by any self-navigating vehicle unless a human occupies such self-navigating vehicle.

#### **14-421-13 Marijuana Paraphernalia**

Paraphernalia designated or intended for use in consuming marijuana may be sold at a marijuana dispensary.

#### **14-421-14 Disposal of Medical Marijuana**

No person shall dispose of marijuana or marijuana-infused products in an unsecured waste receptacle not in possession and control of the licensee and designated to prohibit unauthorized access.