

PENDING

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**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-021**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING MSB 8.41, MARIJUANA RELATED FACILITIES LICENSE REFERRALS.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Adoption of Chapter. MSB 8.41 is hereby adopted as follows:

8.41.010 REVIEW OF MARIJUANA RELATED FACILITIES LICENSE REFERRALS.

(A) Upon notice from the Alaska State Alcohol and Marijuana Control Office of an application within the Borough for the issuance, renewal, or transfer of license to another person, of any marijuana related facility license, as defined in 3 AAC 306.005, the Planning Department shall:

(1) review the application for compliance with MSB 17.60 to determine that the applicant has obtained any permits required; and

(2) determine through Finance Department review, whether the applicant has delinquent debts or

taxes owing to the Borough arising from conduct of the business making the application.

8.41.020 WAIVER.

If the Planning Department determines that the requirements of MSB 8.41.010 are satisfied, the Department shall, within 30 calendar days of receipt of notice of the application, notify the Alaska State Alcohol and Marijuana Control Office that the Borough waives its right to protest the application.

8.41.030 BOROUGH PROTEST.

If the Planning Department determines that any of the requirements of MSB 8.41.010 are not satisfied, the Department shall, within 30 days of receipt of the notice of the application, notify the Alaska State Alcohol and Marijuana Control Office that the Borough protests the application. The protest shall state the reasons for the protest.

8.41.040 RESIDENT OBJECTION TO MARIJUANA RELATED FACILITIES.

(A) A Borough resident who lives within one mile of where a marijuana related facility properly licensed by the Alaska State Alcohol and Marijuana Control Office is located, may file an objection to the Planning Department.

(B) The Department shall investigate the objection to determine whether a code violation exists. If a code violation exists, the Department shall work with the facility to remedy the violation. If no violation exists, but the objection presents a grievance, the Department shall refer the resident to the Alaska State Alcohol and Marijuana Control Office.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)