

# CITY OF MITCHELL

City Council Meeting  
Agenda Item Request



*The deadline for agenda items is Wednesday at noon, prior to the City Council Meeting*

Meeting Date Requested:   
 Requested By:

Desired Action of City Council:  Authorization  Approval  Resolution  
 Ordinance  Citizen Request  Discussion

Amount Budgeted in current fiscal year for this item (if applicable):

Agenda Item:

Explanation/Background of Agenda Item Requested:

State laws regarding medical cannabis became law on July 1, 2021. Prior to that, the city adopted regulations regarding medical cannabis so that they would be in effect prior to July 1, 2021. The state had until the end of October 2021 to release their initial administrative rules. The state process has been ongoing and most recently the Legislature's Interim Rules Review Committee approved 143 proposed rules from the Department of Health on September 13, 2021.

Throughout the process, the City was informed that the Department's intended date for these rules to be released was October 4th, 2021. Given the minimal amount of time between knowing the content of the rules, and the time where the city would need any ordinance changes to be in effect, it is necessary to use the emergency ordinance procedures.

The changes proposed in our ordinance are fairly minimal and are intended to make the ordinance and state rules mesh better. Sections are summarized below:

- \*New provision requiring applicant provide all information they intend to submit to the state during their state application process.
- \*Provision that if applicant makes changes to their application materials during the state process, those changes need to be seen by the city council before our license would become effective.
- \*New section to prevent an applicant from seeking state certification before applying with the city.
- \*Amended language regarding fees.
- \*Removed language regarding collection of dispensaries from one section (to be addressed in a different section).

# CITY OF MITCHELL

City Council Meeting  
Agenda Item Request



*The deadline for agenda items is Wednesday at noon, prior to the City Council Meeting*

\*Altered language regarding collocation of cannabis establishments to be more consistent with state rules.

\*Added language to address a possible change in state law that would allow the city to prohibit all types of cannabis establishments.

\*Section requires licensee provide copy to city whenever they have to provide report to the state

\*Section clarifying that the chapter relates solely to medical cannabis and that a licensee has no preference into operating a recreational business if recreational cannabis becomes legal.

By using the emergency adoption provisions, all changes should be in effect prior to the state rules taking effect and the city starting to take applications. This will avoid any possible discrepancy between applicable rulesets and prevent any delay in actually issuing licenses.