



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 343 - 2019

Meeting Date: May 7, 2019

1 **From:** MAYOR

2
3 **Subject:** AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY
4 MAKING TECHNICAL CORRECTIONS TO MUNICIPAL
5 MARIJUANA LICENSING AND ALLOWING ON-SITE
6 CONSUMPTION OF EDIBLE MARIJUANA PRODUCTS AT
7 LICENSED, FREESTANDING RETAIL MARIJUANA STORES
8 THAT HAVE A MUNICIPAL ENDORSEMENT BY AMENDING
9 ANCHORAGE MUNICIPAL CODE CHAPTER 10.80 AND
10 AMENDING SECTION 14.60.030 FOR CORRESPONDING CIVIL
11 FINES.
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13 On March 12, 2019, the State of Alaska filed permanent regulations for regulating
14 Marijuana On-site Consumption effective April 11, 2019. (Specifically new section
15 3 AAC 306.370, and conforming amendments to existing regulations.) This
16 ordinance proposes to adopt many of the State's Marijuana On-site Consumption
17 regulations, as well as make technical corrections to current Anchorage Municipal
18 Code contained within AMC chapter 10.80.
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20 A team of personnel from the Municipal Clerk's Office, Office of Economic and
21 Community Development, Planning Department, Department of Law, and
22 Assembly Counsel's Office worked collaboratively to produce this ordinance,
23 including revisions after presenting it to the Assembly's Community and Economic
24 Development Committee at three separate meetings.
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26 This ordinance proposes to adopt marijuana on-site consumption regulations only
27 for the consumption of edible marijuana products. Consumption by inhalation or
28 smoking is not included at this time, and will remain prohibited until such time as
29 the Assembly decides to allow consumption by inhalation or smoking in the future.
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31 However, this ordinance does include some provisions that would be applicable to
32 onsite consumption by inhalation or smoking, such as requirements about the
33 ventilation system in marijuana consumption areas if inhalation or smoking is to be
34 permitted in the future. (See new AMC subsections 10.80.306C.3. (p. 11 line 4),
35 and 10.80.306D.1.b. (p. 11 line 32).) This ordinance includes provisions that would
36 be applicable to onsite consumption by inhalation or smoking now so that the
37 public and licensees can foresee how it will be reviewed and regulated within the
38 Chapter 10.80 framework.
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This ordinance proposes:

- Establishing a municipal on-site consumption endorsement option for licensed retail marijuana store establishments;
- Adds the endorsement to the relevant code provisions throughout AMC ch. 10.80 that are related to new applications, renewals or transfers, public hearings, modifications, revocations, or expirations of marijuana licenses;
- Defines prohibited activities for on-site consumption;
- Defines the required characteristics of on-site consumption areas;
- Details the requirements for the on-site consumption endorsement application, operating plan, and annual renewal;
- Prohibits overconsumption of marijuana product in authorized on-site consumption areas, and limits the quantity to be sold; and
- Establishes new fines for violations of this chapter.

Additionally, this ordinance proposes a number of technical corrections to existing code, including amendments to the application process that reflect current practices; assigning intake and review responsibilities from the Clerk’s Office to the Planning Department for licenses; and updates to key definitions.

Finally, because administering on-site consumption endorsements will be absorbed by current staffing levels, and revenues are not expected to increase, a summary of economic effects is not included.

THE ADMINISTRATION RECOMMENDS APPROVAL.

Prepared by:	Christopher M. Schutte, Director, Office of Economic & Community Development
Concur:	Lance Wilber, Director, Office of Management and Budget
Concur:	Alexander Slivka, CFO
Concur:	Deitra L. Ennis, Acting Municipal Attorney
Concur:	William D. Falsey, Municipal Manager
Respectfully submitted:	Ethan A. Berkowitz, Mayor