

ORDINANCE B2024-15 MEDICAL CANNABIS

AN ORDINANCE RELATING TO THE ALLOWANCE OF CANNABIS BUSINESS OPERATIONS WITHIN THE CITY OF BARDSTOWN, KENTUCKY

WHEREAS, on April 15, 2024, the Kentucky General Assembly passed 2024 House Bill 829, signed into law by Governor Andy Beshear on April 17, 2024, that amends KRS Chapter 218B, which codifies the statutes governing the Kentucky Medical Cannabis Program; and

WHEREAS, KRS 218B.130 authorizes municipalities to prohibit or approve cannabis business operations within the City through the passage of an ordinance; and

WHEREAS, the City of Bardstown hereby wishes to utilize the authority granted to it by KRS 218B.130 to allow and additionally regulate cannabis business operations within the city limits of Bardstown.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Bardstown, Kentucky as follows:

CHAPTER 125: MEDICAL CANNABIS

125.01 Definitions

125.02 General Provisions

125.03 Licensing

125.04 Location

125.05 Inconsistent Ordinances Repealed and Effective Date

SECTION 125.01 DEFINITIONS.

The definitions within KRS 218B.010 are hereby adopted as if set forth herein and as relevant to this ordinance.

SECTION 125.02 GENERAL PROVISIONS.

- a. **All cannabis businesses are hereby allowed to operate within the city limits of the City of Bardstown, subject to compliance with all applicable state and local regulations.**
- b. **No signs referring to the use of cannabis directly or indirectly visible from the outside shall be permitted, except as any such reference may be contained in the name of the business establishment. No flashing lights or neon lamps shall be used to illuminate signs unless approved by the sign administrator, and all regulations regarding signs shall apply to cannabis business operations.**
- c. **All cannabis businesses must adhere to all operating standards as outlined in KRS Chapter 218B.**

SECTION 125.03 LICENSING.

- a. **No person, firm, or corporation shall do any act authorized by this Ordinance with respect to medical cannabis business operations, unless that person, firm, or corporation holds a license issued from the City of Bardstown authorizing such.**
- b. **The following types of medical cannabis business licenses may be issued by the City and the initial license application fees and license renewal fees for each license shall be as follows:**

<u>Type of License</u>	<u>Initial License Application Fee</u>	<u>License Renewal Fee</u>
<u>Tier I Cultivator</u>	<u>\$500.00</u>	<u>\$1,000.00</u>
<u>Tier II Cultivator</u>	<u>\$1,000.00</u>	<u>\$2,000.00</u>
<u>Tier III Cultivator</u>	<u>\$1,250.00</u>	<u>\$3,000.00</u>
<u>Tier IV Cultivator</u>	<u>\$1,500.00</u>	<u>\$4,000.00</u>
<u>Processor</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>
<u>Producer</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>
<u>Dispensary</u>	<u>\$500.00</u>	<u>\$1,000.00</u>
<u>Safety Compliance Facility</u>	<u>\$500.00</u>	<u>\$1,000.00</u>

- c. **Applications for the issuance or renewal of all licenses provided for in this Ordinance shall be made to the Bardstown City Administrator, who shall be the individual responsible for issuing any licensing under this Ordinance. All applications shall**

include a complete copy of the application and all supporting documentation submitted for the corresponding State license together with all other information as may be requested by the City of Bardstown. All license fees collected under this Ordinance shall be paid to the City of Bardstown.

- d. No license issued pursuant to this Ordinance shall be granted or renewed to any person or entity unless that person or entity first applies for and obtains an occupational license from the City. Any applicant for a license under this Ordinance shall present a valid occupational license issued by the City with its application for a license under this Ordinance. Failure to hold a valid occupational license shall be grounds for denial of a license under this Ordinance.
- e. No license issued pursuant to this Ordinance shall be granted or renewed to any person or entity who is delinquent in the payment of any property taxes, both real and personal, any other taxes due to the City, fees of any type, or charges due to any department of the City at the time of issuing the license, nor may any license be granted or renewed to sell upon any premises or property, owned and occupied by the licensee upon which there are any of the above delinquent payments due and owing to the City. Further, if a licensee becomes delinquent in the payment of any of the above at any time during the license period, the license issued for medical cannabis business operations may be subject to revocation or suspension.
- f. All licenses under this Ordinance shall be valid for a period of no more than one year. All licenses shall expire on June 30 of each year.
- g. Any license issued under this Ordinance is required to be posted and at all times displayed in a conspicuous place in the room or principal room where the medical cannabis business operation is carried on, so that all persons visiting may readily see the license.
- h. No license provided for hereunder shall be issued, renewed, or transferred to any person, firm, or corporation until the person, firm, or corporation has obtained the issuance, renewal, or transfer of the State license corresponding thereto. The licensed premises covered by the City license must be the same as the licensed premises covered by the corresponding State license.
- i. The City license issued to any person, firm, or corporation shall remain valid only so long as the State license corresponding thereto, issued to the person, firm, or corporation, shall be valid. Any revocation, suspension, nonrenewal, or other action which makes the State license null and void shall operate to revoke, suspend, make nonrenewable, and thereby make null and void the city license corresponding thereto for the same period of time.
- j. Any license issued pursuant to this Ordinance, may be revoked or suspended if the licensee violates any provision of this Ordinance or any provision of any statute, law, or regulation relating to medical cannabis business operations.

SECTION 125.04 LOCATION

Cannabis businesses may only operate in areas zoned for commercial use and must be located at least 1,000 feet from any school or daycare center.

SECTION 125.05 INCONSISTENT ORDINANCES REPEALED & EFFECTIVE DATE

All ordinances or parts of ordinances in conflict are hereby repealed to the extent of that conflict. This Ordinance shall be in effect following publication as required by law.

CITY OF BARDSTOWN



Richard Heaton, Mayor

ATTEST:


Gary Little, City Clerk

Date: 12-10-2024