

ORDINANCE NO. 5 - 2024

AN ORDINANCE PERMITTING THE SALE OF MEDICAL CANNABIS AND THE OPERATION OF MEDICAL CANNABIS BUSINESSES WITHIN THE CITY OF GREENUP, KENTUCKY, PURSUANT TO THE AUTHORITY GRANTED IN KRS 218B.090 AND 218B.130; AND OTHER MATTERS

CERTIFICATION

This is to certify that the above caption and Ordinance is titled as set forth above and has been reviewed by the undersigned, who is an attorney licensed to practice law in the Commonwealth of Kentucky.



HON. R. STEPHEN MCGINNIS
PHONE: (606) 473-7303
WWW.MCGINNISLESLIE.COM

ADOPTED ON THE 14th day of August, 2024, by the Common Council of the City of Greenup, Kentucky.



MAYOR, CITY OF GREENUP, KENTUCKY

ATTEST:


CITY CLERK-TREASURER

ORDINANCE NO. 5-2024

AN ORDINANCE PERMITTING THE SALE OF MEDICAL CANNABIS AND THE OPERATION OF MEDICAL CANNABIS BUSINESSES WITHIN THE CITY OF GREENUP, KENTUCKY, PURSUANT TO THE AUTHORITY GRANTED IN KRS 218B.090 AND 218B.130; AND OTHER MATTERS

WHEREAS, on April 15, 2024, the Kentucky General Assembly adopted House Bill 829, which was signed into law by the Governor on April 17, 2024, amending KRS 218B, the Kentucky law permitting medical cannabis; and

WHEREAS, the medical cannabis statutes provide that local governments have the option of allowing or not allowing the sale of medical cannabis and operation of medical cannabis businesses within their jurisdictions, or submitting the question to voters; and

WHEREAS, City of Greenup, Kentucky enacted an ordinance prohibiting the sale of medical cannabis and operation of medical cannabis businesses within its jurisdiction; and

WHEREAS, KRS 218b.130(3)(a) authorizes local governments to permit the sale of medical cannabis and operation of medical cannabis businesses within their territories through the passage of an ordinance when the county that local government is located within prohibits all medical cannabis sales and operations; and

WHEREAS, the City of Greenup has decided to utilize the authority of KRS 218B.090 and 218B.130 to allow the sale of medical cannabis and operation of medical cannabis businesses within the City of Greenup, Kentucky.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF CITY OF GREENUP, GREENUP COUNTY, KENTUCKY, AS FOLLOWS:

SECTION 1. MEDICAL CANNABIS.

The definitions within KRS 218B.010 are hereby adopted and incorporated by reference as if fully rewritten herein.

SECTION 2. SALE OF MEDICAL CANNABIS AND OPERATION OF ALL MEDICAL CANNABIS BUSINESSES PERMITTED.

The sale of medical cannabis to a registered qualified patient and the operation of all medical cannabis businesses permitted by Kentucky law are permitted within the city limits of Greenup, Kentucky.

The zoning districts where the operation of a dispensary offering for sale of medical cannabis directly to registered qualified patients is a permitted use under the Greenup Zoning Ordinance shall be highway commercial, highway commercial inclusive, and central commercial.

The operation of a medical cannabis cultivator business is permitted in highway commercial, highway commercial inclusive, and central commercial.

The operation of a medical cannabis processor business is permitted in highway commercial, highway commercial inclusive, and central commercial.


The operation of a medical cannabis safety compliance facility business is permitted in highway commercial, highway commercial inclusive, and central commercial.

The operation of a medical cannabis producer business is permitted in highway commercial, highway commercial inclusive, and central commercial.

SECTION 3. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance may be published in summary pursuant to KRS 183A.060(9).

SECTION 5: This Ordinance shall be in full force and effect when passed and published according to law.



LUNDIE MEADOWS, MAYOR
CITY OF GREENUP, KENTUCKY

ATTEST:

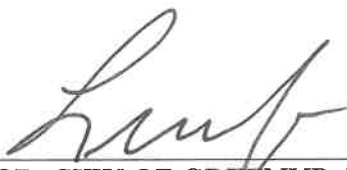

CITY CLERK-TREASURER

FIRST READING: 8/13/202

SECOND READING: 8/14/20

PREPARED BY:

CITY ATTORNEY, R. STEPHEN MCGINNIS



MAYOR, CITY OF GREENUP, KENTUCKY


ATTEST:



CITY CLERK-TREASURER

FIRST READING: 8/13/2024

SECOND READING: 8/14/2024



PREPARED BY:
CITY ATTORNEY, R. STEPHEN MCGINNIS