

ORDINANCE NO. 2024-004

ORDINANCE AUTHORIZING ALL CANNABIS BUSINESS OPERATIONS IN THE  
CITY OF JAMESTOWN

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**WHEREAS**, on March 31, 2023, the Governor signed into law Senate Bill 47 which establishes the licensing and regulation of the cultivation, processing, sale, distribution, and use of marijuana and related activities for medicinal purposes; and

**WHEREAS**, the Act authorizes the Cabinet for Health and Family Services to issue licenses to the following businesses:

- (a) Tier I cannabis cultivator;
- (b) Tier II cannabis cultivator;
- (c) Tier III cannabis cultivator;
- (d) Tier IV cannabis cultivator;
- (e) Cannabis dispensary;
- (f) Cannabis processor;
- (g) Cannabis producer; or
- (h) Cannabis safety compliance facility; and

**WHEREAS**, KRS 218B.130 authorizes a local government to authorize, prohibit, or submit to referendum vote the question of cannabis business operations within its territory; and

**WHEREAS**, the commonwealth of Kentucky legalized medicinal cannabis to provide qualified patients with severe medical disorders to utilize medicinal cannabis under a doctor's care, it is necessary and appropriate, and in the best interest of the health, safety, and welfare of the City of Jamestown's residents and members of the public who visit, travel or conduct business in the City of Jamestown to authorize all cannabis business within the geographic boundaries of the City of Jamestown; and

**WHEREAS**, the City of Jamestown wishes to utilize the authority granted to it by KRS 218B.130.

**NOW, THEREFORE, BE IT ORDAINED** by the City of Jamestown as follows:

**Section 1**

**Definitions**

- (1) "Cabinet" means the Cabinet for Health and Family Services;
- (2) "Cannabis business" means an entity licensed under this chapter as a cultivator, dispensary, processor, producer, or safety compliance facility;
- (3) "Cultivator" means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;
- (4) "Dispensary" means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;
- (5) "Medicinal cannabis" means

- (a) marijuana as defined in KRS 218A.010 when cultivated, harvested, processed, produced, transported, dispensed, distributed, sold, possessed, or used in accordance with this chapter;
  - (b) includes medicinal cannabis products and raw plant material; and
  - (c) Does not include industrial hemp or industrial hemp products as defined in KRS 260.850;
- (6) "Processor" means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;
  - (7) "Producer" means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;
  - (8) "Safety compliance facility" means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;

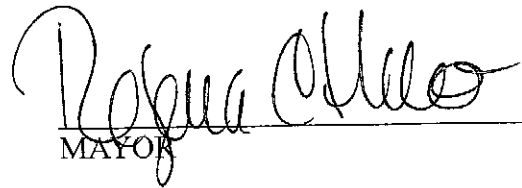
**Section 2**

**Cannabis Businesses Authorized**


- (1) All cannabis businesses are hereby authorized to operate in the city limits of Jamestown.
- (2) "Cannabis business" means any entity licensed under Chapter 218B of the Kentucky Revised Statutes as a cultivator, dispensary, processor, producer, or safety compliance facility.

**Section 3**

This Ordinance shall be effective immediately upon its enactment by the City of Jamestown, following second reading and publication in accordance with the requirements of applicable Kentucky law.

  
MAYOR

ATTEST:

  
CITY CLERK

Passed: September 19<sup>th</sup> 2024 (Second Reading)  
July 18<sup>th</sup> 2024 (First Reading)