

**CITY OF PARIS
ORDINANCE 2024-34**

AN ORDINANCE ADDRESSING MEDICAL CANNABIS AND CREATING A SPECIAL LICENSE AND SETTING THEIR FEES AND ADDRESSING RELATED PROCESSES FOR SUCH LICENSE

WHEREAS, the Commonwealth of Kentucky has adopted KRS Chapter 218B providing for the legalization of the use of medical cannabis and the operation of medical cannabis facilities in the Commonwealth pursuant to the terms and conditions of state law,

WHEREAS, the Board of Commissioners of the City of Paris adopted Ordinance 2024-24 which codified the intent of the City to permit those entities operating and licensed in accordance with KRS Chapter 218B and other federal and Kentucky law to operate within the City of Paris pursuant to KRS 218B.130.

WHEREAS, Section 3 of Ordinance 2024-23 addressed a local fee for a license to be assessed at a later date and the City has determined it is appropriate to otherwise amend that recently enacted Ordinance.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PARIS CITY COMMISSION THAT THE FOLLOWING SECTION OF ORDINANCE 2024-24 BE AMENDED AS FOLLOWS AND SEQUENTIALLY RE-NUMBERED:

Ordinance 2024-24 Section 3.

A. A local fee is assessed to every cannabis business within the City to compensate for any additional costs caused by the operation of cannabis businesses. This fee shall be calculated and assessed regularly. The current fee for each applicable license type shall be:

Cultivator:	\$500.00 per year
Dispensary	\$500.00 per year
Processor	\$500.00 per year
Producer	\$500.00 per year
Safety Compliance Facility	\$500.00 per year

B. Definitions

For the purpose of this Article, the following definitions shall apply:

- a. Licensee shall mean any person who holds a special license for any Medicinal Cannabis Business pursuant to this Article.
- b. Operator shall mean any person who currently operates a Medicinal Cannabis Business, as defined in KRS Chapter 218B, as amended.
- c. Medicinal Cannabis Business shall mean either a cultivator, dispensary, processor, producer, or safety compliance facility as defined in KRS Chapter 218B, as amended.

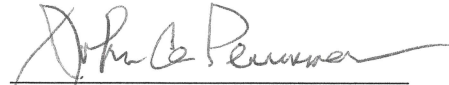
C. Medicinal Cannabis Special License

- a. No person or entity shall operate a Medicinal Cannabis Business at any location in the City of Paris unless that entity also possesses valid City Business licenses and the required Special License under this section. Licensees are responsible for payment of occupational fees on net profits earned from the operation and on withholdings from employee compensation paid for work done or serviced performed within the City in accordance with City ordinances, as amended.
- b. The City Clerk is authorized to promulgate such forms and implement procedures as reasonably necessary and consistent with Kentucky laws for the orderly and efficient processing of this special license. At a minimum, the application shall include the following information:
 - i. Address of each proposed Medicinal Cannabis Business;
 - ii. Identification of each type of proposed Medicinal Cannabis Business operating at that location (cultivator, dispensary, producer, processor, safety compliance facility);
 - iii. Name, address, phone number, and email address of the applicant;
 - iv. Name, address, phone number, and email address of the operator, if different from the applicant;
 - v. Sufficient evidence that the location of the proposed medicinal cannabis business is not within one thousand (1000) feet of an existing child-care center, as defined by KRS Chapter 199.894(3), family child-care home, as defined by KRS Chapter 199.894(5), or a registered childcare provider in the Child Care Assistance Program, as regulated by 922 KAR 2:180;
 - vi. Confirmation from the Paris-Bourbon County Planning Commission that the proposed property is in compliance with zoning requirements; and
 - vii. An affidavit confirming that the applicant complies and shall continue to comply with all aspects of the applicable building codes, fire codes, and all other applicable state and local laws or regulations.
- c. All applications for a special license and their renewal shall be accompanied by the fee required under this Section and shall be conditioned upon issuance of a valid license issued by the appropriate Cabinet of the Commonwealth pursuant to KRS Chapter 218B, as amended and be in good standing with the City of Paris, including but not limited to compliant with City Code of Ordinances Section 60.014.
- d. The operator of the medicinal cannabis business may apply on behalf of the owner of the medicinal cannabis business, with the express written permission of the owners.
- e. All medicinal cannabis business special license fees and renewals shall expire upon the earlier of: (1) December 31 following the most recent application or renewal; or (2) the revocation of any licenses or permits issued by the Commonwealth of Kentucky.
- f. An application or renewal of a license may be denied by the City Manager, or their designee in the following circumstances:
 - i. When the applicant intentionally or knowingly makes a false statement as to a material matter in the application;
 - ii. When the applicant fails to complete any part of an application;
 - iii. When the licensee has failed to pay or is subject to an unsatisfied fee, tax, fine, penalty, or lien from the City of Paris for any reason;

- iv. When the business cannot provide sufficient support to show the proposed location does not meet a required standard;
 - v. When the operator, owner, or the business fails to comply with any applicable state or local law or regulation, including, without limitation, mandatory zoning, building, safety, maintenance, health, sanitation, fire, electrical, plumbing, and mechanical codes; or
 - vi. When the operator, owner, or the business is otherwise found to be not in compliance with City Code of Ordinances §60.014.
- g. A special license may be revoked when any of the following circumstances provided for in subsection (f) occurs or the licensee has been found in violation of any other portion of this Section two or more times during the relevant license term. A licensee whose special license is revoked is not eligible to apply for another medicinal cannabis business license at the location for which the special license was revoked for a period of one year.
- h. Any person or entity that has been determined to have violated regulations regarding medicinal cannabis businesses in the City of Paris as determined by the City Manager, or their designee, is subject to civil penalties in the amount of \$500.00 per offense. Each day that the violation continues after notification of the offense has been served shall constitute a separate offense. The local government shall possess a lien on the property owned by the Licensee for all final citations issued under this section.
- D. Procedure to deny, revoke, fail to renew, or issue a citation related to a special license.
- a. Upon finding a condition exists to deny an application, revoke a license, fail to renew a license, or issue a citation the City Manager or their designee shall issue notice to the Licensee or Applicant requiring that it come forward and show cause why the above action should not be taken.
 - b. The licensee or applicant shall have ten (10) calendar days to respond to the notice in writing and present evidence showing that the proposed action should not be taken.
 - c. Within thirty (30) calendar days, the City Commission, or their designee shall review all evidence and hold a hearing at which the Licensee or Applicant shall be allowed to present witnesses on its behalf. A final decision will be made. The licensee or applicant may then pursue and appeal through the Circuit Court.
 - d. Failure to respond to the notice by the City Manager or their designee or otherwise failure to present evidence shall result in the City Manager or their designee taking the proposed action described in the notice.

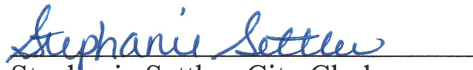
The foregoing ordinance shall take effect immediately upon execution and publication.

The foregoing ordinance was introduced and read for the first time as the City Commission's regular meeting of November 26, 2024. Read for the second time, adopted and approved at its regular meeting of December 10, 2024.



John A. Plummer, Mayor

ATTEST:



Stephanie Settles, City Clerk