

Chapter 5.15
MARIJUANA REGULATION

5.15.010 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Board” means the Alaska Marijuana Control Board.

“City” means the City of Saint Paul, Alaska, and includes all of the territory contained within a three nautical (geographical) mile perimeter and lying above the mean low water line surrounding St. Paul Island, Sea Lion Rock, Walrus Island and Otter Island of the Pribilof Group at Latitude 57° 10'N. and Longitude 170° 15'W.

“City clerk” means the City Clerk of the City of Saint Paul or a designee.

“City Council” means the Council of the City of Saint Paul or a designee.

“City Manager” means the City Manager of the City of Saint Paul or a designee.

“Consumer” has the meaning given in [3 AAC 306.990](#).

“Consumption” means the act of ingesting, inhaling, or otherwise introducing marijuana into the human body.

“Finance director” means the Finance Director of the City of Saint Paul or a designee.

“Intoxicated person” means a person whose physical or mental conduct is substantially impaired as a result of the introduction of an alcoholic beverage and/or controlled substance(s) into the person’s body and who exhibits those plain and easily observed or discovered outward manifestations of behavior commonly known to be produced by the overconsumption of alcoholic beverages and/or controlled substance(s).

“Licensed premises” has the meaning given in [3 AAC 306.990](#).

“Local regulatory authority” has the meaning given in AS [04.21.080](#).

“Marijuana” has the meaning given in AS [17.38.900](#).

“Marijuana accessories” has the meaning given in AS [17.38.900](#).

“Marijuana cultivation facility” has the meaning given in AS [17.38.900](#).

“Marijuana establishment” has the meaning given in AS [17.38.900](#).

“Marijuana license” means a license issued by the Marijuana Control Board pursuant to the requirements set out in AS [17.38](#) and/or [3 AAC 306](#).

“Marijuana products” has the meaning given in AS [17.38.900](#).

“Marijuana product manufacturing facility” has the meaning given in AS [17.38.900](#).

“Marijuana testing facility” has the meaning given in AS [17.38.900](#).

“Person” means an individual, partnership, cooperative, association, joint venture, corporation, estate trust, business, receiver, or any entity, group or combination acting as a unit.

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“Retail marijuana store” has the meaning given in AS [17.38.900](#).

“Unreasonably impracticable” has the meaning given in AS [17.38.900](#). [Ord. 16-18 § 2.]

5.15.020 Procedure for administrative review of license applications.

(a) Upon receipt of notice from the Board of an application for the issuance, renewal, transfer of location or transfer to another person of a marijuana license for a license location in the City, the City Clerk shall as soon as practicable distribute copies of the notice to the City Manager, the City Council, and the City attorney.

(b) The City Manager shall immediately refer the application for review as follows:

(1) To the finance director or their designee to determine whether the licensee or license transferee is delinquent in paying to the City any tax, assessment, business license fee, or fee or charge for utility service for the business and/or affiliate (as defined in [3 AAC 304.990](#)) that operates or will operate under the marijuana license;

(2) To [law enforcement](#) and fire chief to determine whether, in their opinion, there have been excessive calls for service, excessive numbers of convictions or arrests for unlawful activity at the license location, police or ambulance reports, reports of unlawful activity at the license location, or [law enforcement](#), fire or ambulance dispatches to the license location.

(c) The fire chief, director of public safety, and finance director shall forward written statements to the City Manager within fourteen (14) calendar days after the application was referred by the City Manager.

(d) The City Manager shall provide a written report to the City Council, with a copy to the applicant, listing any objections to the Board’s processing of the application. The City Manager’s report is due within twenty (20) days after the date of receipt of notice from the City clerk. In the written report the City Manager must clarify whether the proposal meets the buffer zone requirements of 3 AAC 306.010.

(e) An applicant who believes the City Manager’s report contains factual errors shall file a written protest outlining, with specifics, the sections of the report believed to be factually incorrect. Such protest must be filed to the City Manager not later than ten (10) calendar days after issuance of the City Manager report.

(f) The City Manager shall investigate the applicant’s protest and shall issue a written decision no later than ten (10) business days after receipt of the protest.

(g) The City clerk shall place the matter of the application upon the City Council agenda not less than thirty (30) and not more than forty (40) calendar days after the date of receipt from the Board.

5.15.030 City Council review of license.

(a) The City Council shall determine whether to protest, recommend with conditions, or take no action on the issuance, renewal or transfer of a marijuana license application and shall consider the factors it believes are pertinent. Such factors shall include, but not be limited to:

(1) Municipal records indicating whether the applicant and/or transferor is in violation of the City sales tax ordinances or regulations, has failed to comply with any of

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the filing, reporting or payment provisions of the City ordinances or regulations, or has any unpaid balance due on tax accounts for which the applicant and/or transferor is liable;

- (2) The character and public interests of the surrounding neighborhood;
- (3) Actual law enforcement problems with supporting data;
- (4) The concentration of other licenses of the same and other types in the area;
- (5) The adequacy of parking facilities;
- (6) The safety of ingress to and egress from the premises;
- (7) Compliance with state and local fire, health and safety codes;
- (8) The degree of control the licensee has or proposes to have over the conduct of the licensed business. In determining the applicant's demonstrated ability to maintain order and prevent unlawful conduct, the City Council may consider police reports, the appearance of a readily identifiable pattern or practice of recurring violent acts or unlawful conduct on the licensed premises, testimony presented before the Council, written comments, or other evidence deemed to be reliable and relevant to the purpose of this subsection;
- (9) The proximity to a school, licensed day care, alcohol/ drug inpatient or outpatient treatment center;
- (10) Any history of convictions of the applicants and affiliates of the applicants for any violation of laws, including but not limited to AS Titles 04 and 17, 3 AAC 306 and/or the Saint Paul City Code of Ordinances;
- (11) Any other factor the City Council determines is relevant to a particular application.

5.15.040 Council action on marijuana license applications.

- (a) If a City Council member wishes to protest the [license](#) application, a resolution shall be prepared and introduced at the next regularly scheduled Council meeting or earlier if necessary to meet the requirements of [3 AAC 306.060](#).
- (b) At least seven (7) calendar days prior to the Council meeting, the City clerk shall provide the applicant with:
 - (1) A copy of the proposed resolution; and
 - (2) Notice of the date and time when Council will consider the resolution; and
 - (3) Notice the applicant will have an opportunity, pursuant to Saint Paul City Code of Ordinance, to appear before the Council to defend the [license](#) application.
- (c) A protest by the Council under this section cannot be based in whole or in part on police reports or other written materials available to the City but which were not provided to the affected applicant before the public hearing on that protest.
- (d) At the conclusion of the public hearing, and any deliberation of the Council, the Council may choose to:
 - (1) Pass the resolution protesting to the Board the issuance, transfer or renewal of the marijuana license application; or
 - (2) Recommend the license [applicaiton](#) be approved with conditions; or
 - (3) Take no action on the [license](#) application.

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5.15.050 Recordkeeping required of all sellers.

- (a) Premises licensed under this chapter shall keep and preserve suitable records of all sales made by the seller and such other books or accounts as may be necessary to determine the amount of tax which it is obliged to collect, including records of the gross daily sales, together with invoices of purchases and sales, bills of lading, bills of sale or other pertinent records and documents as will substantiate and prove the accuracy of a tax return.
- (b) All sellers within the City who sell marijuana must have a cash register and must record each retail sale on a cash register that provides, at a minimum, a daily “Z” or “Z-total” report, or equivalent.
- (c) “Suitable records of all sales made” as used in subsection (a) of this section shall mean at a minimum a daily “Z” or “Z-total” report or equivalent (a “Z” or “Z-total” report is the report generated by the cash register at the end of each business day, which calculates, at least, the totals for each department key, total sales and total receipts – although some cash registers have more detailed “Z” or “Z-total” reports). Whatever records are kept must reflect the total daily purchases of taxable items. If no taxable sales are made on a business day, the records kept shall so reflect “zero” sales on that day. Records must also be kept to substantiate any claimed deductions or exclusions authorized by law. Records may be written, stored on data processing equipment, or may be in any form that the City may readily examine.
- (d) Records shall be kept in a systematic manner conforming to accepted accounting methods and procedures. Such records include:
- (1) The books of accounts ordinarily maintained by a prudent business person. Records and accounting information stored on computers must be provided to the City in a readable form when requested by the City;
 - (2) Documents of original entry such as original source documents, prenumbered sequential source documents, prenumbered sequential receipts, cash register tapes, sales journals, invoices, job orders, contracts, or other documents of original entry that support the entries in the books of accounts;
3. All schedules or working papers used to prepare gross and taxable sales results, including receipts or invoices showing exempt sales.
- (e) Records must show:
- (1) Gross receipts and amounts due from all taxable and exempt sales; and
 - (2) The total purchase price of all goods and other property purchased for sale, resale, consumption, or lease.
- (f) Every seller shall preserve suitable records for the period specified in 3 AAC 306.775 or three (3) full calendar years, whichever is greater.
- (g) The City finance department may examine and audit any relevant books, papers, records, returns or memoranda of any seller, may require the attendance of any seller, or any officer or employee of a seller, at a meeting with the finance director or their designee, and may require production of all relevant business records, in order to determine whether the seller has complied with this chapter. Responsive documentation shall be provided within three (3) business days from a written request by the City.

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5.15.060 License restrictions.

(a) The City adopts [3 AAC 306.010\(a\)](#) and (b), as it currently reads and as it may later be amended.

5.10.070 Conditional use permit required.

(a) All marijuana establishments including but not limited to cultivation, manufacturing, testing, dispensing, and retail are permitted only by a conditional use permit.

(b) *Operations Plan.* As part of the conditional use permit application, all marijuana establishments shall submit an operations plan:

1. Specifying all means to be used for extracting, heating, washing, or otherwise changing the form of the marijuana plant or for testing any marijuana or marijuana product, including a verification that such plan is in compliance with all applicable federal, state, and local laws and regulations governing ventilation and safety measures for each such process (if applicable);
2. Describing of all toxic, flammable, or other materials regulated by a federal, state, or local government that will be used, kept, or created at the facility, the quantities and location of such materials, and the manner in which such materials will be stored;
3. Describing the processes that will be used to extract or distill marijuana derivatives from their source and the processes used to incorporate marijuana derivatives into all retail marijuana products produced, including a verification that such processes are in compliance with all applicable federal, state, or local laws or regulations; and/or
4. Describing a plan for ventilation that will be used to prevent any odor of marijuana from dissipating into the area. For retail marijuana cultivation facilities, such plan shall also include all ventilation systems used to control the environment for the plants and describe how such systems will operate to prevent any odor leaving the premises.

5.15.080 Licensee responsible for employees' actions on premises.

(a) A licensee may not knowingly or negligently allow its agents or employees to violate any provision of Alaska law or the City Code of Ordinances and may not recklessly or with criminal or civil negligence fail to act in accordance with the duties prescribed under either with the result that if an agent or employee of the licensee violates a law, regulation or ordinance, the licensee may be held responsible.

(b) The licensee shall be responsible for all acts or omissions of the licensee's employees on the licensed premises. The licensee may be cited and prosecuted for all acts or omissions of employees which are committed on the licensed premises and which are in violation of this chapter; provided, however, that the prosecution of the licensee shall not prohibit the prosecution of the employee for acts or omissions committed by the employee in violation of any provision of this chapter.

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5.15.090 Hours and days of operation.

- (a) Premises licensed for the sales, service and consumption of marijuana shall be closed between the hours of 10:00 p.m. and 11:00 a.m., seven (7) days per week.
- (b) A person may not sell, offer for sale, give, furnish, deliver, or consume marijuana on premises licensed under this chapter during the hours of closure set forth in this section.
- (c) A licensee, an agent, or employee may not permit a person to consume marijuana on the licensed premises between the hours of closure set forth in this section.

5.15.100 Obligation to enforce restrictions within licensed premises.

- (a) A licensee, their agent or employee may not permit the consumption of marijuana by any person within the licensed premises unless it is permitted by the license.

5.15.110 Marijuana handler permit.

- (a) A marijuana establishment and each licensee, employee, or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor, must obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment.
- (b) A licensee, employee, or agent of a marijuana establishment shall keep the marijuana handler permit card in that person's immediate possession or a valid copy on file on the premises at times when on the licensed premises of the marijuana establishment.
- (c) A marijuana product manufacturing facility, including a marijuana concentrate manufacturing facility, shall ensure that each licensee, employee, or agent who is required or permitted to be physically present on the licensed premises at any time:
 - (1) Obtains a marijuana handler permit as provided in [3 AAC 306.700](#) before being present or employed at the marijuana product manufacturing facility's licensed premises; and
 - (2) Has the marijuana handler permit card in the person's immediate possession, or a valid copy on file on the premises, at all times while on the marijuana product manufacturing facility's licensed premises.

5.15.120 Operation of licensed premises.

- (a) Except as otherwise provided in this section, the operations procedures set forth in subsection (b) of this section shall apply to all marijuana establishments within the City which sell or serve marijuana or marijuana products for consumption on the premises.
- (b) Marijuana establishments operating within the City which sell or serve marijuana or marijuana products for consumption on the premises shall comply with the following operations procedures:
 - (1) *Notice of Penalties.* Operators shall place, at conspicuous locations within licensed premises, a clear and legible sign describing applicable penalties for driving under the influence, and for service or sale of marijuana to minors or intoxicated persons.

Deleted: ~~<#>Public Transportation.~~ Licensees shall make available to their patrons access to means of public transportation or permit patrons to make arrangements for transportation off the premises.¶

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(2) *Compliance Determination.* In order to determine whether applicants seeking the issuance, renewal or transfer of marijuana licenses have complied with the provisions of this chapter, applicants shall, at the request of the City, submit to the City Manager (or their designee) a marijuana licensee compliance form. Upon request, operators shall also provide the City Manager with certificates from all current employees demonstrating that those employees have successfully completed a marijuana awareness training program such as the program for techniques in marijuana management as approved by the Board.

(3) In the event the City adopts a Code allowing for the impoundment and/or forfeiture of vehicles seized pursuant to an arrest for or charge driving under the influence or refusal to submit to chemical tests, such signs must be posted. Upon adoption of a municipal code allowing for the forfeiture, operators shall display at conspicuous places in licensed premises two (2) signs warning that vehicles are seized in cases of driving under the influence or refusal to submit to chemical tests. One (1) of these warning signs shall be at least eleven (11) inches by fourteen (14) inches in size, and must read, in lettering at least one-half (1/2) inch high and in contrasting colors or black and white, "DRIVE UNDER THE INFLUENCE – LOSE YOUR CAR." The sign described in the preceding sentence must carry a logo or illustration approved by the chief of police or their designee which shows an automobile being towed. The second warning sign shall be at least eleven (11) inches by fourteen (14) inches and must read, in letters at least one-quarter (1/4) inch high and in contrasting colors or black and white:

WARNING: IF YOU DRIVE UNDER THE INFLUENCE OR LET ANYONE DRIVE YOUR VEHICLE UNDER THE INFLUENCE, YOU WILL LOSE YOUR VEHICLE. The police SEIZE cars and trucks driven by intoxicated drivers. A vehicle will be IMPOUNDED for 30 days for the driver's first DUI offense. A vehicle will be FORFEITED if the driver has been convicted of DUI in the past ten (10) years.

(c) *Mandatory Identification Check in the Retail Sale of Marijuana.* A retail marijuana store shall refuse to sell marijuana or a marijuana product to a person who does not produce a form of valid photographic identification showing that person and the persons that person entered with are all twenty-one (21) years of age or older.

- (1) A valid form of photographic identification includes:
- (i) An unexpired, unaltered passport;
 - (ii) An unexpired, unaltered driver's license, instruction permit, or identification card of any state or territory of the United States, District of Columbia, or a province of Canada;
 - (iii) An identification card issued by a federal or state agency authorized to issue a driver's license or identification card.

(d) *Security Personnel.* Each premises licensed for consumption shall employ at least one (1) person who shall be on duty during open business hours. This person shall not be the budtender on duty, and shall be on duty for the express purpose of maintaining order within the establishment and assuring compliance, by the clientele, with the provisions of this chapter.

(e) *Video Surveillance.* The City adopts the provisions of 3 AAC 306.720 regarding video surveillance as they currently exist and as they may be amended in the future.

(f) *Premises to Be Cleared Upon Closing.* Upon closing, licensees shall clear the marijuana establishment of all persons, other than necessary employees, within fifteen (15) minutes after the closing hours.

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(g) *Age Limit Signs to Be Exhibited.* Each entry to a retail marijuana store must be posted with a sign that says, “No one under twenty-one (21) years of age allowed.” The sign must be not less than twelve (12) inches long and twelve (12) inches wide, with letters at least one-half (1/2) inch in height in high contrast to the background of the sign.

5.15.130 Sale to intoxicated persons.

- (a) A licensee, their agent or employee may not knowingly or negligently:
- (1) Sell, give or barter marijuana to an intoxicated person;
 - (2) Allow another person to sell, give or barter marijuana to an intoxicated person within the licensed premises;
 - (3) Allow an intoxicated person to enter and remain within the licensed premises or to consume marijuana within the licensed premises; or
 - (4) Permit an intoxicated person to sell or serve marijuana.

5.15.140 Eviction of patrons.

(a) The licensee and employees of the licensee are expressly permitted to evict any person suspected of being under the age of twenty-one (21) or intoxicated and failure of such person to leave after oral request is unlawful and an offense on the part of that person.

5.15.150 Public consumption.

- (a) It shall be unlawful to consume marijuana on the public streets, sidewalks, alleys, parks or other public places throughout the City.
- (b) It shall be unlawful to consume marijuana in a vehicle.
- (c) Marijuana is permitted on private residential property, with the consent of the owner or legal occupant of the property.

5.15.160 Transportation of marijuana.

- (a) Pursuant to [3 AAC 306.310\(a\)\(5\)](#), a licensed, retail marijuana store may only sell marijuana or marijuana product to a consumer who is physically present on the licensed premises.
- (b) The transportation of marijuana by common carrier or commercial carrier within the City to a residential home or non-licensed marijuana facility is strictly prohibited.

5.15.170 Inspection of premises.

- (a) A marijuana establishment or an applicant for a marijuana establishment shall, upon request, make the licensed premises or the proposed licensed premises, including any place for storage, available for inspection by the City, an employee or agent of the City, or an officer charged with the enforcement of this chapter.
- (b) Inspection under this section includes inspection of the premises, facilities, qualifications of personnel, methods of operation, business and financial records, marijuana inventory tracking

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system, policies, and purposes of any marijuana establishment and of any applicant for a marijuana establishment license.

- (c) The premises of licensees authorized to sell or distribute marijuana shall be easily accessible for inspection by police officers during all regular hours of the transaction of business upon the premises, and at any other time with reasonable notice by the officer.
- (d) The City may inspect any premises with a marijuana license for compliance with conditions on the license. Upon discovering a violation of such conditions, the person conducting the investigation shall submit a written report of the violation to the planning director for review by the planning commission and provide a copy thereof to the licensee.
- (e) If at any time there appears to be a readily identifiable pattern or practice of recurring calls for service or unlawful conduct in a licensed premises, the City may send notice of possible protest to the licensee that they must submit and implement a plan for remedial action or be in jeopardy that a protest will be filed to any renewal, transfer of location or transfer of ownership sought by the licensee.
- (f) Upon receiving a report of conditions violation, the City Council may:
 - (1) Revoke the premises' conditional use permit;
 - (2) Protest the issuance, renewal, transfer, relocation or continued operation of the license;
 - (3) Recommend imposition of conditions on the state marijuana license pursuant to AS [04.11.480\(c\)](#); or
 - (4) Notify the Board that a licensee has violated conditions and request that an accusation pursuant to AS [04.11.370](#) be brought against the licensee.
- (g) Prior to taking any of the actions listed in subsection (f) of this section, the City shall give the permittee or licensee notice and an opportunity to be heard on the accusation(s) at a publicly noticed Council meeting.

5.15.180 Access for enforcement.

- (a) The public entrance of licensed marijuana establishments shall be open and unlocked before and after the closing hour of such establishment if there are any patrons in the establishment.
- (b) A marijuana establishment, and any licensee or employee, or agent in charge, shall cooperate with the City to enforce the laws related to marijuana, including, but not limited to:
 - (1) Permitting entry upon and inspection of the licensed premises; and
 - (2) Providing access to business records at reasonable times when requested by the City.
 - (3) Lack of knowledge or intent shall not be a defense to any action brought under this section.
 - (4) Licensees shall provide the Director of Public Safety with their current hours of operation. Any changes to the hours of operation shall be communicated in writing, at least three (3) business days prior to the change being implemented.

5.15.190 Advertising.

- (a) *Outdoor Advertising Generally Prohibited.* Except as otherwise provided in the state rule, [3 AAC 306.360](#), it shall be unlawful for any retail marijuana establishment to engage in

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advertising that is visible to members of the public from any street, sidewalk, park, or other public place, including advertising utilizing any of the following media: any billboard or other outdoor general advertising device; any sign mounted on a vehicle; any hand-held or other portable sign or any handbill, leaflet or flier directly handed to any person in a public place, left upon a motor vehicle, or posted upon any public or private property without the consent of the property owner.

5.15.200 Violations.

- (a) Violation of any section of this chapter shall be an infraction.
- (b) The Department of Public Safety shall have the authority to write and serve citations for violations of the provisions of any portion of this chapter.
- (c) Any ongoing violations under this chapter that are not cured within one (1) day of notice of the violation shall be deemed a new violation.

5.15.210 Disclaimer.

- (a) This chapter does not supersede applicable federal law.
- (b) Any reference to other provisions of law shall be automatically deemed to mean the law as may be amended from time to time.

5.15.220 Penalties.

| Offense | BMC Section | Mandatory Court Appearance | Penalty Amount |
|--|--------------------------|----------------------------|--|
| Failure to keep adequate records | 5.15.050 | Yes | \$500 |
| Failure to allow the City to inspect records | 5.15.050 | Yes | \$750 |
| Operating without a conditional use permit | 5.15.070 | Yes | \$750 |
| Operating in violation of conditions of conditional use permit | 5.15.070 | Yes | \$750 |
| Premises open during nonpermissible days or hours | 5.15.090 | No | 1st offense: \$150 2nd offense: \$300 3rd and subsequent offenses: \$700 |

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| Offense | BMC Section | Mandatory Court Appearance | Penalty Amount |
|---|--------------------------------|----------------------------|----------------|
| Selling, offering for sale, giving, furnishing, delivering or consuming or allowing consumption of marijuana or marijuana product on premises during hours of closure | 5.15.090(c) | No | \$300 |
| Allowing consumption on premises in violation of license | 5.15.100 | No | \$500 |
| Permitting the consumption of marijuana or marijuana products within a licensed premises outside the scope of the license | 5.15.100 | Yes | \$750 |
| Selling or dispensing marijuana prior to successful completion of a marijuana handler permit training program | 5.15.110(a) | Yes | \$1,000 |
| Failure to maintain marijuana handler permit or valid copy on the premises | 5.15.110 | Correctable | \$350 |
| Permitting an employee or agent to work on the premises without having their marijuana handler's permit or valid copy readily available | 5.15.110 | Correctable | \$350 |
| Allowing employee to sell or dispense marijuana prior to their successful completion of a marijuana handler permit training program | 5.15.110(a) | Yes | \$1,000 |
| Failure to show proof of successful completion of a marijuana handler permit training program | 5.15.110(b) | Correctable | \$300 |
| Failure to provide access to means of public transportation | 5.15.120(b)(1) | No | \$500 |

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| Offense | BMC Section | Mandatory Court Appearance | Penalty Amount |
|--|--------------------------------|----------------------------|--|
| to patrons or to arrange for transportation off premises | | | |
| Failure to properly post signs describing penalties for driving under the influence, sale or service to minors, or intoxicated persons | 5.15.120(b)(2) | No | \$250 |
| Failure to submit a marijuana compliance form upon request | 5.15.120(b)(3) | No | \$300 |
| Failure to check identification of purchaser and/or all persons entering with purchaser | 5.15.120(c) | Yes | 1st offense: \$500 2nd offense: \$700 3rd and subsequent offenses: \$1,000 |
| Acceptance of nonconforming identification for purchase of marijuana | 5.15.120(c) | Yes | 1st offense: \$150 2nd offense: \$300 3rd and subsequent offenses: \$700 |
| Failure to install or maintain security equipment | 5.15.120(e) | Yes | 1st offense: \$500 2nd offense: \$700 3rd and subsequent offenses: \$1,000 |
| Interior camera not positioned to capture sales transactions | 5.15.120(e) | Yes | 1st offense: \$500 2nd offense: \$700 3rd and subsequent offenses: \$1,000 |
| Failure to clear premises after closing | 5.15.120(f) | No | 1st offense: \$150 2nd offense: \$300 3rd and subsequent offenses: \$700 |
| Failing to post age limit signs | 5.15.120(g) | No | \$300 |

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| Offense | BMC Section | Mandatory Court Appearance | Penalty Amount |
|---|--|----------------------------|--|
| Sale of marijuana improperly obtained | 5.15.120 | Yes | \$700 |
| Sale of marijuana to an intoxicated person | 5.15.130 | Yes | 1st offense: \$500 2nd offense: \$700 3rd and subsequent offenses: \$1,000 |
| Providing marijuana to an intoxicated person | 5.15.130(a)(1) and (2) | Yes | 1st offense: \$500 2nd offense: \$700 3rd and subsequent offenses: \$1,000 |
| Allowing an intoxicated person to enter and remain within licensed premises | 5.15.130(a)(3) | Yes | 1st offense: \$150 2nd offense: \$300 3rd and subsequent offenses: \$700 |
| Permitting intoxicated person to consume marijuana within a licensed premises | 5.15.130(a)(3) | Yes | 1st offense: \$500 2nd offense: \$700 3rd and subsequent offenses: \$1,000 |
| Permitting an intoxicated person to sell or serve marijuana | 5.15.130(a)(4) | Yes | 1st offense: \$500 2nd offense: \$700 3rd and subsequent offenses: \$1,000 |
| Consuming marijuana in a public place | 5.15.150 | No | 1st offense: \$100 2nd offense: \$250 3rd and subsequent offenses: \$500 |
| Transportation of marijuana or marijuana products to a residential home or nonlicensed facility | 5.15.160 | Yes | \$1,000 |

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| Offense | BMC Section | Mandatory Court Appearance | Penalty Amount |
|--|-----------------------------|-----------------------------------|-----------------------|
| Failure to make premises reasonably accessible for inspection by police officers | 5.15.170 | Yes | \$700 |
| Failure to permit or aid the entry of law enforcement during hours of operation | 5.15.180(b) | Yes | \$700 |
| Failure to permit or aid the entry of law enforcement any time there are two (2) or more persons on the premises | 5.15.180(b) | Yes | \$700 |
| Failure to keep public entrance open and unlocked while there are still patrons | 5.15.180 | No | \$500 |
| Failure to provide hours of operation to Director of Public Safety | 5.15.180 | No | \$250 |
| Violation of electronic advertising | 5.15.190 | No | \$250 |
| Violation of advertising regulations | 5.15.190 | No | \$250 |

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