

CITY OF KINGSLEY
ORDINANCE NO. 11, SERIES 2024
ORDINANCE PROHIBITING ALL CANNABIS BUSINESS OPERATIONS IN THE
CITY OF KINGSLEY

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(2)(b) authorizes a local government to prohibit all cannabis business operations within its territory through the passage of an ordinance; and

WHEREAS, due to the present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on Kentucky municipalities in general, and on the City of Kingsley in particular, it is necessary and appropriate, and in the best interest of the health, safety, and welfare of the City of Kingsley's residents and members of the public who visit, travel or conduct business in the City of Kingsley to prohibit all cannabis business within the geographic boundaries of the City of Kingsley; and

WHEREAS, the City of Kingsley wishes to utilize the authority granted to it by KRS 218B.130(2)(b).

NOW, THEREFORE, BE IT ORDAINED by the City of Kingsley 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 Prohibited:

- (1) All cannabis businesses are hereby prohibited from operating in the city limits of Kingsley.
- (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 take effect upon its adoption by the Kingsley City Commission and publication as required by law.

First reading: October 3, 2024. Second reading: November 7, 2024

Passed and approved: November 7, 2024

Tom Schlindwein
Tom Schlindwein, Mayor, City of Kingsley

Attest:

Marilyn Whisler
Marilyn Whisler, City Clerk, City of Kingsley

<u>Commissioners</u>	Yes	No
Les Goldring	—	✓
Jamie Klein	✓	—
Andy Looney	✓	—
Ron Peron	✓	—
Tom Schlindwein	✓	—