

ARTICLE XVII

MEDICAL MARIJUANA REGULATIONS

SECTION 1 DEFINITIONS

Paragraph 1 Medical Marijuana: Means all parts of the genus cannabis whether growing or not, and the seed of such plants that may be administered to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

Paragraph 2 Medical Marijuana Cultivation: The process by which a person grows a marijuana plant. A facility shall mean a building, structure or premises used for the cultivation or storage of medical marijuana that is physically separate and off-site from a medical marijuana dispensary.

Paragraph 3 Nonprofit Medical Marijuana Dispensary: An entity as defined in A.R.S. § 36-2801(11), as amended.

Paragraph 4 Nonprofit Medical Marijuana Dispensary Offsite Cultivation Location: One additional location, if any, where marijuana may be cultivated by a nonprofit medical marijuana dispensary as referenced in A.R.S. § 36-2804(B)(1)(b)(ii), as amended.

Paragraph 5 Medical Marijuana Infusion (or Manufacturing) Facility: A facility that incorporates medical marijuana (*cannabis*) by the means of cooking, blending, or incorporation into consumable/edible goods.

Paragraph 6 Medical Marijuana Qualifying Patient: A person who has been diagnosed by a physician as having a debilitating medical condition as defined in A.R.S. § 36-2801.13.

SECTION 2 MEDICAL MARIJUANA USES

The following minimum requirements shall apply to all medical marijuana dispensary and medical marijuana cultivation location uses permitted under A.R.S. § 36-2801 *et seq.* (the "Act") and Section 8.1:

A. In addition to any other application requirements, an applicant for any medical marijuana dispensary or a medical marijuana cultivation location use shall provide the following:

1. A notarized authorization, executed by the property owner, acknowledging and consenting to the proposed use of the property as a medical marijuana dispensary or a medical marijuana cultivation location.

2. The legal name of the medical marijuana dispensary or medical marijuana cultivation location.

3. If the application is for a medical marijuana cultivation location, the name and location of the medical marijuana dispensary with which it is associated, and, in addition, in the case of designated caregivers or qualifying patients, the names of qualifying patients for which the medical marijuana is being cultivated.

4. The name, address and birth date of each officer and board member of the nonprofit medical marijuana dispensary agent.

5. The name, address, birth date and valid registry identification card number of (a) each medical marijuana dispensary agent if the application is related to a medical marijuana dispensary or a related medical marijuana cultivation location and (b) each designated caregiver and qualifying patient if the application is related to a medical marijuana cultivation location associated with such qualifying patient and designated caregiver.

6. A copy of the operating procedures adopted in compliance with under A.R.S. § 36-2804(B)(1)(c).

7. A notarized certification that none of the medical marijuana dispensary officers or board members has been convicted of any of the following offenses:

a. A violent crime, as defined in A.R.S. §13-901.03(B), that was classified as a felony in the jurisdiction where the person was convicted.

b. A violation of state or federal controlled substance law that was classified as a felony in the jurisdiction where the person was convicted except an offense for which the sentence, including any term of probation, incarceration or supervised release, was completed ten or more years earlier or an offense located within 50 feet of the minimum separation, the drawing, showing actual surveyed separations, shall be prepared by a registered land surveyor.

B. A medical marijuana dispensary shall have operating hours not earlier than 9:00 a.m. and not later than 5:00 p.m., Monday through Friday.

C. A medical marijuana dispensary or medical marijuana cultivation location shall meet the following minimum separation requirements, measured in a straight line from the closest boundary of the parcel containing the medical

marijuana dispensary or medical marijuana cultivation location to the closest property boundary of the parcel containing any existing uses listed below:

1. 2.5 miles from any other medical marijuana dispensary or medical marijuana cultivation location.
2. 1000 feet from a public, private, parochial, charter, dramatic, dancing or music school, a learning center, or other similar school or educational facility that caters to children.
3. 500 feet from a childcare center.
4. 500 feet from a religious institution.
5. 1000 feet from a school bus stop.

D. Pursuant to the application requirements and provisions under A.R.S. § 36-2804 and 2806, and except as provided under the Act for qualifying patients and designated caregivers, a medical marijuana cultivation location may only cultivate, process, supply, sell or otherwise provide medical marijuana to medical marijuana dispensaries located in Arizona, and only one medical marijuana cultivation location shall be permitted for the single Arizona medical marijuana dispensary with which it is associated and the Arizona Department of Health Services' rules, as amended.

E. The following size limitations shall apply to any medical marijuana dispensary:

1. The total maximum floor area of a medical marijuana dispensary inclusive of any secure storage area shall not exceed 1,499 square feet and shall have a single secure entrance/exit.
2. The secure storage area for the medical marijuana store at the medical marijuana dispensary shall not exceed 500 square feet.
3. For a medical marijuana dispensary that also is a medical marijuana cultivation location, the total maximum floor area that may also be used for cultivation and incorporation or processing of the medical marijuana into consumable or edible products inclusive of any secure storage area, shall not exceed 3,500 square feet. The secure storage area for the medical marijuana store at a medical marijuana dispensary that also is a cultivation location shall not exceed 1,499 square feet.

F. The following size limitations shall apply to any medical marijuana cultivation location that is not also a medical marijuana dispensary location.

1. The total maximum floor area of a medical marijuana cultivation location inclusive of any secure storage area, shall not exceed 3,000 square feet.

2. The secure storage area for the medical marijuana stored at the medical marijuana cultivation location shall not exceed 1,000 square feet.

G. A medical marijuana dispensary or medical marijuana cultivation location shall:

1. Be located in a permanent building and may not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other mobile vehicle. The facility shall include fire protection measures, including sprinklers, as required by the Quartzsite Fire District.

2. Install lighting to illuminate the exterior and interior of the building and all entrances and exits to the facility. Exterior lighting shall be five foot candles, measured at ground level, and shall remain on during all hours between sunset and sunrise each day and the medical marijuana dispensary or cultivation location shall illuminate all areas of the premises, including adjacent public sidewalks so that areas are readily visible by law enforcement personnel. Twenty-four (24) hours each day, the medical marijuana dispensary or cultivation location shall illuminate the entire counter, safe, storage area and any location where people are prone to congregate. The lighting must be of sufficient brightness to ensure that the interior is readily visible from the exterior of the building from a distance of 100 feet.

3. Not have a drive-through service.

4. Not emit dust, fumes, vapors or odors into the environment.

5. Not provide offsite delivery of medical marijuana, except to a medical marijuana dispensary served by the medical marijuana cultivation location.

6. Have no on-site sales of alcohol or tobacco, and no on-site consumption of food, alcohol, tobacco or medical marijuana.

7. Not have outdoor seating areas.

8. Display a current Town of Quartzsite business license, and a State of Arizona tax identification letter.

9. Provide law enforcement and all interested neighbors with the name and phone number of an on-site community relations staff person to notify if there are operational problems with the establishment.
10. On its exterior, be compatible with structures already constructed or under construction within the immediate neighborhood, to ensure against blight, deterioration, or substantial diminishment or impairment of property values in the vicinity.
11. Give unrestricted access to Town Code enforcement officers, police officers or other agents or employees of the Town requesting admission for the purpose of determining compliance with these standards.
12. Comply with all other applicable property development and design standards of the Town of Quartzsite.
13. Detailed internal security measures will be identified and maintained after consultation with the Quartzsite Police Department. For the purposes of this Section, "security guard" shall mean licensed and duly insured security personnel registered pursuant to A.R.S. § 32-2601 *et seq.* The medical marijuana dispensary or cultivation location operator shall provide all property owners within a 500 foot radius of the medical marijuana dispensary or cultivation location with written notification via first class U.S. mail or the security company responsible for providing its security services.
14. Provide, if determined necessary by the Town Manager at any time, a neighborhood security guard patrol for a two-block radius surrounding the medical marijuana dispensary or cultivation location during all or specified hours of operation.
15. Not have any doctor or other person issue a written certification on-site for medical marijuana.
16. Only dispense medical marijuana to qualified patients and their designated caregivers as defined in the Act.
17. Notify patrons of the following verbally and through posting of a sign in a conspicuous location at the medical marijuana dispensary:
 - a. Use of medical marijuana shall be limited to the patient identified on the doctor's written certification. Secondary sale, barter or distribution of medical marijuana is a crime and can lead to arrest.

b. Patrons must immediately leave the site and not consume medical marijuana until at home or in an equivalent private location. Medical marijuana dispensary staff shall monitor the site and vicinity to ensure compliance.

18. Not provide medical marijuana to any individual in an amount not consistent with personal medical use, or in violation of state law and regulations related to medical marijuana use.

19. Require any qualifying patient under the age of eighteen (18) be accompanied by a parent or legal guardian to enter the facility. Except for such parent or legal guardian, no persons other than qualifying patients and designated caregivers shall be permitted within a medical marijuana dispensary premises.

20. Not have any sign, advertising, or any other advertising matter used in connection with the medical marijuana dispensary or cultivation location be of any offensive nature and shall in no way be contrary to the Town Code, or obstruct the view of the interior of the premises viewed from the outside.