

AN ORDINANCE REGARDING MARIJUANA FACILITIES WITHIN THE CITY OF
NEW MELLE, MISSOURI

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY OF NEW MELLE, MISSOURI, THAT TITLE VI Business and Occupation, CHAPTER 601 OF THE CITY OF NEW MELLE MUNICIPAL CODE SHALL BE AMENDED BY ADDING THE FOLLOWING SECTION:

Section 601.010, Marijuana and Marijuana Facilities.

- A. "Marijuana Facilities" is defined as: Any business related to possession, sale, or use of Marijuana. Any warehouses constructed for a Marijuana Facility are to be considered part of the Marijuana Facility for which the warehouse is being constructed.
- B. "Marijuana" or "Marihuana" is defined as: Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood, within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. "Marijuana" or "Marihuana" does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent (3/10 of 1%) on a dry weight basis, or commodities or products manufactured from industrial hemp.
- C. "Commercial Marijuana Cultivation" is defined as: Any commercial business related to cultivation or manufacture of Marijuana.
- D. "Marijuana-infused Products" is defined as: Products that are infused with Marijuana or an extract thereof and are intended for use or consumption other than by smoking including but not limited to edible products, ointments, tinctures, and concentrates.
- E. Each Marijuana Facility shall be operated from a permanent location, and no Marijuana Facility shall be permitted to deliver or operate from a movable, mobile, or transitory location.
- F. A Marijuana Facility may open no earlier than 8:00 a.m. and shall close no later than 8:00 p.m. the same day. A Marijuana Facility may be open seven (7) days a week.
- G. A Marijuana Facility shall not be operated within one thousand (1,000) feet, as measured by Subsection H, of the following:

- a. A church, synagogue, mosque, temple, or building which is used for religious worship and/or related religious activities.
- b. A public or private educational facility, including but not limited to child day-care facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; and the grounds upon which any education facility is located; or
- c. Any public or private parks and/or non-profit recreational facilities, including but not limited to, any youth group complex and New Melle Sports and Recreation Complex.

H. Calculation of Distance. Distance shall be measured as follows:

- a. In the case of a freestanding Marijuana Facility, the distance between the Marijuana Facility and property listed in Subsection G shall be measured from the Marijuana Facility to the closest point of the property line of the property listed in Subsection G.
 - b. In the case of Marijuana Facility that is part of a larger structure, such as an office building or strip mall, the distance between the Marijuana Facility and property listed in Subsection G shall be measured from the property line of the property listed in Subsection G to the Marijuana Facility's entrance or exist closest in proximity to the property line of the property in Subsection G.
 - c. Measurements shall be made along the shortest path between the demarcation points using a straight line.
- I. Each Marijuana Facility shall provide adequate security on the premises, at the Marijuana Facility's expense, including but not limited to, the following:
- a. Staff/Guards. Professional security guards and/or staff shall be hired by the Marijuana Facility to monitor the Marijuana Facility, to discourage and to facilitate the reporting and investigation of criminal acts and nuisance activities occurring at the premises, and to ensure the safety of the Marijuana Facility's staff and patrons.
 - b. Surveillance. Security surveillance cameras installed to monitor each entrance to the Marijuana Facility along with the interior and exterior of the premises to discourage and to facilitate the reporting and investigation of criminal acts and nuisance activities occurring at the premises. Security video shall be preserved for at least ninety (90) days.

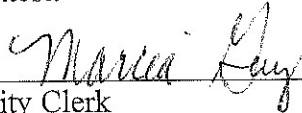
- c. Inventory. All salable inventory or marijuana must be kept and stored in a secured, locked manner.
 - d. Safe. A locking safe or secure vault must be permanently affixed or built into the premises to store any currency on site.
 - e. Lighting. Exterior lighting that illuminates the exterior walls of the Marijuana Facility premises.
 - f. Alarm System. A professionally monitored robbery and burglary alarm system shall be installed and maintained in good working condition within the Marijuana Facility at all times.
 - g. Fencing. Any fencing shall be aesthetically pleasing and shall be approved by the City Clerk before installation.
- J. Marijuana Facilities shall provide parking in accordance with City Code Chapter 355 and there shall be no street parking provided; however, modifications to this standard may be approved by the Board of Alderman via a Conditional use.
- K. All signage for a Medical Marijuana Facility shall comply with the requirements of this code set forth in Article XVII *Sign Ordinance*.
- L. A Marijuana Facility shall submit to the City Clerk a Traffic Impact Study, at the Marijuana Facilities expense, before operation of said Marijuana Facility within the City of New Melle.
- M. It shall be unlawful for any person to use Marijuana in or about any public place or places. As used in this Chapter, "public place" means any place where a person could reasonable be expected to be observed by others, including but not limited to all parts of buildings owned in whole or in part, or leased, by the State of Missouri, or the City of New Melle or other public body, but does not include a private residence.
- N. Commercial Marijuana Cultivation is prohibited within the city limits of the City of New Melle.
- O. Enforcement of this Article shall be the responsibility of the Board of Alderman.

PASSED BY THE BOARD OF ALDERMAN FOR THE CITY OF NEW MELLE
THIS 13 DAY OF June, 2023.

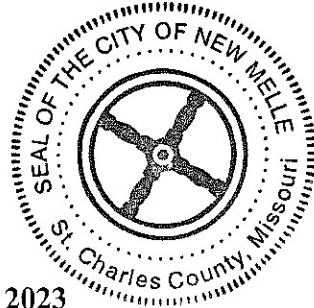


Presiding Officer

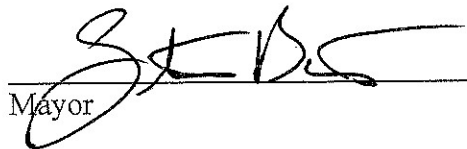
Attest:



City Clerk

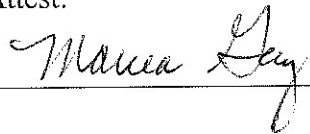


APPROVED THIS 13th DAY OF June, 2023



Mayor

Attest:



City Clerk