

Chapter 18.51

STATE-LICENSED MARIJUANA PRODUCERS, PROCESSORS, AND RETAILERS

REGULATIONS*

18.51.000 Chapter Contents

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(Ord. 6873 §1, 2013).

* Code reviser's note: Ordinance 6873, Section 2(B), provides: "This Ordinance shall be effective for one (1) year, unless subsequently extended by the City Council."

18.51.010 Findings

The City Council finds that nothing in this chapter 18.51 OMC shall be construed to supersede Washington State or federal law pertaining to the acquisition, possession, manufacture, sale or use of marijuana.

(Ord. 6873 §1, 2013).

18.51.020 Purpose

The purpose of these regulations of state-licensed marijuana producers, processors, and retailers is to mitigate potential impacts on nearby properties of marijuana producers, processors, or retailers licensed by the State of Washington Liquor Control Board and to promote the public health, safety, and welfare.

(Ord. 6873 §1, 2013).

18.51.030 Definitions

- A. "Marijuana" shall have the definition as provided in RCW 69.50.101(s) as it currently states or as may be amended.
- B. "Marijuana processor" shall have the definition as provided in RCW 69.50.101(t) as it currently states or as may be amended.
- C. "Marijuana producer" shall have the definition as provided in RCW 69.50.101(u) as it currently states or as may be amended.
- D. "Marijuana retailer" shall have the definition as provided in RCW 69.50.101(w) as it currently states or as may be amended.

(Ord. 6873 §1, 2013).

18.51.040 State-Licensed Marijuana Producer, Processor and Retailer Requirements

- A. General requirements.

A marijuana producer, processor, or retailer licensed by the State of Washington Liquor Control Board shall be required to comply with all applicable regulations established by the City including, but not limited to, all building and fire code regulations and zoning regulations and shall be required to provide a copy of the state-issued

license to the City upon request. A marijuana producer, processor, or retailer licensed by the State of Washington Liquor Control Board shall also be required to comply with all applicable state regulations and all requirements set forth in the state-issued license.

B. Premises Requirements.

A recreational producer, processor, or retailer must operate in compliance with the following conditions:

1. From a public right-of-way, there shall be no exterior display of marijuana or marijuana cultivation visible outside of the premises.
2. The marijuana of a retailer, producer, or processor shall be entirely within a permanent enclosed structure with a roof. The structure shall comply with all applicable code requirements.
3. Areas where marijuana is grown, stored, or dispensed must be provided with ventilation systems so that no odors are detectable off the premises.
4. All premises must comply with the noise control requirements of the Olympia Municipal Code.
5. No minors shall be permitted on marijuana producer, processor, or retailer premises unless accompanied by a parent or guardian.
6. Consumption of marijuana, products containing marijuana or alcohol on the premises is prohibited, as are any other associated uses such as a smoking room, dance or performance space, private club, open-to-the-public nightclub, cabaret, tavern, or similar establishment.
7. All premises must have an operating security and alarm system that is monitored twenty-four (24) hours a day and that includes a video recording system that monitors production, storage, and point of sale areas. All video recordings must be continuously recorded twenty-four (24) hours a day and must be kept for a minimum of forty-five (45) days on the licensee's recording device. All videos are subject to inspection by the Olympia Police Department upon request.
8. A recreational retailer may be open only between the hours of 8 a.m. and 9 p.m.

C. City Zoning

1. State-Licensed Marijuana Retailers
 - i. No person may conduct business within the City of Olympia as a state-licensed marijuana retailer unless they are located within a HDC4 or GC Zone in accordance with OMC Title 18, Unified Development Code and licensed under this chapter.
 - ii. Waste products must be disposed of in a secure manner that would prevent exposure to the public or create a nuisance.
 - iii. A retailer is required to obtain a conditional use permit approved by the Hearing Examiner pursuant to chapter 18.48 OMC.
2. State-Licensed Marijuana Producers and Processors
 - iv. No person may conduct business within the City of Olympia as a state-licensed marijuana producer or processor unless it is located within a light industrial zone in accordance with OMC Title 18, Unified Development Code, and licensed under this chapter.
 - v. Waste products must be disposed of in a secure manner that would prevent exposure to the public or create a nuisance.

vi. A producer and/or processor is required to obtain a conditional use permit approved by the Hearing Examiner pursuant to chapter 18.48 OMC.

(Ord. 6873 §1, 2013).

18.51.050 Nuisance Abatement

In addition to any other available remedy or penalty, any violation of this chapter, is declared to be a public nuisance per se, and may be abated under the applicable provisions of the Olympia Municipal Code and state law.

(Ord. 6873 §1, 2013).