

§ 147-16. Definitions.

When used in this Code, words and phrases shall have the meaning as defined pursuant to the rules adopted by the Oklahoma State Department of Health, Oklahoma Administrative Code Section 310:681-1-1, et seq., and as they may be amended from time to time.

§ 147-17. Restrictions on marijuana.

The growing, possession, processing, transporting, sale, or use of marijuana within the City is limited to that authorized by this Chapter 147 and by state law, 63 Okla. Stat. § 420A, et seq. Any growing, possession, processing, transporting, sale, or use of marijuana within the City that is not authorized in, or without having obtained the applicable permit provided in this article, shall constitute an offense and, upon conviction, shall be punished as authorized in § 1-10 of this Code.

§ 147-18. Restrictions applicable to all permits.

All permits issued pursuant to this Chapter 147 shall be displayed in a conspicuous place at all times on the permitted premises. No permit holder may consent to or allow the use or display of the permit by a person other than the person to whom the permit was issued. No person may use a permit or exercise any privileges granted by the permit except at the place, address, premises or location for which the permit is issued. Permits issued cover only the person or entity named in the permit and shall not be refundable or transferable.

§ 147-19. Permit inspections and other requirements.

- A. All permits outlined in this article will be subject to inspection of the facilities by an authorized municipal inspector prior to issuance.
- B. The inspection prior to a permit decision will occur at a time scheduled and approved by both the applicant and the municipal inspector.
- C. The applicant will be required to be present during the inspection.
- D. The smell or noxious odor emitted from smoking or consumption of marijuana by a person possessing a valid state issued medical marijuana license shall be treated as a public nuisance.

§ 147-20. Prohibited acts.

- A. No commercial marijuana establishment shall allow the consumption of alcohol, medical marijuana, or medical marijuana products on the premises.
- B. No commercial marijuana establishment shall employ any person under the age of 18.
- C. Smoking or using marijuana shall be prohibited on all City property, including but not limited to vehicles, buildings, parks or other facilities.

§ 147-21. Permit requirements.

- A. All retailers of medical marijuana are required to obtain a medical marijuana retailer permit from the City Clerk.
- B. The medical marijuana retailer permit fee shall be the amount set forth in § 147-31 of this Code. The fee shall be used to offset municipal expenses covering costs related to permitting, inspection, administration and enforcement of retail marijuana establishments.
- C. A medical marijuana retailer permit will not be granted to any applicant where the proposed location is located outside an approved zoning district as set forth in Chapter 361 of this Code, or within a restricted area as hereinafter set forth.

§ 147-22. Location restrictions.

- A. A medical marijuana retailer permit will not be granted to any applicant where the proposed location would be located within 1,000 feet of any private or public preschool, elementary, secondary, vocational or trade school, college or university, nor within 300 feet of the following locations:
 - (1) Any public playground;
 - (2) Any place of worship or religious assembly;
 - (3) Any public park, pool, or recreation facility; or
 - (4) Any juvenile or adult halfway house, correctional facility or substance abuse rehabilitation or treatment center.
- B. For the distance requirements outlined in this article, the distances described shall be computed by direct measurement in a straight line from the nearest property line of the parcel of land on which the use described in Subsection A above is located to the nearest property line of the building or unit in which

the proposed medical marijuana retailer establishment would be located.

§ 147-23. Conditions of operation.

- A. Buildings where medical marijuana is stored or dispensed must be equipped with ventilation/air filtration systems so that no odors are detectable off premises.
- B. The medical marijuana retailer establishment must collect the applicable sales tax on all sales.
- C. The hours of operation shall be between the hours of 9:00 a.m. to 9:00 p.m. Monday through Saturday. Operations shall be closed on Sundays as well as Christmas, Thanksgiving, July 4th and New Year's Day.
- D. Any violations of this section will result in the revocation of the medical marijuana retailer permit.
- E. It is the intent of the City that nothing in this article be construed to:
 - (1) Allow persons to engage in conduct that endangers or causes a public nuisance;
 - (2) Allow the use of marijuana for non-medical purposes; or
 - (3) Allow any activity that is otherwise illegal and not permitted by state law.

§ 147-24. Permit requirements.

- A. All commercial growers of marijuana are required to obtain a marijuana commercial grower permit from the City Clerk.
- B. The marijuana commercial grower permit fee shall be the amount set forth in § 147-31 of this Code. The fee shall be used to offset municipal expenses covering costs related to permitting, inspection, administration and enforcement of retail marijuana establishments.
- C. A marijuana commercial grower permit will not be granted to any applicant where the proposed location is located outside an approved zoning district as set forth in Chapter 361 of this Code, or within a restricted area as hereinafter set forth.

§ 147-25. Location restrictions.

- A. A marijuana commercial grower permit will not be granted to any applicant where the proposed location would be located within 1,000 feet of any private or public preschool, elementary, secondary, vocational or trade school, college or university, or within 300 feet of any of the following locations:
- (1) Any public playground;
 - (2) Any place of worship or religious assembly;
 - (3) Any public park, pool, or recreation facility; or
 - (4) Any juvenile or adult halfway house, correctional facility or substance abuse rehabilitation or treatment center.
- B. For the distance requirements outlined in this article, the distances described shall be computed by direct measurement in a straight line from the nearest property line of the parcel of land on which the use described in Subsection A above is located to the nearest property line of the building or unit in which the proposed marijuana commercial grower facility would be located.

§ 147-26. Conditions of operation.

- A. A marijuana commercial grower permit will not be granted to any applicant where the proposed location is located outside an approved zoning district as set forth in Chapter 361 of this Code, or within a restricted area as hereinafter set forth.
- B. Growing of marijuana pursuant to a marijuana commercial grower permit shall be within an enclosed structure. The facility shall have a security fence at least six feet in height and with limited access. The gates to the secure area must be locked at all times.
- C. The marijuana commercial grower facility must be constructed in such a manner that the growing of the marijuana plants cannot be seen by the public from a public right-of-way.
- D. The growing area, including any lighting, plumbing or electrical components used shall comply with City building, fire and other applicable codes.
- E. Growing marijuana shall not be conducted in a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if growing marijuana produces light, glare, heat, noise, odor or vibration that is detrimental to public health, safety or

welfare or interferes with the reasonable enjoyment of life and property.

F. It is the intent of the City that nothing in this article be construed to:

- (1) Allow persons to engage in conduct that endangers or causes a public nuisance;
- (2) Allow the use of marijuana for non-medical purposes; or
- (3) Allow any activity that is otherwise illegal and not permitted by state law.

§ 147-27. Permit requirements.

- A. All marijuana processors are required to obtain a marijuana processor permit from the City Clerk.
- B. The marijuana processors permit fee shall be the amount set forth in § 147-31 of this Code. The fee shall be used to offset municipal expenses covering costs related to permitting, inspection, administration and enforcement of marijuana processing facilities.
- C. A marijuana processors permit will not be granted to any applicant where the proposed location is located outside an approved zoning district as set forth in Chapter 361 of this Code, or within a restricted area as hereinafter set forth.

§ 147-28. Location restrictions.

- A. A marijuana processors permit will not be granted to any applicant where the proposed location would be located within 1,000 feet of any private or public preschool, elementary, secondary, vocational or trade school, college or university, or within 300 feet of the following locations:
 - (1) Any public playground;
 - (2) Any place of worship or religious assembly;
 - (3) Any public park, pool, or recreation facility; or
 - (4) Any juvenile or adult halfway house, correctional facility or substance abuse rehabilitation or treatment center.
- B. For the distance requirements outlined in this article, the distances described shall be computed by direct measurement

in a straight line from the nearest property line of the parcel of land on which the use described in Subsection A above is located to the nearest property line of the building or unit in which the proposed marijuana processor facility would be located.

§ 147-29. Conditions of operation.

- A. Buildings where marijuana processing occurs must be equipped with ventilation/air filtration systems so that no odors are detectable off premises.
- B. The marijuana processor facility must collect the applicable sales tax on all sales.
- C. The hours of operation shall be between the hours of 9:00 a.m. to 9:00 p.m. Monday through Saturday. Operations shall be closed on Sundays as well as Christmas, Thanksgiving, July 4th and New Year's Day.
- D. Any violations of this section will result in the revocation of the marijuana processor permit.
- E. It is the intent of the City that nothing in this article be construed to:
 - (1) Allow persons to engage in conduct that endangers or causes a public nuisance;
 - (2) Allow the use of marijuana for non-medical purposes; or
 - (3) Allow any activity that is otherwise illegal and not permitted by state law.
- F. Processing facilities must remain locked at all times when not in operation. The facility must have an electronic security system and have an appropriate security fence that must be at least six feet in height around the facility.

§ 147-30. Marijuana growing facilities for personal medical use.

- A. All owners of marijuana growing facilities for personal medical use are required to obtain a permit from the City Clerk.
- B. Marijuana growing facilities for personal medical use permit fee shall be the amount set forth in § 147-31 of this Code. The fee shall be used to offset municipal expenses covering costs related to licensing, inspection, administration and enforcement of marijuana growing facilities for personal medical use.

- C. All marijuana growing facilities for personal medical use shall be subject to security provisions as stated herein prior to the granting of a permit. Failure to comply with security provisions as stated herein will result in revocation of the permit.
- D. Any access or entry point to residential facilities used for marijuana cultivation for personal medical use must be secured by lock and key or equivalent at all times except when the residential facility is actively being supervised in person by the permit holder.
- E. Growing marijuana for personal medical use shall be limited to the interior of a single private residence.
- F. Growing marijuana shall not be visible from the public right-of-way.
- G. The growing area including any lighting, plumbing or electrical components used shall comply with municipal building and fire codes. The growing area must be properly ventilated so as not to create humidity, mold or other related problems. Lighting shall not exceed 1,000 watts per light. The use of gas products (CO₂, butane, etc.) or CO₂ and ozone generators in the growing area is prohibited.
- H. Growing marijuana shall not be conducted in a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if growing marijuana produces light, glare, heat, noise, odor or vibration that is detrimental to public health, safety or welfare or interferes with the reasonable enjoyment of life and property.
- I. The primary use of the residential property in which marijuana is grown shall remain at all times a residence, with legal and functioning cooking, eating, sleeping and sanitation/bathing facilities with proper ingress and egress. No room shall be used for growing marijuana where such cultivation will impair or prevent the primary uses of cooking, eating, sleeping or sanitation/bathing.
- J. If the residence is rented, consent of the property owner shall be obtained prior to any cultivation commencing. This consent must be evidenced by a signed and notarized statement from the property owner permitting the growth of marijuana in the residence.

- K. Cultivated marijuana must be used exclusively pursuant to a valid state issued medical marijuana license. Any other or unapproved usage shall result in revocation of the license.

§ 147-31. Establishing fees.

Marijuana business and personal use permits fees set by resolution.