



BOARD OF ALDERMEN
CITY OF SHELTON
SPECIAL MEETING MINUTES
APRIL 23, 2024
SHELTON CITY HALL, 54 HILL STREET, SHELTON CT
Live-Streamed at www.cityofshelton.org

Call to Order/Pledge of Allegiance

Alderman Anglace called the Special Board of Aldermen meeting to order at 7:30 p.m. in the auditorium at Shelton City Hall. As this meeting followed the Public Hearing, the pledge and roll call had already been recited.

Roll Call

Alderman John F. Anglace, Jr., President – Present
Alderman Eric McPherson, Vice President – Present
Alderman Cris Balamaci – Present
Alderman Lorenzo Durante – Present via Zoom
Alderman Porter McKinnon – Present
Alderman Anthony Simonetti – Present via Zoom
Alderman Bernie Simons – Present
Alderman Benjamin Perry – Present

Also in Attendance

Fran Teodosio, Corporation Counsel – Present
Kellie Vazzano, Administrative Assistant to the Mayor

1. PROPOSED ORDINANCE PROHIBITING ALL TYPES OF CANNABIS ESTABLISHMENTS AND RETAIL SALES OF CANNABIS OR CANNABIS-RELATED PRODUCTS WITHIN THE JURISDICTION/BOUNDARIES OF THE CITY OF SHELTON

Alderman McPherson MOVED to adopt the proposed Ordinance Prohibiting All Types of Cannabis Establishments and Retail Sales of Cannabis or Cannabis-Related Products within the Jurisdiction/Boundaries of the City of Shelton which is included by reference:

Further, move that this ordinance be published in summary form with a full copy available for review in the office of the City Town Clerk.

Public Hearing held on April 23, 2024.

1. PROPOSED ORDINANCE PROHIBITING ALL TYPES OF CANNABIS ESTABLISHMENTS AND RETAIL SALES OF CANNABIS OR CANNABIS-RELATED PRODUCTS WITHIN THE JURISDICTION/BOUNDARIES OF THE CITY OF SHELTON

1. Authority

This ordinance is adopted pursuant to the Connecticut General Statutes section 7-148 (c) (7) (a) (ii), 7-148 (c) (7) (h), and 7-148 (c) (10) (a), as amended by public act 21-1, section 148 (June 2021) Special session, which authorizes municipalities to regulate activities deemed harmful to public health.

This statute permits municipalities to prevent cannabis establishments within their jurisdictions by identifying such uses as a “prohibited use” in their local zoning regulations or land use ordinances.

Section 148 (b) of said law provides that any municipality may, by amendment to such municipality’s zoning regulations or by local ordinance, prohibit the establishment of a cannabis establishment.

2. Definitions The following definitions shall apply to this article:

Cannabis establishment: A producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer (i.e., licensed to sell both recreational cannabis and medical marijuana) of products containing cannabis, or a manufacturer, packager, delivery service, or transporter of products containing cannabis, including cannabis-infused food and beverage products.

Cannabis producer: An individual or business that possesses a state or municipal license to grow, harvest, dry, trim, cure, and package cannabis.

Cannabis cultivator: An individual or business that produces cannabis flowers.

Cannabis micro-cultivator: An individual or business that produces cannabis flowers in a limited-sized grow space.

Cannabis food and beverage manufacturer: An individual or business that produces cannabis-infused food and beverages.

Cannabis product manufacturer: An individual or business that participates in any aspect of the cannabis extraction and infusion processes, including processing, repairing, holding, storing, packaging or labeling of cannabis products.

Cannabis manufacturing: Also includes any processing, preparing, holding, or storing of components or ingredients.

Cannabis product packager: An individual or business that focuses on assisting the proper and accurate packaging of cannabis products into pre-weighed containers and pre-rolled joints.

Cannabis dispensary facility: Regulated locations in which a person can purchase cannabis and cannabis-related items for medical or recreational use.

Cannabis retailer: An individual or business that sells, supplies, or offers recreational cannabis products for sale directly to customers.

Cannabis hybrid retailer: An individual or business that sells, supplies, or offers recreational cannabis or medical marijuana products for sale to customers.

Cannabis delivery service or transporter: Any number of companies or individuals that are involved in the distribution of cannabis by way of delivery either through mail-order or hand-delivery.

3. Cannabis-related land use prohibition:

(a) Shall be deemed unlawful for any building, structure, or land anywhere within the boundaries of the City of Shelton to be used as a cannabis-establishment, cannabis producer, cannabis dispensary facility, cannabis cultivator, cannabis micro-cultivator, cannabis retailer, cannabis hybrid retailer, cannabis food and beverage manufacturer, cannabis product manufacturer, or cannabis product packager. The regulations in this section also include grocery stores, convenience stores, package stores, delicatessens, and smoke shops. Such products include cannabis, marijuana cigarettes, cigars, pipes, vaping devices/substances, and edible and liquid substances.

(b) Fines: Fines for first-time violations shall be \$100. Fines for repeat violations shall be \$250. Each day in operation or each day in sale, whichever is greater, shall constitute a separate offense. Unpaid fines shall accrue interest of up to, but no more than 18% a year, and may result in liens being placed on the property of said violators.

(c) The prohibition and fine in sections (a) and (b) shall not apply to any fully lawful cultivation, processing, manufacturing or sale of hemp and hemp products by an individual or entity including as applicable, licensure, and authorization to engage in such activity by the State of Connecticut Dept. of Agriculture or Dept. of Consumer Protection. Such cultivation, processing, or manufacturing must comply with state law. Failure to comply with state law regulating the cultivation, processing, and manufacturing of hemp or hemp products shall void the application of exemption to such person(s) or entity in violation and shall be subject to the aforementioned fines.

4. Enforcement: The Chief of Police of the City of Shelton, and/or the Chief's designee, the Planning & Zoning Commission, and/or Zoning Enforcement Officers, shall have the authority to enforce all aspects of this ordinance, including the issuance of fines. In addition to fines, this article may be enforced by injunction, action or abatement, or other appropriate civil remedy.

5. Severability: Should any provision of this ordinance be declared invalid for any reason; such declaration shall not affect the validity of other provisions of this ordinance as a whole; it shall be the legislative intent that the provisions of this ordinance shall be severable and that remainder of said ordinance shall be valid.

6. Notice of adoption: Pursuant to Section 148 of Public Act 21-1 (June 2021 Special Session), the Mayor or Mayor's designee shall report the land use changes made by the ordinance in writing to the Secretary of the Office of Policy and Management and to the Dept. of Consumer Protection not later than 14 days after the adoption of said ordinance.

Seconded by Alderman Balamaci.

Discussion:

Alderman Anglace: I would like to make a few comments. I hear tonight and other times that this is a highly regulated procedure for cannabis sales, etc. I reiterate what was said maybe a month ago, we had a joint City and State sting operation that went out and checked all the smoke shops. The reason, as I understand it, is there has been a proliferation of smoke shops. We almost have smoke shops on every corner. They are not supposed to be selling cannabis, but we found that they are. Highly regulated! Who is regulating them? You can't control it. It is out of control. It is a cash cow and they are not going to make cash cows out of Shelton. We have values. We are going to stick to our values. We are going to try to provide for our children a safe place in which to live, go to school and play. That's one thing. \$75,000 worth of cannabis was confiscated from the smoke shops. They aren't even supposed to be handling the stuff.

I think this is a message that I tried to get across with our Police Department and with our Planning & Zoning Department, if we have stores that are not following the regulations, smoke shops, do they belong here? Should they continue to operate in this town? Can we pull their license? What can be done? Look into it and I asked that that be done.

The revenues, yes there is 3% of the sales to come back to Shelton, but that is highly regulated also. The legislation said that you could only spend it for cannabis education. What are we going to do? Are we going to expose our kids to cannabis and then educate them? Don't go there, don't get involved with that stuff. It seems highly incongruous.

The medical component of this is not lost. When I'm sick I pick up the phone and I go to my doctor. Through my doctor we manage my care. I don't go out and buy hemp or whatever it is out on the street, I go and see my doctor and that is still available to anybody. If the doctor wants to prescribe this, it is within his power. It is regulated through a procedure that all other drugs follow. Don't give me the stuff that there is a medical component for and we don't deprive anyone of it as it is still available to them through the proper sources. I guess I have to ask, we have been given the opportunity through this State legislation to decide for ourselves whether or not we want cannabis sales to take place in Shelton, I don't think we want it and I think we have good reasons for not wanting it. I think that the tax revenues are not enlightening, they are not doing anything for us. This operation adds nothing to our comprehensive plan of conservation and development. Long term it does nothing for us as a community. Therefore, I just can't support it.

Alderman Anglace: Any other comments from the Board? We will vote on it. All in favor of the Ordinance as proposed to prohibit the retail of sales of cannabis?

A voice vote was taken and motion passed unanimously (8-0).

2. APPOINTMENTS TO CHARTER REVISION COMMISSION

Alderman McPherson MOVED to appoint the following people to the Charter Revision Commission effective immediately.

WIN OPPEL (R)
34 Soundview Avenue
Shelton, CT 06484

JOANNA CARLONI (R)
120 Howe Avenue
Shelton CT 06484

RUTH ANN DUNFORD (U)
5 Brae Loch Way
Shelton CT 06484

DAVID PRESUTTO, (U)
52 Applewood Dr.
Shelton CT 06484

PETER FINCH (U)
23 Brant Point
Shelton, CT 06484

Seconded by Alderman Simons.

Discussion: I want to raise a question on Peter Finch. I spoke with the Registrar of Voters today who indicated to me that Peter Finch is unaffiliated. We will have to verify his party.

A voice vote was taken and motion passed unanimously (8-0).

ADJOURNMENT

Alderman Simons MOVED to adjourn the Board of Aldermen Meeting. Seconded by Alderman McPherson.

A voice vote was taken and the motion passed unanimously (8-0). Meeting adjourned at 7:40 pm.

Respectfully Submitted,
Donna Fonda

Donna Fonda
Acting Clerk, Board of Aldermen

DATE APPROVED _____

BY: _____
Mayor Mark A. Lauretti

