



BOARD OF ALDERMEN SPECIAL MEETING AGENDA
TUESDAY, APRIL 23, 2024
IMMEDIATELY FOLLOWING THE PUBLIC HEARING ON ORDINANCES
AT 7:00 PM IN THE AUDITORIUM
SHELTON CITY HALL, 54 HILL STREET, SHELTON CT
Live-Streamed at www.cityofshelton.org

The Board of Aldermen Special Meeting will be live-streamed. The public may access the meeting on the home page of the City of Shelton's website: www.cityofshelton.org. Members of the public may also attend the meeting in person at Shelton City Hall.

- CALL OF THE MEETING
 - PLEDGE OF ALLEGIANCE
 - ROLL CALL
 - AGENDA ITEMS
-
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
 2. APPOINTMENTS TO CHARTER REVISION COMMISSION

ADJOURNMENT

Stephanie A. Ferguson

2024 APR 12 P 12:04

CITY OF SHELTON
TOWN CLERK

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

Move 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.

2 APPOINTMENTS TO CHARTER REVISION COMMISSION

Move 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

NAME TO COME

ADJOURNMENT