

ORDINANCE NO. 326

AN ORDINANCE ESTABLISHING THE NUMBER OF MEDICAL CANNABIS ESTABLISHMENTS IN THE CITY OF AURORA, SOUTH DAKOTA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF AURORA, SOUTH DAKOTA, AS FOLLOWS:

I.

Section 1. Definitions. The following words and phrases, when used in this ordinance, shall have the meanings provided in this ordinance:

Medical cannabis establishment shall mean a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary as those terms are defined in SDCL § 34-20G-1.

Medical cannabis dispensary or dispensary shall mean the entity registered with the South Dakota Department of Health pursuant to SDCL Chapter 34-20G and licensed by the City pursuant to this ordinance that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials to cardholders. Medical cannabis dispensary does not include a cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a recreational cannabis dispensary.

Cannabis product manufacturing facility shall mean an entity registered with the department pursuant to this chapter that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a medical cannabis dispensary.

Cannabis testing facility or testing facility shall mean an independent entity registered with the department pursuant to this chapter to analyze the safety and potency of cannabis.

Cultivation facility shall mean an entity registered with the department pursuant to this chapter that acquires, possesses, cultivates, delivers, transfers, transports, supplies or sells cannabis and related supplies to a medical cannabis establishment.

Section 2. Limitation of the number of medical cannabis dispensaries. Under the authority granted by SDCL 34-20G-56, there shall be no more than one (1) active medical cannabis dispensary that may be registered by the State of South Dakota to operate within the jurisdictional limits of the City of Aurora at any time. The City of Aurora hereby requests the State to give registration preference only to those applicants that have received a medical cannabis dispensary license issued by the City of Aurora pursuant to this ordinance.

Section 3. Prohibition of medical cannabis product manufacturing facilities, medical cannabis testing facilities and medical cultivation facilities. Under the authority granted by SDCL 34-20G-56, medical cannabis product manufacturing facilities, medical cannabis testing facilities and medical cannabis cultivation facilities are prohibited within the jurisdictional limits of the City of Aurora.

II.

Any or all ordinances in conflict herewith are hereby repealed.

FIRST READING: _____

SECOND READING: _____

PUBLISHED: _____

CITY OF AURORA

Frederick Weekes, Mayor

ATTEST:

Shannon Freng, Finance Officer