

**ORDINANCE NO. 2686**

**AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NO. 2671; AMENDING TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE (BUSINESS LICENSES AND REGULATIONS) SECTION 5.29 (MEDICAL MARIJUANA ESTABLISHMENTS); AMENDING SUBSECTION 5.29.020 (DEFINITIONS); AMENDING SUBSECTION 5.29.070 (MEDICAL MARIJUANA ESTABLISHMENT-LICENSES); ADDING NEW SUBSECTION 5.29.145 (ORIGINATION FEES AND LICENSE FEES), PROVIDING FOR THE ISSUANCE OF CROSS-JURISDICTIONAL MEDICAL MARIJUANA ESTABLISHMENT LICENSES AND PROVIDING ORIGINATION AND LICENSE FEES FOR MEDICAL MARIJUANA ESTABLISHMENTS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

**THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA, DOES ORDAIN:**

**SECTION 1:** Title 5, Chapter 5.29, Subsection 5.29.020 of the North Las Vegas Municipal Code of the City of North Las Vegas, Nevada is hereby amended as follows:

“Cross-Jurisdictional Medical Marijuana Establishment License” has the meaning of a medical marijuana cultivation facility, an independent testing laboratory or a medical marijuana production facility which has obtained a business license in a jurisdiction other than the City of North Las Vegas to provide testing or medical marijuana and/or products to dispensaries, cultivation, or production facilities located within the City of North Las Vegas.

“Vertical integration” has the meaning of a medical marijuana establishment that cultivates, and/or involves production along with a dispensary under the same ownership or management.

**SECTION 2:** Title 5, Chapter 5.29, Subsection 5.29.070 of the North Las Vegas Municipal Code of the City of North Las Vegas, Nevada is hereby amended as follows:

B. 5. Cross-Jurisdictional Medical Marijuana Establishment License. Any medical marijuana establishment located outside the City of North Las Vegas limits that provide products or services to medical marijuana establishments located within the City of North Las Vegas.

a. All applications for such licenses will be defined as a privileged business and processed pursuant to NLVMC 5.02.025

- b. Applicants will be required to provide proof of requirements of NLVMC 5.29 having been met in another jurisdiction.

**SECTION 3:** Title 5, Chapter 5.29 of the North Las Vegas Municipal Code of the City of North Las Vegas, Nevada is hereby amended by adding new Subsection 5.29.145 (Origination fees and license fees):

**Origination and License Fees for Medical Marijuana Establishments**

- Origination Fees: Cultivation Facility (Apex Overlay District) - \$30,000  
Production Facility (Apex Overlay District) - \$25,000  
Testing Laboratory - \$10,000
- License Fees: Cultivation Facility (Apex Overlay District) – 2% gross revenue fee (no annual fee)  
Cultivation Facility - \$30,000 annual fee plus 3% gross revenue fee with a 1% increase every other year - 6% cap  
Production Facility (Apex Overlay District) – 2% gross revenue fee (no annual fee)  
Production Facility - \$25,000 annual fee plus 4% gross revenue fee with a 1% increase every other year - 6% cap  
Dispensary - \$60,000 annual fee plus 5% gross revenue fee  
Testing Laboratory - Subject to standard gross revenue license fees (Refer to NLVMC 5.02.080)  
Cross Jurisdictional Medical Marijuana License - \$10,000 annual fee  
Dispensary ancillary sales - Subject to standard gross revenue license fees (Refer to NLVMC 5.02.080)

All gross revenues will be calculated per percentages listed in this section with the exception of testing laboratories and dispensary ancillary sales. All gross revenue fees will be collected per NLVMC 5.02.080.

For vertically integrated companies, cultivation gross revenue percentage fees will be calculated at 50% of retail sales.

Annual fees are to be paid by January 31<sup>st</sup> of each year, the first year will be prorated on a per month basis.

**SECTION 4: NON-INFRINGEMENT OF RIGHTS.** The City Council of the City of North Las Vegas has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges or immunities secured by the laws providing for equal rights of citizens or persons.

**SECTION 5: EFFECTIVE DATE.** This ordinance shall become effective after its passage by the City Council of the City of North Las Vegas, and after such passage by the City Council, publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of the Nevada Revised Statutes, as amended from time to time.

**SECTION 6: PUBLICATION.** The City Clerk shall cause this ordinance, immediately following its adoption, to be published once by title, together with names of the council members voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of the Nevada Revised Statutes, as amended from time to time.

PASSED AND ADOPTED ON THE 20<sup>TH</sup> DAY OF AUGUST, 2014.

AYES: Mayor Lee, Mayor Pro Tempore Wood, Council Members  
Goynes-Brown, Wagner and Barron

NAYS: (None)

ABSENT: (None)

ABSTAIN: (None)

APPROVED:

/s/ John J. Lee  
John J. Lee, Mayor

ATTEST:

/s/ Barbara A. Andolina  
Barbara A. Andolina, City Clerk

APPROVED AS TO FORM:

/s/ Sandra Douglass Morgan  
Sandra Douglass Morgan, City Attorney