

ORDINANCE 1451

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XI, BUSINESS REGULATIONS; CHAPTER 123, MEDICAL CANNABIS; SECTIONS 123.01, 123.08, 123.09, AND 123.14 BY AMENDING AND REPLACING “SHAREHOLDER” AND “VOLUNTEER”.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the following sections of Chapter 123 be amended as follows:

§ 123.01 DEFINITIONS.

Applicant. Any person or entity who has submitted an application for a license or renewal of a license issued pursuant to this Chapter. If the applicant is an entity and not a natural person, applicant shall include all persons who are the members, managers, officers, directors, and volunteers of such entity.

Licensee. Any person or business entity that has been issued and holds a valid, current license pursuant to this Chapter. If the licensee is an entity and not a natural person, licensee shall encompass all persons who are the members, managers, officers, directors, volunteers, partners, or associates of such entity.

§ 123.08 ESTABLISHMENT REQUIREMENTS.

A medical cannabis establishment licensee is subject to the following requirements:

(A) Any owner, LLC member or manager, director, officer, partnership, or association member who has served as an owner, LLC member or manager, director, officer, partnership, or association member for a medical cannabis establishment that has had its state registration certificate or any local, municipal, or county license revoked is disqualified as a licensee.

(B) Any owner, LLC member or manager, volunteer, director, officer, partnership, or association member who is under 21 years of age is disqualified as a licensee.

(C) At least one of the owners, LLC members, or shall be a resident of the state of South Dakota.

§ 123.09 APPLICATION FOR MEDICAL CANNABIS ESTABLISHMENT LICENSE

(A) The name, address, and date of birth of person or entity members, managers, volunteers, directors, officers, partners, or associates of the proposed medical cannabis establishment, as well as the name, address, and date of birth of any current employees at the time such application is filed.

§ 123.14 APPROVAL PROCESS

(A) Upon receipt of a complete application, the City Manager or the City Manager's designee shall circulate the application to all affected service areas and departments of the City to determine whether the application is in full compliance with all applicable laws, rules, and regulations. No license shall be sufficient for the City's governing body consideration until after the City Manager or the City Manager's designee has caused the proposed premises to be inspected to determine compliance of the premises with all applicable requirements of this Chapter and the City of Vermillion Code of Ordinances, and with the plans and descriptions submitted as part of the application. No license shall be approved by the City's governing body until after the City Manager or the City Manager's designee has completed a background check of the owners or entity members, managers, officers, directors, volunteers, partners or associates and proposed employees of the proposed establishment. The City's governing body or designee shall deny any application that does not meet the requirements or limitations of this Chapter, and shall deny any application that contains any false, misleading, or incomplete information.

Dated at Vermillion, South Dakota this 20th day of December, 2021.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY Kelsey Collier-Wise
Kelsey Collier-Wise, Mayor

ATTEST:

BY Katie E. Redden
Katie E. Redden, Finance Officer

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