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Summary: AMENDS WASHOE COUNTY CODE CHAPTER 25 (BUSINESS LICENSES, PERMITS, AND REGULATIONS) TO REGULATE CANNABIS CONSUMPTION LOUNGES WITHIN UNINCORPORATED WASHOE COUNTY AND TO INCORPORATE AMENDMENTS CONSISTENT WITH REVISIONS TO THE NEVADA REVISED STATUTES ENACTED BY THE 2021 NEVADA LEGISLATURE RELATED TO THE LICENSING AND REGULATION OF CANNABIS.

BILL NO. _____

ORDINANCE NO. _____

Title:

An ordinance amending Washoe County Code Chapter 25 (Business Licenses, Permits, and Regulations) at section 25.013 (Definitions) to update various definitions related to marijuana (cannabis), including adding definitions for retail and independent cannabis consumption lounges; and at sections 25.700 through 25.792 (Marijuana Establishments) to create the necessary code language to facilitate the Board of County Commissioner's policy direction to allow and regulate cannabis consumption lounges as provided during its regular meeting of September 20, 2022. Amendments to these sections incorporate new or revised definitions and add or delete regulations resulting from amendments to Nevada Revised Statutes Chapters 678A-D (Regulation of Cannabis) adopted by the 2021 Nevada legislature, and add cannabis consumption lounges into the County's existing business licensing process by creating new cannabis establishment use types for independent and retail cannabis consumption lounges; and all matters necessarily connected therewith and pertaining thereto.

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WHEREAS:

- A. This Commission desires to amend Washoe County Code Chapter 25 (Business Licenses, Permits, and Regulations) to create the necessary code language to facilitate the Board's policy direction to allow cannabis consumption lounges in unincorporated Washoe County, as authorized, defined, and regulated by NRS Chapters 678A-D; and
- B. Pursuant to WCC 2.030, this Commission initiated amendments to Washoe County Code Chapter 25 (Business Licenses, Permits, and Regulations) on October 11, 2022, for the purpose of creating the necessary code language to facilitate the Board's direction regarding cannabis consumption lounges at its September 20, 2022 meeting; and
- C. The amendments and this ordinance were drafted in concert with the District Attorney; and
- D. Following a first reading and publication as required by NRS 244.100 (1), and after a duly noticed public hearing, this Commission desires to adopt this Ordinance.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY ORDAIN:

SECTION 1. Section 25.716 of the Washoe County Code is hereby repealed.

SECTION 2. Section 25.013 (Definitions) of the Washoe County Code is hereby amended as follows:

25.013 Definitions. As used in this chapter, unless the context otherwise requires:

"Adult use of Cannabis" has the meaning as defined in NRS Chapter 678A, as amended.
"Adult Use Cannabis Distributor" has the meaning as defined in NRS Chapter 678A, as amended.

"Adult Use Cannabis Production Facility" has the meaning as defined in NRS Chapter 678A, as amended.

"Adult Use Cannabis Retail Store" has the meaning as defined in NRS Chapter 678A, as amended.

"Annual gross receipts" means the total of the gross receipts for the calendar or fiscal year, as determined by the licensee, prior to the expiration date of a license.

"Board" means the board of county commissioners.

"Breeder" means a dealer, operator or other person who is responsible for the operation of a

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commercial animal establishment engaged in the business of breeding.

“Breeding” means producing the offspring of dogs or cats, called a litter.

“Cannabis” has the meaning as defined in NRS Chapter 678A, as amended.

“Cannabis Cultivation Facility” has the meaning as defined in NRS Chapter 678A, as amended.

“Cannabis Establishment” has the meaning as defined in NRS Chapter 678A, as amended, and includes both adult use cannabis and medical cannabis establishments. All cannabis establishments must be licensed by both the CCB and the County.

“Cannabis Independent Testing Laboratory” has the meaning as defined in NRS Chapter 678A, as amended.

“Cannabis Paraphernalia” has the meaning as defined in NRS Chapter 678A, as amended.

“Cannabis Product” has the meaning as defined in NRS Chapter 678A, as amended, and includes both medical and adult use cannabis infused and edible cannabis products.

“Cannabis Production Facility” has the meaning as defined in NRS Chapter 678A, as amended.

“Cannabis Registration Card” is issued by the CCB and has the meaning as defined in NRS Chapter 678A, as amended.

“CCB” means the Cannabis Compliance Board as defined in NRS Chapter 678B, as amended.

“CCB Department license” means a license issued by the State Department of Taxation Cannabis Compliance Board for a medical marijuana cannabis establishment pursuant to NRS 453A Chapter 678B and NAC 453A, or for a marijuana an adult use cannabis establishment pursuant to NRS 453D and NAC 453D NRS Chapter 678B, as amended.

“Charitable organization” means a nonprofit 501(c)(3) corporation, association, or organization, or a licensed medical facility or facility for the dependent.

“Commercial breeder” means a dealer, operator or other person who is responsible for the operation of a commercial animal establishment which engages in the breeding of five or more litters of cats or dogs in a calendar year to sell, trade or give away to others.

“Community facility” has the meaning as defined in NRS 453A Chapter 678B and 453D and includes:

1. A facility licensed by Washoe County or another jurisdiction to provide day care to children;
2. A public park;
3. A public playground associated with a public park, a school, or a licensed day care facility;
4. A public swimming pool as defined in NRS 444.065;
5. A center or facility licensed by Washoe County or another jurisdiction which provides recreational opportunities or services to children or adolescents either inside or on the property of the center or facility; or
6. A church, synagogue or other building, structure or place used for religious worship or other religious purpose.

“Contractor” means a person, except a licensed architect or a registered civil engineer acting solely in his professional capacity, who in any capacity (other than as the employee of another with wages as the sole compensation) undertakes to, or offers to undertake to, or purports to have the capacity to undertake to, or submits a bid to, or does himself or by or through others, construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, railroad, excavation or other structure, project, development or improvement, or to do any part thereof, including the erection of scaffolding or other structures or works in connection therewith. “Contractor” includes a subcontractor or specialty contractor, but does not include anyone who merely furnishes materials or supplies without fabricating them into, or consuming them in the performance of, the work of a contractor.

“Department” means the State Department of Taxation.

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~~“Department license” means a license issued by the State Department of Taxation for a medical marijuana establishment pursuant to NRS 453A and NAC 453A, or for a marijuana establishment pursuant to NRS 453D and NAC 453D.~~

~~“Edible marijuana products” has the meaning as defined in NRS 453A.~~

“Employee” means a person or persons employed by or providing service to another person. The person or persons thus employed are usually paid in wages or salary, regardless of whether the compensation is paid directly to the employee or indirectly through another for the services performed.

“Excluded felony offense” has the meaning as defined in NRS **Chapter 678B, as amended** ~~453A and NRS 453D.~~

“Garage and/or Yard Sale” means the sale of personal property from a property upon which is located a residential dwelling unit. Garage and/or yard sales that do not exceed 72 hours in duration or do not occur on the same property more than twice in any six-month period do not require a business license.

“Gross receipts” means the total sum of receipts for all business conducted in the unincorporated area of Washoe County, without any deduction therefrom on account of the cost of the property sold, the cost of the materials used, labor or service costs, place of delivery of the property sold, interest paid or payable, losses or other expenses whatsoever. “Gross receipts” does not include:

- (a) Receipts from the sale of intoxicating liquor or receipts from the operation of a gambling game or device;
- (b) Receipts from the sale of motor vehicle fuel;
- (c) Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser;
- (d) Cash discounts allowed on sales; or
- (e) The part of the sales price of any property previously sold and returned by the purchaser to the seller, which part is refunded by the seller by way of cash or credit allowances. The amounts set forth in subsections 8(b)(1) to 8(b)(5), inclusive, may be deducted from the business's gross receipts in determining the gross receipts for purposes of this section.

“Gross revenue” means gross receipts, as defined in this section, for ~~marijuana~~ **cannabis**, ~~marijuana~~ **cannabis** products, and/or ~~marijuana~~ **cannabis** paraphernalia.

“Home-based business” means any business, occupation, or activity undertaken for gain within a residential structure that is incidental and secondary to the use of that structure as a dwelling unit.

“Independent cannabis consumption lounge” has the meaning as defined in NRS Chapter 678A, as amended.

“Internal review board” means a board of at least three persons that is convened by the sheriff to hear and decide appeals of an action of the sheriff pursuant to section 25.0454.

“Intoxicating liquor” is synonymous with “alcoholic liquor” and “alcoholic beverage,” and includes the four varieties of liquor: Alcohol, spirits, wine and beer, and every liquor or solid, patented or not, containing alcohol and intended for consumption by human beings as a beverage.

“License” means a revocable, limited-term grant of permission to operate a business within the County.

“License division” means the business license staff and code enforcement personnel of the department of community services.

“Litter” means live offspring from one birth of a cat or dog.

~~“Marijuana” has the meaning as defined in NRS 453D.~~

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~~“Marijuana cultivation facility” means a medical marijuana cultivation facility as defined in NRS 453A and/or a marijuana cultivation facility as defined in NRS 453D. The business must be licensed by both the Department and the County.~~

~~“Marijuana distributor” is defined in NRS 453D. The business must be licensed by both the Department and the County.~~

~~“Marijuana establishment” has the meaning as defined in NRS 453D and also includes any medical marijuana establishment as defined in NRS 453A.~~

~~“Marijuana infused products” has the meaning as defined in NRS 453A.~~

~~“Marijuana product manufacturing facility” means a facility for the production of edible marijuana products or marijuana infused products as defined in NRS 453A and/or a marijuana product manufacturing facility as defined in NRS 453D. The business must be licensed by both the Department and the County.~~

~~“Marijuana products” has the meaning as defined in NRS 453D.~~

~~“Marijuana paraphernalia” has the meaning as defined in NRS 453D.~~

~~“Marijuana testing facility” means a medical marijuana independent testing laboratory as defined in NRS 453A and/or a marijuana testing facility as defined in NRS 453D. The business must be licensed by both the Department and the County.~~

~~“Medical Marijuana” has the meaning as defined in NRS 453A.~~

“Medical cannabis dispensary” has the meaning as defined in NRS Chapter 678A, as amended.

“Medical cannabis production facility” has the meaning as defined in NRS Chapter 678A, as amended

“Medical use of Cannabis” has the meaning as defined in NRS Chapter 678A, as amended.

“Mobile business” means a business that is not operated from a permanent structure and remains in any one location to operate for a maximum of 4 hours, in any 24 hour period, before moving to another location. Examples of mobile businesses include, but are not limited to, caterers and food/drink vendors.

“Outdoor community event” means an assembly of more than 100 and less than 1000 persons on any 1 day of the event gathered together for any purpose, at any location, other than a permanent building or permanent installation that has been constructed for and will accommodate the number of persons gathered therein.

“Outdoor festival” means an assembly of 1,000 or more persons on any 1 day of the event gathered together for any purpose, at any location, other than a permanent building or permanent installation that has been constructed for and will accommodate the number of persons gathered therein.

~~“Paraphernalia” has the meaning as defined in NRS 453A.~~

“Registration card” means a revocable, limited-term clearance to work in certain occupations or capacities within the County, issued by the sheriff to a natural person. **A cannabis registration card is issued by the CCB.**

“Residential dwelling unit” means any building or portion thereof used for residential purposes with living facilities which include provisions for sleeping eating, cooking and sanitation as required by NRS and/or County Code.

“Retail cannabis consumption lounge” has the meaning as defined in NRS Chapter 678A, as amended.

~~“Retail marijuana store/medical dispensary” means a licensed medical marijuana dispensary as defined in NRS 453A that may also be licensed to operate as a retail marijuana store as defined in NRS 453D. The business must be licensed by both the Department and the County.~~

“Work permit” means a revocable, limited-term grant of permission to work in certain occupations within the County, issued by the sheriff to a natural person, and is synonymous with “work card.”

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“Working day” or “work day” means a day when the offices of the license division are open to the public, and does not include legal holidays as defined in NRS 236.015.

SECTION 3. Section 25.700 of the Washoe County Code is hereby amended as follows:

Marijuana Cannabis Establishments

25.700 Purpose and limitations.

1. Sections 25.700 through and including 25.792 shall be known, collectively, as the Washoe County **Marijuana Cannabis** Establishments (“ME”) **(CE)** Code. This ~~ME-CE~~ Code is meant to implement the provisions of NRS ~~Chapters 453A and 453D~~**678A-D, as amended**. This ~~ME-CE~~ Code shall be interpreted consistently with NRS ~~Chapters 453A and 453D~~**678A-D, as amended**; and, to the extent of any conflicts between NRS ~~Chapters 453A and 453D~~**678A-D** and this ~~ME-CE~~ Code, NRS ~~Chapters 453A and 453D~~**678A-D, as amended**, controls.
2. Nevada Constitution Article 4, Section 38 requires the State of Nevada legislature to authorize the use of medical ~~marijuana~~ **cannabis** by a patient, upon the advice of their physician, and to authorize appropriate methods for the supply of medical ~~marijuana~~ **cannabis** to patients authorized to use it. NRS ~~Chapter 453A~~ was amended by the 2013 Nevada legislature to provide for the licensing, taxation and regulation of medical ~~marijuana~~ **cannabis** establishments.
3. NRS ~~Chapter 453D~~, regulation and taxation of ~~marijuana~~ **cannabis**, was added to state law by an initiative petition and approved by the voters at the 2016 Nevada State General Election. This NRS chapter provides for licensing, taxation and regulation of adult use (recreational) ~~marijuana~~ **cannabis** establishments in the State of Nevada.
- ~~4. Department licenses are authorized in NRS chapter 453A and regulated within NAC chapter 453A for medical marijuana establishments. Department licenses are likewise authorized in NRS chapter 453D and regulated within NAC chapter 453D for marijuana establishments.~~
4. **In 2019, the Nevada legislature created Title 56 Regulation of Cannabis and adopted NRS Chapters 678A-D, which repealed certain sections of NRS Chapters 453A and 453D, created the Cannabis Compliance Board (CCB), and transferred the responsibility and authority for licensing and regulating cannabis from the Department of Taxation to the CCB.**
5. To the extent that ~~marijuana~~ **cannabis** establishments are certified or licensed, and authorized, by the state, the purpose of this ~~ME-CE~~ Code is to license and regulate them in unincorporated Washoe County to protect the public health and safety and general welfare of the citizens of Washoe County.
6. The use, cultivation, distribution, production, possession and transportation of ~~marijuana~~ **cannabis** remains illegal under federal law, and ~~marijuana~~ **cannabis** remains classified as a “controlled substance” by both Nevada and federal law. Nothing in this ~~ME-CE~~ Code is intended to authorize, promote, condone or aid the production, distribution, or possession in violation of any applicable law. The issuance of a ~~marijuana~~ **cannabis** establishment license does not imply that operating a ~~marijuana~~ **cannabis** establishment is legal under other applicable laws; nor does it authorize or sanction the violation of any applicable law.

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7. This **MECE** Code is to be construed to protect the public interests over ~~marijuana~~ **cannabis** business interests. Operation of a ~~marijuana~~ **cannabis** establishment is a revocable privilege (NRS 453A.320) and not a right in the county. There is no property right for an individual or business to have ~~marijuana~~ **cannabis** within the county. Any operator of a ~~marijuana~~ **cannabis** establishment ~~assumes~~ full risk of the revocation of the privilege pursuant to applicable law, regardless of any investment-backed expectations or other expenditures of time or resources by the operator prior to or during operation of the business.

SECTION 4. Section 25.704 of the Washoe County Code is hereby amended as follows:

- 25.704 License required; separate license for other business activities; unlawful for public consumption or use of **cannabis** in any business, public place, or at an event, except as authorized in a licensed consumption lounge; giving away ~~marijuana~~ **cannabis** without remuneration; separate business license required; other license or permit requirements.
1. It shall be unlawful for any person to operate a ~~marijuana~~ **cannabis** establishment in the unincorporated portions of Washoe County without first obtaining a license to operate pursuant to the requirements of this chapter. Each ~~marijuana~~ **type of cannabis** establishment must have a separate license to operate as required under this **MECE** Code.
 2. It shall be unlawful for any business to permit or allow any public use or consumption of ~~marijuana~~ **cannabis** or ~~marijuana~~ **cannabis** products on or within any business licensed pursuant to chapters 25 and/or 30 of this Code, unless consumption is to occur in a licensed consumption lounge business, as authorized and regulated.
 3. It shall be unlawful for any license holder to permit or allow any public use or consumption of ~~marijuana~~ **cannabis** or ~~marijuana~~ **cannabis** products on or at any special event or outdoor entertainment event licensed or permitted pursuant to chapter 25 or chapter 110 of this Code, except as authorized and regulated as part of a licensed consumption lounge business.
 - ~~4. To the extent provided in NRS 453D.110, it shall be lawful under this chapter to give away or otherwise deliver without remuneration an ounce or less of marijuana, other than concentrated marijuana, or one-eighth of an ounce or less of concentrated marijuana, to a person 21 years of age or older provided that the transaction is not advertised or promoted to the public. Giving away or otherwise delivering marijuana without remuneration means that no value is exchanged between or for the benefit of the person or entity giving away or otherwise delivering the marijuana and the person or entity receiving the marijuana in connection with or in any way related to the marijuana. This includes but is not limited to 'disguised' or 'delayed' exchanges in which marijuana is purportedly given away or otherwise delivered in connection with or in any way related to the exchange of value of any kind for other goods or services.~~
 - 54.** Any other business activities at a ~~marijuana~~ **cannabis** establishment shall require a separate business license, and the payment of the associated license fees, as set forth in this chapter.
 - 65.** The license requirements set forth in this chapter shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state or local law.

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76. A license issued pursuant to this ~~MECE~~ Code does not provide any exception, defense or immunity from other laws, nor does it create an exception, defense or immunity to any person in regard to any potential criminal liability the person may have for the production, distribution or possession of marijuana cannabis.

SECTION 5. Section 25.708 of the Washoe County Code is hereby amended as follows:

25.708 Types of marijuana cannabis establishment licenses.

There are ~~five~~ seven types of marijuana cannabis establishment licenses as authorized in this ~~MECE~~ Code. Each type is defined in section 25.013 of this chapter and is listed below as follows:

1. Marijuana Cannabis cultivation facility. **A cannabis cultivation facility may be either an adult use cannabis cultivation facility or a medical cannabis cultivation facility. An adult use cannabis cultivation facility is a business that acquires, possesses, cultivates, delivers, transfers, supplies or sells cannabis and related supplies to adult use cannabis retail stores, adult-use cannabis production facilities, and other adult use cannabis cultivation facilities. A medical cannabis cultivation facility is a business that acquires, possesses, cultivates, delivers, transfers, supplies or sells cannabis and related supplies to medical cannabis stores, medical cannabis production facilities, and other medical cannabis cultivation facilities.** A marijuana cultivation facility may be licensed as a medical marijuana cultivation facility and/or as a marijuana cultivation facility.
2. Marijuana Adult use cannabis distributor. An marijuana adult use cannabis distributor license provides for **transport of cannabis or adult-use cannabis products from an adult use cannabis establishment to another adult use cannabis establishment.** ~~the transport of both medical and recreational (adult use) marijuana, marijuana products and/or marijuana paraphernalia to marijuana establishments located within the unincorporated county.~~
 - (a) ~~A retail marijuana store/medical dispensary~~ **An adult use cannabis retail store** is not required to obtain an marijuana adult use cannabis distributor license to transport or deliver marijuana cannabis or marijuana cannabis products directly to consumers.
 - (b) Marijuana Adult use cannabis distributors will only transport marijuana cannabis, marijuana cannabis products and/or marijuana cannabis paraphernalia following the provisions of NRS ~~Chapters~~ **678A-D, as amended.** ~~453D and NAC chapter 453D.~~
 - (c) ~~Wholesale intoxicating liquor dealers licensed pursuant to NRS Chapter 369 applying for a marijuana distributor license must possess a valid and current county importer/wholesaler intoxicating liquor license pursuant to chapter 30 of this Code.~~
 - (dc) An marijuana adult use cannabis distributor business is not allowed as a home-based business as enabled by sections 25.4421 through 25.4426 of this chapter.
3. Marijuana product manufacturing facility Cannabis production facility. A cannabis production facility may be either an adult use cannabis production facility or a medical cannabis production facility. An adult use cannabis production facility

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- is a business that acquires, possesses, manufactures, delivers, transfers, supplies or sells adult use cannabis products to adult use cannabis retail stores. A medical cannabis production facility is a business that acquires, possesses, manufactures, delivers, transfers, transports, supplies or sells medical cannabis products to medical cannabis dispensaries. A marijuana product manufacturing facility may be licensed as a facility for the production of edible marijuana products or marijuana-infused products and/or as a marijuana product manufacturing facility.
4. Marijuana testing facility Cannabis independent testing laboratory. A cannabis independent testing laboratory may be either an adult use cannabis independent testing laboratory or a medical cannabis independent testing laboratory, as regulated by NRS 678B.290. An adult use cannabis independent testing laboratory tests cannabis or cannabis products intended for the adult use of cannabis and a medical cannabis independent testing laboratory tests cannabis and cannabis products intended for the medical use of cannabis. A marijuana testing facility may be licensed as a medical marijuana independent testing laboratory and/or as a marijuana testing facility.
 5. Retail marijuana store/medical dispensary Adult use cannabis retail store. An adult use cannabis retail store acquires, possesses, delivers, transfers, supplies, sells or dispenses cannabis or related supplies to a consumer or to another adult use cannabis retail store. A retail marijuana store/medical dispensary is a licensed medical marijuana dispensary that may also be licensed as a retail marijuana store. In order to operate as a retail marijuana store/medical dispensary, the business must retain state licensure as a medical marijuana dispensary to continue business operations in the unincorporated county.
 6. Medical cannabis dispensary. A medical cannabis dispensary acquires, possesses, delivers, transfers, transports, supplies, sells or dispenses cannabis or related supplies and educational materials to the holder of a valid registry identification card, as defined in NRS 678C.080, or to another medical cannabis dispensary.
 7. Cannabis consumption lounge. A cannabis consumption lounge allows single-use cannabis products or ready-to-consume cannabis products to be consumed on the premises of the business by persons 21 years of age or older. A cannabis consumption lounge may be either an independent cannabis consumption lounge or a retail cannabis consumption lounge, as regulated by Nevada Cannabis Compliance Regulation (NCCR) 15, as amended, and this Code.
 - (a) An independent cannabis consumption lounge is licensed by the CCB pursuant to NRS 678B.250, as amended, and is not attached to or immediately adjacent to an adult use cannabis retail store.
 - (b) A retail cannabis consumption lounge is attached to or immediately adjacent to an adult use cannabis retail store. The retail cannabis consumption lounge must be physically attached to, be within, or immediately adjacent to the subject adult use cannabis retail store. Immediately adjacent means on the same parcel or on a parcel abutting the parcel line(s) of the subject adult use cannabis retail store.

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(c) Either type of lounge may have an outdoor consumption area, provided that only cannabis products (infused or edible) or vaping products are consumed. No smoking of cannabis flower is allowed, and no cannabis related odor is allowed to be detected at the property line of the subject cannabis consumption lounge.

SECTION 6. Section 25.712 of the Washoe County Code is hereby amended as follows:

25.712 Application requirements.

In addition to the requirements of sections 25.017 and 25.0251 of this chapter, each application for a ~~marijuana~~ **cannabis** establishment license shall include:

1. The ~~marijuana~~ **cannabis** establishment license application fee as set forth in the master business license fee schedule adopted by the board. Fees for inspections required as part of the license issuance process shall be paid to the appropriate agency. Each type of ~~marijuana~~ **cannabis** establishment requires a separate application.
2. A copy of the current and valid ~~department~~ **CCB** provisional or issued license, as appropriate, for **either an adult use cannabis establishment or a medical cannabis establishment.** ~~a medical marijuana establishment and/or a marijuana establishment.~~
3. A copy of the application(s) submitted to the ~~department~~ **CCB** for **either an adult use cannabis establishment or a medical cannabis establishment.** ~~the medical marijuana establishment; and/or, the application submitted to the department for the marijuana establishment. The application or applications~~ **submitted to the county** must be for the same type of ~~marijuana~~ **cannabis** establishment as submitted to the ~~county~~ **CCB**. The following elements, subsections (a) through (e) inclusive, are not required to be submitted to the county:
 - (a) Documentation from a financial institution demonstrating the amount and source of liquid assets;
 - (b) Evidence of taxes or other beneficial financial contributions made to the State of Nevada or its political subdivisions;
 - (c) A narrative demonstrating past experience working with government agencies, community involvement, operating other businesses or non-profit organizations, and knowledge or experience with respect to the compassionate use of ~~marijuana~~ **cannabis**;
 - (d) Resumes; and
 - (e) A financial plan, including resources of the applicant, sources of funds, amount of funds available, and detailed budgets.
4. A description of the premises proposed to be licensed, stating the street and number, assessor's parcel number, and portion of the building to be occupied.
5. The type of ~~marijuana~~ **cannabis** establishment that the applicant proposes to carry on, conduct or operate on the described premises.
6. If the application is for a ~~marijuana~~ **an adult use cannabis** distributor license:

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- (a) The location of the business office where business records, to include transportation records as required by the department **CCB**, will be kept;
- (b) The location where the business will store delivery vehicles; such location may require additional county permits if the vehicles are stored on property within the unincorporated county; and
- (c) The location where undelivered marijuana **cannabis**, marijuana **cannabis** products and/or marijuana **cannabis** paraphernalia will be stored.

Applications for marijuana **adult use cannabis** distributor business office locations outside of the unincorporated county do not need to provide the site plan information required in subsection 10.

7. A consent form signed by the applicant authorizing the release to (1) any agencies performing any components of the review of the application, and (2) except for the security plan and any and all personal identifying information and other information specifically made confidential by law, the public upon request, and acknowledging that except as otherwise provided by law all application information and information on any future Washoe County marijuana **cannabis** establishment licenses issued to, or renewed by, the marijuana **cannabis** establishment will remain a public record.
8. The name or names of on-site managers who will be contacted in case of emergencies or required inspections.
9. A list of persons associated with the marijuana **cannabis** establishment who have received, or will request, a marijuana **cannabis** establishment agent registration card from the department **CCB**.
10. A site plan with the following:
 - (a) Name of the marijuana **cannabis** establishment.
 - (b) Site address and assessor's parcel number.
 - (c) The Washoe County regulatory zone for the parcel.
 - (d) Proposed employee, public and business vehicles parking plan (as appropriate).
 - ~~(e) For a retail marijuana store/medical dispensary only, elevation drawings or photographs of the proposed building which demonstrate that the building is consistent with the traditional style of pharmacies and medical offices of the adjacent community.~~
 - ~~(f)~~**(e)**A certificate, signed by the applicant and attested, that demonstrates the distance requirements of section 25.720 of this **ME CE** Code have been met. The certificate shall state the physical address and assessor's parcel number of each lot and the use or uses within each building, or the use of a parcel if there is no building, within 1,000 feet of the building containing the proposed marijuana **cannabis** establishment.

The Washoe County planning program shall determine compliance with County Codes for subsections (c), (d), **and** (e), ~~and (f)~~.

11. A plan that complies with existing Washoe County health district regulations governing air quality for the marijuana **cannabis** establishment that prevents or controls any dust, fumes, vapors, or odor of marijuana **cannabis** off the premises **subject parcel** of the **cannabis** establishment.

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12. If the applicant is not the property owner, a copy of the lease, rental agreement, license, or authorization letter from the property owner acknowledging and giving permission for the proposed use of the property as a marijuana cannabis establishment, and the name, mailing address, physical business address, and business telephone number of the property owner.
13. A security plan, including but not limited to, the following matters:
 - (a) A safety plan detailing safety measures and actions to be taken for the public and/or employees in the case of emergencies or criminal activity. The safety plan shall include, at a minimum, the appropriate safety provisions from the most recently adopted International Fire Code.
 - (b) Information detailing the location and handling of the storage, loading and unloading, and disposal of marijuana cannabis and marijuana cannabis products.
 - (c) Hours of operation for public access to the adult use cannabis retail store ~~retail marijuana store/medical dispensary, if applicable~~ or medical cannabis dispensary. Hours of operation cannot exceed the limitations established in section 25.760 of this ~~ME~~ CE Code.
 - (d) A plan for how employees and customers enter, exit and move within the building, to include entrances and/or exits which are secured for employee use only.
 - (e) A plan on the handling and storage of money in the physical form of currency, such as banknotes and coins.
 - (f) A statement describing what business and marijuana cannabis related activities will occur on the site. If the application is for an adult-use cannabis retail store ~~a retail marijuana store/medical dispensary~~, a description of the products and/or services to be provided to the public.
 - (g) For an existing building, any physical changes to the interior or the exterior of the building. No proposed physical changes to the building are allowed until approved by the appropriate county departments or other public agencies.
 - (h) A description of all toxic, flammable or other materials regulated by a federal, state or local government with authority over the business that will be used or kept at the marijuana cannabis establishment, the location of such materials, how such materials will be stored, and how such materials will be used. The Truckee Meadows Fire Protection District or the North Lake Tahoe Fire Protection District Fire Marshall shall review the application submission, as applicable, for compliance with local, state and federal regulations.
 - ~~(i) The name and location of any off-site medical marijuana cultivation facilities, marijuana cultivation facilities, facilities for the production of edible marijuana products or marijuana-infused products, and/or marijuana product manufacturing facilities providing the marijuana, if applicable. The name and location of the medical marijuana independent testing laboratory and/or marijuana testing facility providing laboratory service, if applicable.~~

Except as otherwise required by law, the security plan as submitted to the county is deemed to be a confidential document for sole use by the licensing division and reviewing agencies as set forth in section 25.740 of this ~~ME~~ CE Code, and is not a public record.

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~~25.716—Application requirements for a licensed medical marijuana establishment and/or temporary marijuana establishment.~~

- ~~1.—A marijuana establishment possessing a valid and current Washoe County medical marijuana establishment and/or temporary marijuana establishment license and applying for a marijuana establishment license pursuant to this ME Code shall provide the following:
 - ~~(a)—A copy of the current Washoe County medical marijuana establishment and/or temporary marijuana establishment license; and~~
 - ~~(b)—A copy of the most recent permanent and provisional marijuana establishment licenses issued by the Department pursuant to NRS Chapter 453D; and~~
 - ~~(c)—A copy of the most recent department inspections of the marijuana establishment; and~~
 - ~~(d)—A complete and detailed description of any changes or modifications made to the interior and/or exterior of the building containing the marijuana establishment since the issuance of the Washoe County medical marijuana establishment license.~~~~
- ~~2.—The application shall not include the requirements outlined in section 25.712 of this ME Code.
 - ~~(a)—If the property ownership has changed since the original issuance of the Washoe County medical marijuana establishment and/or temporary marijuana establishment license, then each new property owner, partner, officer, director, shareholder, manager, or other natural person having some form of ownership and control of the property shall undergo a criminal history inquiry pursuant to section 25.724 of this ME Code.~~~~
- ~~3.—The distance restrictions included in section 25.720 of this ME Code are determined as of the date when the marijuana establishment first received a Washoe County medical marijuana establishment license or Washoe County temporary marijuana establishment license, whichever date is earlier.~~
- ~~4.—The license division shall coordinate a review of the application following the provisions of section 25.740 of this ME Code. Reviewing county departments and other public agencies shall, at a minimum, conduct such inspections as required, to include operational inspections, to validate that the marijuana establishment meets the requirements of this ME Code and of all public health and safety and other applicable requirements.~~
- ~~5.—The license division may issue the marijuana establishment license after all the provisions of section 25.740, and of this ME Code as applicable, are satisfied.~~

SECTION 7. Section 25.720 of the Washoe County Code is hereby amended as follows:

25.720 Location; distance restrictions; location in a permanent building; delivery to a consumer; outdoor cultivation prohibited.

1. Marijuana **Cannabis** establishments may be located in the unincorporated county in conformance with article 302 of chapter 110 of this Code.
2. A marijuana **cannabis** establishment may not be located:
 - (a) Within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12, or

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- (b) Within 300 feet of a community facility.
 - (c) For purposes of this ~~ME~~ **CE** Code, the distance restrictions for the uses enumerated in subsections (a) and (b) **do not apply to existing licensed cannabis establishments unless operations cease at the subject cannabis establishment for a period of more than 1-year.** as follows:
 - (1) ~~For a marijuana establishment possessing a valid and current Washoe County medical marijuana establishment and/or a temporary marijuana establishment license prior to April 20, 2018, the use must have been established prior to the date when the marijuana establishment first received a Washoe County medical marijuana establishment license or Washoe County temporary marijuana establishment license, whichever date is earlier.~~
 - (2) ~~For applications for new marijuana establishment licenses received by the county after April 20, 2018, the use must have been established prior the date on which the application for the proposed marijuana establishment was submitted to the county.~~
 - (d) For purposes of this ~~ME~~ **CE** Code, the measurement between the ~~marijuana~~ **cannabis** establishment and the uses enumerated in subsections (a) and (b) above shall be measured by a straight line from the front door of the proposed ~~marijuana~~ **cannabis** establishment to the closest point of the property line of a school or community facility.
3. A ~~marijuana~~ **cannabis** establishment shall be located in a permanent building that meets Washoe County Code for a commercial building, and shall not be located in a manufactured or mobile home, trailer, cargo container, motor vehicle or similar personal property.
 4. Delivery of ~~marijuana~~ **cannabis** or ~~marijuana~~ **cannabis** products directly to a consumer by **an adult use cannabis retail store or medical cannabis dispensary** ~~a retail marijuana store/medical dispensary~~ must adhere to the provisions of NRS ~~Chapter 453D~~ **Chapter 678A-D** ~~453D~~ and NAC ~~chapter 453D~~ regulating such delivery.
 5. Outdoor cultivation is prohibited within the unincorporated portions of the county.

SECTION 8. Section 25.724 of the Washoe County Code is hereby amended as follows:

25.724 Criminal history inquiries of property owners and related fees.

1. In conjunction with a ~~marijuana~~ **cannabis** establishment license application, each partner, officer, director, shareholder, manager, or other natural person having some form of ownership and control over the property on which the ~~marijuana~~ **cannabis** establishment will be located, and who is not an applicant for the license, must undergo a criminal history inquiry as allowed by law. Within 14 calendar days of filing a complete ~~marijuana~~ **cannabis** establishment license application with the license division, each person required to undergo a criminal history inquiry shall present himself to the sheriff for a complete set of fingerprint impressions and to make a written reply to all such questions pertaining to the issuance of the license as may be required by the sheriff or the license division. Such questions shall include social security number and date of birth.
2. Each person required to undergo a criminal history inquiry shall provide the sheriff with written permission authorizing the sheriff to forward the impressions for an FBI/state

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criminal history inquiry. Pursuant to NRS 239B.010(1)(a), the sheriff shall forward the impressions to the central repository for Nevada records of criminal history for submission to the Federal Bureau of Investigation to determine if a criminal history record exists for the person.

3. The sheriff may charge a reasonable fee or service charge, which must be paid in advance, for the criminal history inquiry or local police records review done by the sheriff pursuant to this ~~ME~~ CE Code. Additional fees or service charges may be charged where circumstances mandate a more extensive inquiry than is normally required. A list of fees set by the sheriff for criminal background inquiries shall be posted by the sheriff in a place of clear public view.
4. The sheriff's officer or employee charged with the duty of making the inquiry shall determine whether the person undergoing the criminal history inquiry has any criminal convictions that would disqualify an applicant for a Department CCB license for a ~~medical marijuana~~ cannabis establishment pursuant to NRS 678A-D, as amended, ~~453A and/or for a marijuana establishment pursuant to NRS 453D, as amended~~, and this ~~ME~~ CE Code, and make a report thereon to the license division.
5. No ~~marijuana~~ cannabis establishment license application can be approved until the criminal history inquiry results required from this section are reported to the license division. An application may be denied if a partner, officer, director, shareholder, manager, or other natural person having some form of ownership and control over the property on which the ~~marijuana~~ cannabis establishment is located has been convicted of an excluded felony offense.

SECTION 9. Section 25.728 of the Washoe County Code is hereby amended as follows:

25.728 Fees; submission of financial data to license division; unlawful to submit false data; fee deemed a debt due to the county; refunds.

1. Except as otherwise provided in this ~~ME~~ CE Code, ~~marijuana~~ cannabis establishment license fees are payable in full no later than 15 calendar days after the start of each calendar quarter in an amount equal to the fees and payment schedule set forth in the master business license fee schedule as adopted by the board.
2. The cost recovery fee established in section 25.772 of this ~~ME~~ CE Code is deemed a fee within this section and subject to collection, debt due and refunds of this section.
3. The failure to submit the financial data required by this ~~ME~~ CE Code or the submission of false financial data is grounds for denial, revocation, or nonrenewal of a ~~marijuana~~ cannabis establishment license.
4. It is unlawful for any person to knowingly submit false financial data to the license division.
5. The ~~marijuana~~ cannabis establishment license fee imposed by the board is deemed a debt due the county from and against any person who commences, carries on, engages in or conducts the business of a ~~marijuana~~ cannabis establishment for which such a license is required, and such person is liable in a civil action in the name of the county as plaintiff, in any court of competent jurisdiction, for the recovery of the amount of the license fee, penalties and for the cost of suit.
6. The refund provisions of section 25.0267 of this chapter apply to ~~marijuana~~ cannabis establishment licenses issued pursuant to this ~~ME~~ CE Code.

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SECTION 10. Section 25.732 of the Washoe County Code is hereby amended as follows:

25.732 Penalties for delinquent license fees; revocation after lapse of 60 calendar days if payment not received; no reinstatement after lapse of 90 calendar days.

For the purposes of this CE code, payment is considered received and paid upon the date the license division receives payment at the license office. Date of mailing is insufficient to meet this requirement. All ~~marijuana~~ **cannabis** establishment licenses become delinquent if not paid in full within 60 calendar days after the quarterly due date.

1. If payment is made after 15 calendar days and before 60 calendar days after the quarterly due date, then 25 percent of the license fee owed shall be additionally assessed as a penalty charge.
2. All ~~marijuana~~ **cannabis** establishment licenses for which the license fees have not been paid within 60 calendar days after the quarterly due date shall be deemed revoked.
 - (a) Any such revoked license shall not be reinstated until the 25 percent penalty fee from subsection 1 and a reinstatement fee of 15 percent of the license fee owed have been paid in addition to the regular license fee.
 - (b) Any such revoked license shall not be reinstated if payment, to include penalty and reinstatement fees, is received more than 90 calendar days after the quarterly due date.
 - (c) After 90 calendar days, the holder of a revoked license shall be required to apply for a new ~~marijuana~~ **cannabis** establishment license.

SECTION 11. Section 25.736 of the Washoe County Code is hereby amended as follows:

25.736 Records to be kept of a ~~marijuana~~ **cannabis** establishment licensee; examination by license division; failure to keep records is grounds for denial or revocation of license; unlawful to enter false financial data.

1. Every person who holds a ~~marijuana~~ **cannabis** establishment license in the unincorporated county shall keep records, receipts, invoices and other pertinent papers reflecting those sales.
2. The license division may examine the books, papers, and records of any person who is licensed as a ~~marijuana~~ **cannabis** establishment in the unincorporated county.
3. Failure to keep the records required by this ~~ME CE~~ Code is grounds for denial, revocation, or nonrenewal of a ~~marijuana~~ **cannabis** establishment license.
4. It is unlawful for any person to knowingly enter false financial data into the books, records, or other papers required to be kept by this ~~ME CE~~ Code.

SECTION 12. Section 25.740 of the Washoe County Code is hereby amended as follows:

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- 25.740 Review of application; license conditions; approval and issuance of license; term of license; receipt of ~~department~~ **CCB** license.
1. The license division shall coordinate a review of the application and required physical inspections by the appropriate county departments and other public agencies to determine whether the proposed business will comply with all public health and safety and other applicable requirements including, without limitation, air quality, building, fire, health, sewer, sheriff, water, and zoning requirements.
 - (a) Each reviewing county department or public agency shall provide a recommendation on the application to the license division after its review and after applicable physical inspections are completed.
 - (b) Each reviewing county department or other public agency may include conditions for the operation of the ~~marijuana~~ **cannabis** establishment with its recommendation. Any such conditions shall automatically become a condition on the license pursuant to section 25.0263 of this chapter.
 2. The license division shall verify that the licensee has valid state certificate(s), license(s) and/or other approval(s) and/or valid county license(s) or permit(s), as required, prior to issuing any license.
 3. After determining that the proposed ~~marijuana~~ **cannabis** establishment business will be conducted in compliance with law, the license division may issue the license as specified in the application.
 4. The term of any ~~marijuana~~ **cannabis** establishment license is one calendar quarter. The calendar quarter periods for each year are as follows:
 - (a) The first quarter begins on January 1.
 - (b) The second quarter begins on April 1.
 - (c) The third quarter begins on July 1.
 - (d) The fourth quarter begins on October 1.
 5. Within ten calendar days of receipt of the final ~~Department~~ **CCB** license for a ~~medical marijuana~~ **cannabis** establishment, ~~or marijuana establishment, as applicable,~~ the applicant shall submit a copy of the **CCB** license to the license division.

SECTION 13. Section 25.744 of the Washoe County Code is hereby amended as follows:

- 25.744 Notification of closing or action by ~~department~~ **CCB** on license; automatic termination of license.
1. The holder of a ~~marijuana~~ **cannabis** establishment license shall notify the license division within 15 calendar days of the closing of the establishment, or of any action by the ~~department~~ **CCB** to suspend, revoke or terminate the **cannabis** establishment's ~~department~~ **CCB** license.
 2. If the holder of ~~marijuana~~ **a cannabis** establishment license discontinues business for more than 30 calendar days without the specific approval of the license division, such license shall terminate automatically without action by the license division or board.

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SECTION 14. Section 25.748 of the Washoe County Code is hereby amended as follows:

25.748 Renewal of business license; notification of fee due date; requirement to pay quarterly license fee, changes in location, ownership and fictitious name; transfers not allowed; annual report.

1. All licensees required to have a ~~marijuana~~ **cannabis** establishment license under the provisions of this ~~ME CE~~ Code who desire to renew an existing valid county ~~marijuana~~ **cannabis** establishment license are required to pay the quarterly license fees established by the board in the master business license fee schedule.
2. As a courtesy only, the license division may attempt to notify each licensee of the due date of any fees required in this chapter. However, neither the license division's failure to attempt such notification nor the failure of the licensee to actually receive such notice excuses the licensee from a timely tender of such fees.
3. A ~~marijuana~~ **cannabis** establishment license issued pursuant to the provisions of this ~~ME CE~~ Code is a quarterly license. The license may be renewed, subject to the provisions of this section of this ~~ME CE~~ Code, provided that the ~~marijuana~~ **cannabis** establishment has paid in full the required quarterly license fee.
 - (a) No ~~marijuana~~ **cannabis** establishment license may be renewed for a new physical location of the establishment until a county ~~marijuana~~ **cannabis** establishment relocation application has been approved by the board.
 - (b) The license division must be notified of any changes to a ~~marijuana~~ **cannabis** establishment's ownership as part of the renewal for a license. The licensee shall provide proof that the ~~department~~ **CCB** has approved the ownership change.
 - (c) If the licensee engages in business under a fictitious name, the licensee must notify the license division if the fictitious name is changed as part of the renewal for the license. The licensee shall provide a copy of an updated fictitious name certificate issued by the county clerk.
4. ~~Marijuana~~ **Cannabis** establishment licenses issued under this chapter are issued only to the applicant and may not be transferred to another person.
5. Each licensee shall provide the license division an annual report, due no later than December 31 of each year, which contains the following:
 - (a) A copy of the most recent ~~department~~ **CCB** license for a ~~medical marijuana~~ **cannabis** establishment and/or a ~~marijuana~~ establishment; and
 - (b) A copy of the ~~department's~~ **CCB's** most recent inspection of the ~~marijuana~~ **cannabis** establishment.

SECTION 15. Section 25.752 of the Washoe County Code is hereby amended as follows:

25.752 Denial of application, application for renewal; or relocation request.

In addition to the provisions of section 25.018 of this chapter, a ~~marijuana~~ **cannabis** establishment license application, an application for renewal of a ~~marijuana~~ **cannabis**

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establishment license, or a ~~marijuana~~ **cannabis** establishment relocation application may be denied upon one or more of the following:

1. Determination by the license division that the application or the establishment is not in compliance with the provisions of NRS ~~Chapters 678A-D 453A, NRS 453D~~ or this chapter.
2. An owner, officer, board member, shareholder, manager, or other natural person having some form of ownership or control over the business provides false or misleading information to the county.
3. The failure to pay any fees required by this chapter, by this ~~ME CE~~ Code, and/or by the master business license fee schedule adopted by resolution of the board.
4. The failure or refusal of an applicant, or of a licensed ~~marijuana~~ **cannabis** establishment, to comply with any of the provisions of NRS ~~Chapters 678A-D 453A, NRS 453D~~ or this chapter.
5. The failure or refusal of a licensed ~~marijuana~~ **cannabis** establishment to carry out the policies and procedures or comply with the statements provided to the county with the application for the ~~marijuana~~ **cannabis** establishment.
6. The failure or refusal to cooperate fully with an investigation or inspection by the county.
7. The failure to comply with the provisions of NRS 372A and NAC 372A governing the imposition of an excise tax on ~~marijuana~~ **cannabis** establishments.
8. The failure to provide a valid and current ~~department~~ **CCB** license for a ~~medical marijuana~~ **cannabis** establishment and/or a ~~marijuana~~ establishment with the annual report required by section 25.748 of this ~~ME CE~~ Code.

SECTION 16. Section 25.756 of the Washoe County Code is hereby amended as follows:

25.756 Onsite use prohibited; **exceptions**; waste disposal; graffiti removal; display of licenses.

1. **Except as provided within a licensed cannabis consumption lounge**, ~~No marijuana~~ **no cannabis** shall be smoked, eaten or otherwise consumed on the premises of a ~~marijuana~~ **cannabis** establishment.
2. ~~Marijuana~~ **Cannabis** remnants, ~~marijuana~~ **cannabis** infused products, bi-products, and other waste material shall be disposed of in a safe, sanitary and secure manner, in a location and manner approved by the ~~department~~ **CCB** and the sheriff's office. Any portion of the ~~marijuana~~ **cannabis** remnants, products or bi-products being disposed of will be rendered unusable before disposal, will be protected from being possessed or ingested by any person or animal, and shall not be placed within the **cannabis** establishment's exterior refuse containers.
3. Any graffiti that may appear on the ~~marijuana~~ **cannabis** establishment shall be removed or covered within 48 hours, upon discovery or when notice is given by the sheriff's office, whichever occurs earlier.

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4. A ~~marijuana~~ **cannabis** establishment shall post its ~~department~~ **CCB** license or licenses, county ~~marijuana~~ **cannabis** establishment license and any other authorization to conduct business in a conspicuous place within the **cannabis** establishment.

SECTION 17. Section 25.760 of the Washoe County Code is hereby amended as follows:

25.760 **Adult use cannabis retail store;** ~~Retail marijuana store/medical dispensary;~~ **medical cannabis dispensary;** age limitations; warning signs; public access; paraphernalia; display of merchandise.

1. No person under 21 years of age shall be in **an adult use cannabis retail store** ~~a retail marijuana store/medical dispensary~~ **or medical cannabis dispensary** unless the person is accompanied by a parent or guardian for the purpose of acquiring medical ~~marijuana~~ **cannabis** with a valid state identification card or letter.
2. The license division may require any reasonable warning signs to be posted in a conspicuous location in each **adult use cannabis retail store or medical cannabis dispensary.** ~~retail marijuana store/medical dispensary.~~
3. Public access to **adult use cannabis retail stores or medical cannabis dispensaries** ~~a retail marijuana store/medical dispensary~~ is limited to the hours of operation, **and** not earlier than 8:00 a.m. ~~and not~~ **nor** later than midnight. Hours of operation must be posted in a visible location that can be seen by persons entering the **adult use cannabis retail store or medical cannabis dispensary.** ~~retail marijuana store/medical dispensary.~~ Changes to the hours of operation must be approved in advance by the license division.
4. Selling, giving, or providing paraphernalia or other supplies related to the administration of medical ~~marijuana~~ **cannabis** to a patient may only be made to a patient holding a valid identification card or letter, or to the designated primary caregiver of such a patient.
5. No ~~marijuana~~ **cannabis** or associated paraphernalia shall be displayed or kept in a ~~marijuana~~ **cannabis** establishment so as to be visible from outside the licensed premises.

SECTION 18. Section 25.764 of the Washoe County Code is hereby amended as follows:

25.764 Registration cards.

1. All agents, employees, and volunteers working at a ~~marijuana~~ **cannabis** establishment shall obtain a registration card issued by the sheriff in conformance with sections 25.0451 through 25.0459, inclusive, of this chapter. To obtain the registration card, a copy of the ~~marijuana~~ **cannabis** establishment agent registration card issued by the ~~department~~ **CCB** and personal histories shall be required on forms provided by the sheriff.
2. The sheriff's office shall note the applicant's role in the ~~marijuana~~ **cannabis** establishment on the registration card. Agents, employees, and volunteers shall display on their person the registration card at all times when working in a ~~marijuana~~ **cannabis** establishment. Registration cards may be denied, revoked, suspended or not renewed when a person:
 - (a) Has been convicted of an excluded felony offense;
 - (b) Is less than 21 years of age;

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- (c) Previously had a department ~~CCB~~ **marijuana** establishment agent registration card revoked;
- (d) No longer has a valid department ~~CCB~~ **marijuana cannabis** establishment agent registration card;
- (e) Is no longer employed by the ~~marijuana~~ **cannabis** establishment;
- (f) Provides false or misleading information to the county; or
- (g) Knowingly violates any provision of NRS **Chapters 678A-D, as amended**, ~~453A, NRS 453D~~ or this chapter.

SECTION 19. Section 25.768 of the Washoe County Code is hereby amended as follows:

25.768 Permission for entry and reasonable inspection.

1. Submission and subsequent approval of an application for a ~~marijuana~~ **cannabis** establishment license constitutes permission for entry to and reasonable inspection of the establishment by the license division, sheriff, fire marshal, or the health district officer, or their designees, with or without notice. Such inspection may require more than one visit to the ~~marijuana~~ **cannabis** establishment.
2. The license division, sheriff, fire marshal, or the health district officer, or their designees, may, upon receipt of a complaint against a ~~marijuana~~ **cannabis** establishment, except for a complaint concerning the cost of services, conduct an investigation, with or without notice, into the premises, facilities, qualifications of personnel, methods of operation, policies, procedures and records of that establishment or any other establishment which may have information pertinent to the complaint.
3. The license division, sheriff, fire marshal, or the health district officer, or their designees, may enter and inspect at least annually, with or without notice, each building or the premises of a ~~marijuana~~ **cannabis** establishment to ensure compliance with standards and regulations for business licenses, safety, health, and sanitation.

SECTION 20. Section 25.772 of the Washoe County Code is hereby amended as follows:

25.772 Recovery of costs for compliance inspections, reviews and other tasks.

Each county department or public agency which performs inspections, reviews or other tasks related to ensuring that a ~~marijuana~~ **cannabis** establishment is in compliance with this ~~ME CE~~ Code may recover the costs directly associated with the inspections, reviews or other tasks directly from the ~~marijuana~~ **cannabis** establishment following the provisions outlined in NRS **Chapters 678A-D** ~~453A.330~~, as amended.

1. Such costs are identified as cost recovery fees and deemed a fee pursuant to section 25.728 of this ~~ME CE~~ Code. The penalties for non-payment of reported cost recovery fees by a ~~marijuana~~ **cannabis** establishment as established in NRS **Chapters 678A-D** ~~453A.330~~, as amended, are a debt due to the county.

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2. Costs may include the hours the department or public agency's employees spend performing inspections, reviews and tasks; the rate of pay of each such employee; and, the share of any costs for equipment for the department or public agency which is directly attributable to the ~~marijuana~~ **cannabis** establishment.
3. Appeals by a ~~marijuana~~ **cannabis** establishment of any imposed cost recovery fees shall follow the provisions of NRS ~~Chapters 678A-D 453A-330~~, as amended, and shall be made to the board. The board shall follow the provisions of this chapter and of NRS ~~Chapters 678A-D 453A-330~~, as amended, as appropriate in determining the outcome of the appeal.

SECTION 21. Section 25.776 of the Washoe County Code is hereby amended as follows:

25.776 Revocation of license, board hearing.

In addition to the provisions of sections 25.018 and 25.037 of this chapter, a ~~marijuana~~ **cannabis** establishment license may be revoked if one or more of the following events occur. Revocation shall follow the provisions of sections 25.0380 through 25.0387, inclusive, of this chapter and, except as otherwise provided, shall include a hearing before the board. The ~~department~~ **CCB** shall be notified by the license division in the event of a revocation.

1. Failure to comply with any provisions of this chapter.
2. Misrepresentations or material misstatements of the licensee, its agents or employees.
3. Selling, serving, giving away or dispensing medical ~~marijuana~~ **cannabis** to any person without a valid identification card or letter, or a patient's designated primary caregiver.
4. Selling, serving, giving away or dispensing ~~marijuana~~ **cannabis** to any person less than 21 years of age.
5. Employing or using an agent, employee, or volunteer in a ~~marijuana~~ **cannabis** establishment who:
 - (a) Does not possess a valid ~~marijuana~~ **cannabis** establishment agent registration card issued by the ~~department~~ **CCB** and a valid county registration card;
 - (b) Has been convicted of an excluded felony offense; or
 - (c) Is less than 21 years of age.
6. An owner, officer, board member, shareholder, manager, or other natural person having some form of ownership or control of the ~~marijuana~~ **cannabis** establishment, or the property owner on which the establishment is located, has been convicted of an excluded felony offense.
7. Acquiring usable ~~marijuana~~ **cannabis** or mature ~~marijuana~~ **cannabis** plants from any person other than those persons authorized pursuant to NRS ~~Chapters 678A-D, as amended. 453A or NRS 453D.~~
8. Failure to allow inspectors from the license division, sheriff, fire, building and safety, or the health district to conduct required inspections or to investigate complaints received, or failure to issue visitor identification badges to the same.

SECTION 22. Section 25.780 of the Washoe County Code is hereby amended as follows:

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25.780 Actions upon suspension or revocation.

A license may be suspended or revoked in accordance with this ~~ME~~ **CE** Code. If the county revokes or suspends a ~~marijuana~~ **cannabis** establishment license, the establishment may not remove any ~~marijuana~~ **cannabis** from the premises except under the supervision of the sheriff's office and must dispose of it in a manner and location approved by the ~~department~~ **CCB** and/or the sheriff's office.

SECTION 23. Section 25.784 of the Washoe County Code is hereby amended as follows:

25.784 Immediate revocation of license, no board hearing.

In addition to the provisions of sections 25.018 and 25.037 of this chapter, a ~~marijuana~~ **cannabis** establishment license shall be immediately revoked upon one or more of the following events occurring. There is no hearing before the board for immediate revocation pursuant to this subsection. Immediate revocation pursuant to this subsection is a final order subject to judicial review.

1. Notification to the license division that the ~~department~~ **CCB** has revoked the ~~department~~ **CCB** license for a ~~medical marijuana~~ **cannabis** establishment, ~~or a marijuana establishment;~~ or
2. Failure to maintain a valid and current ~~department~~ **CCB** license.

SECTION 24. Section 25.788 of the Washoe County Code is hereby amended as follows:

25.788 Restriction on county employees.

1. No county employee responsible for implementing or enforcing the provisions of the ~~ME~~ **CE** Code, ~~or NRS Chapters 678A-D, as amended, 453A or NRS 453D~~ may have a direct or indirect financial interest in a ~~marijuana~~ **cannabis** establishment, or be employed by or be a volunteer at a ~~marijuana~~ **cannabis** establishment.

SECTION 25. Section 25.792 of the Washoe County Code is hereby amended as follows:

25.792 No county liability, indemnification.

1. By accepting a ~~marijuana~~ **cannabis** establishment license issued pursuant to this ~~ME~~ **CE** Code, the licensee waives and releases the county, its officers, elected officials, employees, attorneys and agents from any liability for injuries, damages or liabilities of any kind that result from any arrest or prosecution of **cannabis** establishment owners, operators, employees, clients or customers for a violation of state or federal laws, rules or regulations.
2. By accepting a ~~marijuana~~ **cannabis** establishment license issued pursuant to this ~~ME~~ **CE** Code, all licensees, jointly and severally if more than one, agree to indemnify, defend and hold harmless the county, its officers, elected officials, employees, attorneys, agents, insurers and self-insurance pool against all liability, claims and demands on account of any

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injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever arising out of or in any manner connected with the operation of the marijuana cannabis establishment that is the subject of the license.

SECTION 4. General Terms.

1. All actions, proceedings, matters, and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chair of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
4. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then the offending provision or term shall be excised from this Ordinance. In any event, the remainder of this Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

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Passage and Effective Date

Proposed on _____ (month) _____ (day), 2023.

Proposed by Commissioner _____.

Passed on _____ (month) _____ (day), 2023.

Vote:

Ayes:

Nays:

Absent:

Washoe County Commission Chair

ATTEST:

Jan Galassini, County Clerk

This ordinance shall be in force and effect from and after the
_____ day of the month of _____ of the year _____.