



City of Bristol
Bristol, Connecticut

**ORDINANCE COMMITTEE MEETING
TUESDAY, SEPTEMBER 6, 2022
IMMEDIATELY FOLLOWING PUBLIC HEARING AT 5:30PM
MEETING ROOM 3, LOWER LEVEL
BRISTOL PUBLIC LIBRARY
5 HIGH STREET, BRISTOL CT**

AGENDA

1. Call to Order
2. Approval of Minutes
 - a. August 2, 2022
3. Public Participation
4. Old Business
 - a. Proposed Ordinance – Cannabis Establishments
 - b. Air quality issues
5. New Business
6. Committee members comments
7. Adjournment

Susan Tyler, Chair
Ordinance Committee

cc: Mayor Caggiano, City Council, Therese Pac

ZOOM INFORMATION ON NEXT PAGE

Corporation Counsel's Office is inviting you to a scheduled Zoom meeting.

Topic: Ordinance Committee

Time: Sep 6, 2022 05:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://bristolct-gov.zoom.us/j/86572500423?pwd=ZnJ1c3ZVNjFVcWdSSndVRFVoT1NTQT09>

Meeting ID: 865 7250 0423

Passcode: 123456

One tap mobile

+13126266799,,86572500423# US (Chicago)

+16469313860,,86572500423# US

Article VIII. Cannabis Establishments

Sec. 13-122. Purpose. The purpose of this chapter is to protect and preserve the public health, safety and welfare by establishing limitations, including a density limitation, on the type and number of establishments that can operate in the City.

Sec. 13-123. Definitions. All terms used in this Article shall have the same meanings as set forth in the Responsible and Equitable Regulation of Adult-Use Cannabis Act ("RERACA"), Public Act 21-1, and inclusive of the Regulations of Connecticut State Agencies, as amended from time to time.

Sec. 13-124. Establishment Limitation. No cannabis establishment shall operate in the City except for a dispensary facility, cultivator, micro-cultivator, retailer or hybrid retailer, which shall be subject to the further limitations set forth in this Article.

Sec. 13-125. Proximity Limitation.

A. No cannabis establishments shall be permitted to operate on a site that is within 250 feet of any school, church, hospital, municipal park or municipal recreational facility. Said distance requirement shall be measured by taking the nearest straight line between the respective lot boundaries of said sites.

B. Cannabis establishments shall be restricted to the BG, BD, BHC, I and IP zones, provided such establishment can otherwise satisfy zoning regulations for operating in such a zone.

Sec. 13-126. Approval Required and Density Limitation. With the exception of a dispensary facility currently operating in the City that converts to a hybrid retailer, any retailer, hybrid retailer, cultivator or micro-cultivator must obtain approval from the City Council to operate in the City. Approvals shall be limited to no more retailers or hybrid retailers, and no more micro-cultivators than would result in one retailer or hybrid retailer and one micro-cultivator per thirty thousand residents.

Sec. 13-127. Approval Process. Upon obtaining all licenses required pursuant to RERACA and all approvals required by the Planning Commission and/or the Zoning Commission, any retailer, hybrid retailer or micro-cultivator seeking to do business in the city shall apply to the City Council for permission to do so in the form and manner required by the City Council. Approval shall be obtained with a majority vote of members present to approve an applicant at a City Council meeting. In no event may the City Council approve more than one retailer or hybrid retailer and one micro-cultivator per thirty thousand residents.

Sec. 13-128. Changes to an Approved Retailer, Hybrid Retailer or Micro-Cultivator. Should an approved retailer, hybrid retailer or micro-cultivator change its location after approval by the City Council, or substantially change its approved site plan, or have its state license suspended or revoked, the retailer, hybrid retailer or micro-cultivator must again seek approval to operate in the City through an application to City Council.

13-129. Appeals. Any retailer, hybrid retailer or micro-cultivator who is denied an application by the Council may appeal that decision within 30 days to a joint meeting of the City Council and the Board of Finance, which will rehear the application and can overturn a City Council denial with a majority vote of Council and Board of Finance members present, provided that no appeal shall result in more than one retailer or hybrid retailer and one micro-cultivator per thirty thousand residents.

Sec. 13-130. Prohibited Conduct. No person shall gift, sell or transfer cannabis to another person:

(1) To induce, or in exchange for, any donation for any purpose, including, but not limited to, any charitable donation or any donation made to gain admission to any event;

(2) At any location, other than a dispensary facility, retailer or hybrid-retailer,

(A) where a consumer may purchase any item other than cannabis, a cannabis product or services related to cannabis, or

(B) that requires consideration, including, but not limited to, membership in any club, in order to gain admission to such location; or

(3) As part of any giveaway associated with attendance at any event, including, but not limited to, any giveaway made by way of a door prize, goodie bag or swag bag. The provisions of this subsection shall not be construed to prohibit any gift of cannabis between individuals with a bona fide social relationship, provided such gift is made without consideration and is not associated with any commercial transaction.

Sec. 13-131. Fine for Prohibited Conduct. Any police officer or other person authorized by the chief executive officer of the municipality may issue a citation of \$500 to any person who commits such a violation for each violation.

Sec. 13-132. Savings clause. Should any court of competent jurisdiction declare any section, clause or provision of this article to be unconstitutional or unlawful, such decision shall affect only such section, clause or provision so declared unconstitutional or unlawful, and shall not affect any other section, clause or provision of this article.