

ORDINANCE NO. 2018-01

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SNOWFLAKE, ARIZONA, AMENDING THE SNOWFLAKE TOWN CODE, BY ADDING TITLE 4, CHAPTER 6, ENTITLED "INDUSTRIAL HEMP".

BE IT ORDAINED by the Mayor and Town Council of the Town of Snowflake, Arizona, that Town Code Title 4, be amended by adding Chapter 6 to read as follows:

Chapter 6
INDUSTRIAL HEMP

4-6-1: PURPOSE:

This chapter defines the requirements for the cultivation and processing of Industrial Hemp as established by Arizona Revised Statutes section 3-311 et seq., and regulates the cultivation and processing in order to protect, enhance, and promote the health, safety and welfare of individuals within the Town of Snowflake.

4-6-2: DEFINITIONS:

The following definitions shall apply in the interpretation and enforcement of this chapter:

"AGRICULTURAL PILOT PROGRAM" Means the Industrial Hemp program that is designed to research the growth, cultivation, and marketing of industrial hemp, hemp seeds and hemp products as authorized by A.R.S. 3-311 et. seq. and the rules and orders adopted by the Director of the Arizona Department of Agriculture.

"DEPARTMENT" Means the Arizona Department of Agriculture.

"GROWER" Means an individual partnership company or corporation that propagates Industrial Hemp pursuant to A.R.S. 3-311 et. seq. and the rules and orders adopted by the Director of the Department

"HARVESTER" Means an individual partnership company or corporation that is licensed by the Department to Harvest Industrial Hemp for a licensed Grower.

"INDUSTRIAL HEMP" Means the plant Cannabis Sativa L. and any part of such a plant, whether growing or not with a Delta-9 Tetrahydrocannabinol concentration of not more than three-tenths percent on a dry-weight basis.

"INDUSTRIAL HEMP SITE" Means the location at which a Grower, Harvester, Transporter or Processor possesses Industrial Hemp

"LICENSE" Means the Authorization that is granted by the Department to propagate, harvest, transport, or process Industrial Hemp

"PROCESSOR" Means an individual partnership company or corporation that is licensed by the Arizona Department of Agriculture to receive Industrial Hemp for processing into hemp products and hemp seeds.

"TRANSPORTER" Means an individual partnership company or corporation that is licensed by the Arizona Department of Agriculture to transport Industrial Hemp for a licensed Grower to a Processor.

4-6-3: INDUSTRIAL HEMPSITES:

Industrial Hemp Sites are subject to the following conditions and limitations:

A. The applicant shall provide:

1. A copy of the License issued by the Department of Agriculture which authorizes the operation of an Industrial Hemp Site.
2. A map showing the location of all medical marijuana cultivation locations within ten (10) miles of the proposed Industrial Hemp Site

B. Industrial Hemp Sites may be permitted as a special use in AG, LI, and GC zoning districts.

C. Shall not be located within ten (10) miles of a medical marijuana cultivation location. This distance shall be measured as a straight line, without regard for intervening structures or jurisdictional boundaries, from the lot line of the property on which the Industrial Hemp Site is proposed to be conducted to the nearest lot line of the medical marijuana cultivation location.

D. Shall not be located within five hundred feet (500') of a residentially zoned property. This distance shall be measured from the lot line of the property in which the cultivation is conducted or proposed to be conducted to the property boundary line of the residentially zoned property.

E. Shall not be located within one thousand feet (1,000') of a preschool, kindergarten, elementary, secondary or high school, place of worship, public park, public cemetery, or community center. This distance shall be measured from the lot line of the property in which the cultivation is conducted or proposed to be conducted to the property line of the protected use.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Snowflake, Arizona, this _____ day of August 2018.

Attest:

Lynn Johnson, Mayor

Katie Melser, Town Clerk

Approved as to Form:

Robert M. Hall, Town Attorney