

Safety Committee Minutes

Honorable Council
City of Newark, Ohio
June 5, 2024

The Safety Committee met in Council Chambers on June 3, 2024 following the Service Committee meeting with these members present:

Mark Labutis, Chair (Jonathan Lang sitting in for Mark Labutis)
Bill Cost
Beth Bline
Michael Houser
Jeff Rath

We wish to report:

1. **Discussion of Ordinance No. 24-20** AN ORDINANCE AMENDING CHAPTER 850 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO, TO IMPOSE LICENSING REQUIREMENTS FOR ADULT USE MARIJUANA FACILITIES, TO LIMIT THE NUMBER OF MARIJUANA DISPENSARIES OPERATING WITHIN THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

Mr. Houser – Mr. Chair, I can speak on this piece of legislation if that's acceptable? I know the last Council Committee meeting we had regarding economic development there was discussion around expanding the conditional use areas of zoning. This is kind of another piece to that. I will state that as far as the content of legislation which I'll go over in a little bit, wasn't intimately involved in the crafting of this. My insistence on this legislation was that it would limit the number of licenses that would be granted for recreational dispensaries to the three medical facilities that currently have those medical licenses. I had made comments at the last council meeting how I thought it was important that we respect the fact that voters in the state of Ohio determined that they wanted to have recreational marijuana in our state. I think that is important to recognize that. I think the other element to this that's important as well is that we need to look after our community in a careful way. So, as this legislation is being drafted and discussed, my insistence was again that the three license limit be placed in any licensing legislation that was fit to come in front of committee. So, that's contained in here. This licensing ordinance has a lot of similarities to our medical licensing. Obviously, that cap is specifically in there. There is also a penalty section that deals with criminal penalties in the licensing for non-compliance with the licensing requirements. There's a \$500 license fee, and that's due also upon renewal. There are various clauses in here that maybe we'll have questions about. I know the Law Director and Safety Director are here as well to talk through that.

Mr. Cost – Thank you, Mr. Houser.

Ms. Bline – I am of the same mind as Mr. Houser in that there's a lot of ambiguity as far as where our law enforcement and safety forces are concerned. There's a lot to think about. This is new territory. I'm also concerned for the community impact as well and how it will affect the (inaudible). I was looking at the map, and met with citizens last night, they called me out of concern for it. There is just a lot of ambiguity about this. They're concerned about their neighborhoods, and these establishments having impact on their neighborhoods, and most are quite content to leave where the establishments are right now. As far as looking at the map of the state of Ohio, Licking County has three establishments already. Most of the state have two or less. So, we are far and above most of the state.

Mr. Cost – Thank you.

Mr. Rath – I think as far as the licensing goes I don't see anything ambiguous about it at all. It basically mirrors and reflects the same licensing requirements that we had with medicinal marijuana. We're not necessarily here to regulate medicinal marijuana any more than we are here to regulate recreational use. The main purpose of licensing medicinal use was for us just to gather information for our law enforcement, our safety forces to be able to enter the facilities and be able to have consent to search as needed. The three medicinal marijuana facilities that we have have been a very good addition to the city of Newark. As far as limiting the number of dispensaries, you know when we talked about this with medicinal marijuana was the one that championed waiving of the number because I'm (inaudible) market. If we allow business to function in the city of Newark, I think that market will dictate the amount of volume that that business will do. So, I have a real problem with limiting the number. That's not our role. It's the state's role. Just like it's the state's role to limit the number of liquor permits in a specific area. As far as being specific on the licensing, that is also the State's role. They are going to dictate what is allowed and what is not allowed within the state, and we're going to dictate how they can apply state law with our specific requirements within the city of Newark. Then to come out and say that the only people that are allowed to do this are the three businesses who are currently doing medicinal marijuana. For one, I haven't heard from any of them. If they want to do recreational marijuana. This is absolutely showing favoritism. We're picking winners and losers. This would be no different than if I came out and said ok from this day forward, in the city of Newark if you're going to buy a home, the only place you can finance that home is Park National. They're the only ones allowed to lend money in the city of Newark. Or if I said if you got a car and you want to buy car insurance, you have to buy it from State Farm. Nobody else. You can't get insurance from anybody else but State Farm. Or if you want to put gas in your car, BP is the only service station allowed to service in the city of Newark. I think it's the same thing. It's an extreme example, I know that, but I think it's the same thing. For that reason, I know Lang has prepared this legislation, and I'm interested in what he has to say. Honestly, I think that we need to eliminate the limits. If we want to impose specific areas you were talking about. You said you were worried about. We've done that with (inaudible), and that's not even solid yet. The Planning Commission has the ability to accept it, totally deny it, or make recommendations and change that. I know right now the state is saying that you can't have recreational dispensaries within one mile of each. If we do that, it automatically limits, eliminates one of our three medical marijuana dispensaries

because we have two that are virtually next door to each other. So, we can limit this as much as we want as far as geographic location. That's what we did with medicinal marijuana dispensaries. We were very, very specific. That worked well. Along with that, there is another provision in this legislation that gives the Safety Director the ability to decline a license at his discretion. That doesn't give him sole ability, because if he does decline, then they can bring that to Council, and Council can decide to support that decision or not. That also gives us the ability to further restrict where we want facilities to be. People say, we're going to have one on every street corner just like vape shops. That is a ridiculous statement. We can regulate this. We can monitor this. Control this. We can assure that that is not the case. But for us to legislate where three specific businesses ventured into this real business, and only those three businesses alone, nobody else anywhere in the world, will be allowed to do business in Newark. These three businesses.

Mr. Lang – Thank you, Mr. Chair. I guess first I'll say I'm not sure I understand the need for an emergency clause on this given that the state hasn't issued final licensing rights yet or started issuing licenses. We also don't have our zoning finalized. To me, I don't understand why we would include the emergency clause on this. As far as the limit goes, I certainly agree with a lot of what Mr. Rath had to say. I'm certainly not in favor of, I don't want us to end up with a dispensary on every street corner. I think most everybody in the room would agree with that sentiment. I think there are better ways to do it than to say these specific businesses are going to be given the opportunity, and only these businesses, will be given the opportunity to participate this new market. If we are concerned about how many dispensaries we have, I think the way to do it is with our zoning. I think this map that we have sitting here in front of us is a great start. I would welcome any suggestions anyone has as far as, hey, do we not want to put it in all of these zones? The state has in their regs a one-mile buffer. Now, those regs aren't finalized yet, but they have a one-mile buffer between dispensaries. We could put that into our zoning code. We could be more. We could say a mile and a half. Two miles. All of those are other tools we have that have the effect of keeping a limit, but still allowing the free market to operate in a society I would like to keep capitalist. I think this is a very government prescriptive kind of proposal to say we're going to pick the three winners, and those three people forever, because I don't see a timeline on this either, will forever be the only ones that can participate in this market. I probably have more questions, but that's all I have to say.

Mr. Cost – I'll make it very clear again. I've said this before. I've always been in total objection to legalizing recreational marijuana in any shape or form. So, that puts me over in a different area. I certainly wouldn't, in my opinion, I wouldn't want to see there be more than three. The three that we've had with the medical marijuana sounds as if they've been successful. Sounds like it's been a good thing to happen. When we went through that, I don't think anybody was real sure how that was going to work out either. But, I would agree that I don't want to see the vape shops and the whatever you want to call those other stores, offering recreational marijuana. Does the Law Director or the Safety Director want to weigh in on any of this whatsoever?

Tricia Moore, Law Director – There's just a couple things that I wanted to clarify that are kind of misunderstood. First of all, there was a question as to whether or not you were showing favoritism because we're limiting it to the three. That's essentially what the state is

doing. The State's first round of licenses are going to the medical dispensaries. They're not (inaudible). We're really not doing anything that the state is not doing.

Mr. Lang – Mr. Chair, can I ask a question? The regs are not finalized yet, so we can't say, I mean, the last and final regs I saw said that they were giving them more chances, but you could still apply for adult use.

Director Moore – So, the medical marijuana applications are coming out June 7th for dispensaries to convert. So, they are not subject to the lottery or anything like that.

Mr. Cost – Medical marijuana or recreational use marijuana?

Director Moore – Medical marijuana dispensaries can apply, that application comes out June 7th. They can apply to convert their license to a dual use. They will be giving out those licenses by September 7th. We don't know, I mean, they've given them a deadline to September. Do we know if it's going to happen before then? I don't know. I can't say that. I do know that the applications do come out June 7th. I can also tell you that our zoning inspector, who I have asked to be here at the next, if this does make it through committee, at the next council meeting, is getting calls from our local dispensaries wanting to get ready to distribute adult use. He is asking for some guidance, and of course we're kind of waiting on this which is why I think the emergency is so important on this is because limitations will steer his zoning one way. No limitations leave it open to wait for zoning, and (inaudible) when we do have medical dispensaries that are going to be applying for licenses beginning June 7th. There are some things that we need to go through with them to make sure that they are within the zoning regulations as they currently exist.

Mr. Rath – I'm totally confused and lost of what you just said.

Director Moore – Ok. What are you confused about?

Mr. Rath – What you just said. Be specific. I'm not sure what you just said. You said we can't restrict, we can restrict with zoning but we need to restrict because zoning is not restricting?

Director Moore – What I'm trying to explain is that you made some statements that we're showing favoritism. Well, the state is also showing favoritism in the fact that it's giving licenses first to medical dispensaries already in operation. That's what the state is doing. Also, the fact that it was brought up that it's the state's job to set limits. Well, it is has specifically given the city the power to limit or restrict adult use marijuana. So, that has been given through the Ohio Revised Code (ORC) to cities. So, they do give us that option. What I'm trying to explain is that right now we're in limbo. The Zoning Inspector is getting calls from the current medical dispensaries wanting to expand their business. There are some zoning issues that we have to go through with them, but the question is, what is Council doing with adult use? That's why we want to get it through. Have Council figure out how are we going to address this?

Mr. Rath – What zoning issues would we have to go through if we've already put in zoning limitations on medical marijuana? They applied and met those standards. I'm going to imagine that recreational use is going to be very similar. There is no zoning at all for adult use. So, there are no zoning restrictions at all.

Director Moore – We talked to the Zoning Inspector about that, and one of his things was, and what the ORC is clear about is that it requires a city to act to restrict or prohibit. So, I spoke to him, because we were talking about last time the zoning, like well, adult use is not

in the zoning code then they can't do that. I don't think that is true after talking to Mr. Carter. Mr. Carter would see them as a retail, and they could go in where retail businesses are allowed, because there is nothing in our zoning code to prohibit, and we haven't acted to prohibit. Which is how vape stores ended up. He talked about the emergency calls and us wanting to get that through so that we can get some guidance. Some of the Board of Zoning (BZA) things that we have to work through is when all of these dispensaries...

Mr. Lang – I'm sorry. Can I ask a clarifying question? My understanding of the licensing is that you have to get a state license, you have to go through the Board of Zoning and get conditional use approved, and then you can apply for a license?

Director Moore – Correct.

Mr. Lang – So we are talking about something that happens after all the zoning, but I'm hearing the emergency is all driven because of zoning.

Director Moore – Well, because George doesn't tell, doesn't know if we're going to limit it to the three or if we're going to open it up.

Mr. Lang – But that's not a zoning (inaudible) concern. It's a safety concern. The Safety Director is issuing licenses after zoning is done.

Director Moore – It is, but we could have, I guess it depends on when the state is going to open it up. If the state opens it up...

Mr. Lang – You're also saying that the state is only opening it up to medical, and you want to propose a limit that only allows the medical to apply.

Director Moore – But also our zoning is being opened up further for dispensaries. Would you agree with that? It's being added to some industrial areas that it wasn't in before.

Mr. Lang – It's not final. I know what it's going to be.

Director Moore – I understand that, but the legislation that was before the Planning Commission, and will be after tonight, opens up the areas more than it was before because we added them to industrial. Would you agree with that?

Mr. Rath – No.

Director Moore – Did you say no?

Mr. Rath – Yeah, absolutely I say no.

Director Moore – Ok. Well, it has been added to some areas.

(Several people talking)

Director Moore - My point is that also within our 10B licenses which will be the next to be issued, and what those would be is that dispensaries who are already in operation may also get an additional license to be at another location. In theory, our three medical could turn into six.

Mr. Lang – Do we know that all three medical are going to be permitted?

Director Moore – According to the facts on the Department of Commerce, all medical dispensaries will be grandfathered in. It will be given an adult use license. Then they may also apply for another adult use license at a location that is permitted, as long as there's no restrictions or moratoriums.

Mr. Rath – So, you're saying that we're opening up more areas, but in order for them to get a license from us and operate within the city of Newark, they first have to get a license from the city. Then they have to come to the Board of Zoning and Appeals.

Director Moore – Not unless their licensing passes and the zoning passes.

Mr. Rath – Whether the zoning passes or not it doesn't really matter. Licensing does. They have to go to the BZA.

Director Moore – If our licensing passes, yes that's correct.

Mr. Rath – They have to go to the BZA. The BZA has the ability to say no. If the BZA says yes, our Safety Director still has the ability to say no. Then it comes to Council for a decision. So, to say that it's opened up just because it's not on a green spot on the map doesn't mean that we're going to permit a facility in that area.

Director Moore – I'm just talking generally that we did add dispensaries to places it wasn't before. I just wanted to clarify some things that I thought were misunderstood. Obviously, this is a gray area. We're going into unknown territory. We're trying to keep up with the state as it's continuing its process. I don't think the favoritism argument works because we're doing what the state's doing.

Mr. Rath – So, we're not doing what the state is, because the state is simply allowing the medicinal marijuana facilities to apply first.

Director Moore – Right.

Mr. Rath – So, they're (inaudible). We have medicinal marijuana allowed (inaudible) That's not what the state is doing.

Director Moore – That is what they're doing. Only medical marijuana facilities are in the first round.

Mr. Rath – I know the laws aren't laws yet, but I find it incredible difficult to believe that the state is going to come out with laws and say only medicinal marijuana facilities that exist today will be allowed to function as an adult use distributor in the future.

Director Moore – They're not saying in the future. They're saying right now only the medical marijuana dispensaries will be getting the adult use licenses.

Mr. Lang – So, we're saying right now that only medicinal are the ones that are going to be able to get the licenses. We don't know the timeline yet for anybody who's not a medicinal dispensary to apply for an adult use dispensary. Why on earth would we consider a limitation legislation prescribing who can apply in Newark forever, when we don't know when those licenses are going to be and we're going to pass it as an emergency? To me, if we're going to put together a limitation, we can certainly do so if what we're hearing is the state is going to do the medicinal first, we can actually wait and see. Do we get all three of them, is only one of them (inaudible)? Then we can look at what makes sense for Newark based on what we experienced with the medicinal. So, in my view, I don't see why we need to do this now when we're making it very clear that only the medicinal can apply anyway.

Director Moore – Right, but they can also get another license for another location is what it's appearing through the 10B.

Mr. Lang – Right now?

Director Moore – That will be the next round.

Mr. Lang – But not right now.

Director Moore – I'm not sure of their timeline. I'm not sure...

Mr. Lang – But not right now. The only ones we've heard of that are going to go forward are the medicinal.

Director Moore – The 10B is for current medical marijuana dispensaries. If they're not located with a cultivator or a processor, they can also apply for an extra license at a location as long as there's no limitations or prohibitions.

Mr. Lang – When?

Director Moore – I don't know that.

Mr. Lang – Right. So, it's not final. That's my whole point.

Director Moore – I think it's final that they're going to do this. When? I don't know.

Mr. Lang – Isn't that part of the final regs though, when they'll spell that out?

Director Moore – That's spelled out in the regulations that are current. The timelines, I don't know.

Ms. Bline – One of the components that we're not addressing is the very nature of what's happening here. We have recreational marijuana and medicinal marijuana. Medicinal marijuana has a sense of stability to it. It's scripted for the largest part. So, therefore it has a purpose. Recreational marijuana is just that. They want to recreate something. We're not talking about a bank, or a car dealership, or insurance company, or cable company that's being regulated. These things are behavior altering. They're going to alter cognitive choices. They're addictive in nature. We just went through skill games where in and of itself was ok, but what it attracted was not. Therefore, we ended up with extra police calls. We ended up with some places getting (inaudible). 40 something calls against them. So, we have to get a hold of this. That's my point in limiting this. Especially to where they are, because they're in shopping malls, they're in places that are very public. They're not hidden. So, when these behaviors happen, it's going to be something that with three, will have the opportunity to work through this new ground.

Mr. Marmie – Thank you, Bill. I feel like I jumped back to prohibition and that's kind of what's happening here. I am an entrepreneur and someone who believes in free enterprise. Our city and individuals, Mr. Houser and our Law Director, are putting a limitation to the three medical marijuana facilities that right now are ineligible within our current regulations to even have a license in our city. Therefore, they're trying to prohibit it in the city of Newark in my opinion. They cannot do it right now within the city of Newark with our current laws and legislation. That's first and foremost. The sky was falling when the medical marijuana facilities were being announce as well. All the Eeyores were in and they were saying that this is going to create chaos within the city of Newark, and it didn't happen. If you think that the medical marijuana is controlled and it's limited because it's scripted, all it takes is money to get that. Anybody who wants to spend \$200 can get their medical marijuana card, just that they have back pain or something, and there are doctors that are out there that are just making loads of money on it, and it's no different than recreational. All they're doing, the state of Ohio did, is made it legal for the recreational. Trust me and the fact that there were numerous people using the medical as recreational. Not actually as medical. Back to the free enterprise, I remember on this Council when we tried to ban and limit billboards within the city of Newark. It didn't pass. Luckily, we had a lot of conservatives that understood that businesses and making sure monopolies were not in here, because they were going to grandfather the ones that were existing. Then all of a sudden, they had a monopoly. Those folks that currently had the billboards in our community. So, that did not pass because folks understood you don't want a monopoly

within our community. You want to make sure there's competitive situations in any business. The limitations should be just like what we do with billboards, with other facility as far as making sure things aren't near children, schools, churches. That's understanding. We do that through our zoning. Just because the state of Ohio says it's right that you can limit the number of businesses in your community, does not mean that it is constitutionally right, and fundamentally right, and conservatively right that we do that. That we limit any business. Anytime that government gets more involved and puts more limitations, more structure on businesses, it hurts the economy, and it can be a snowball effect. I believe in making sure that we monitor that we have the licenses. The licenses are primarily, I saw them through this whole education process. These current facilities have changed ownership I don't know how many times. Just making sure that they get the license in order so we have contact information if something were to go wrong. The thing is, we've never had to do that yet. Do I want them on every street corner? No. The voters of Newark said they want adult use marijuana within the city of Newark. They said that they wanted it in the state. Licking County did. The state of Ohio passed it. It is here. Just because individuals don't like marijuana, there's individuals that don't like alcohol. They don't want to have alcohol in the gas stations, in the grocery stores. There are states that do not allow that. Ohio does. There are many states that you cannot even sell beer in a grocery store. Doesn't happen in Ohio. I don't want to limit what we do with businesses. Do I want one on every street corner? No. That's what we do with zoning. We need to expand our zoning to make sure that it doesn't happen. Not only that, no one says that the two medical marijuana that's within a mile, that they're going to be grandfathered in, because guess what, the adult use could be denied on one of those because they are within a mile. Then it's going to be chosen. Which one of those two gets it? Zoning is where we limit where we want them. We do that through zoning. Not stating that only three that are currently in existence can go ahead and have the adult use license of which they're not eligible for with our current legislation that's in place. It's a tactic. Not only that, these are two different issues. The licensing and the limitation are two different issues. They're combined tactfully, politically, in order to try to get a vote in support. That happens at the state level and at the federal level. Not here in Newark Ohio. It's never happened. Not in my 20 years. We don't use tactics like that. That is politics. We don't have politics in the city of Newark like that. It's a political ploy, and I'm offended by it.

Mr. Houser – Thank you, Mr. Chair. First, I'm going to address the last comment that was made. It's actually called voting your conscience is actually what that is. Proving is a licensing limit that does not have those limitations would not be in line with my conscience and that's why I'm up here, and that's the way I'll vote. It's not a political motivation. To make that insinuation is interesting to say the least. We're all here voting our conscience. I'm going to assume those motives of all my colleagues. I'm going to assume that we're doing this for political gain. I can't imagine what that gain would be. There have been a lot of comparisons made to billboards, banks, State Farm. This is still a federally illegal substance. So, let's just make that comment real quick. This is not a billboard, so I think it's important that we take that into account. There was also a comment made that the voters said they wanted it within Newark. I'm not sure that's actually true. The voters said they wanted it in the state of Ohio. They didn't specifically say they wanted three locations or

any specific number of locations, so I think that's also not necessarily a correct statement. I'm not the opinion that regardless, one way or another on this issue, that it's going to cause chaos. Not that extreme on this issue. I think things will be different as we transition from medical to recreational, and as a city, we don't want to just let the state decide what our community is going to be. We want to control that message to decide what we want our community to be. I think that's what this does in a prudent and careful way. So, I will make a motion to move forward on this legislation.

Motion to send to full Council by Mr. Houser, Second by Ms. Bline,

Mr. Rath – Mr. Chair, I would like to make a motion to separate out 8507 section C, I believe.

Mr. Lang – The limitations were in 850.02B.

Mr. Rath – Then I would like to make a motion to separate out 850.02 section B. For those on Council who have not been through this before, who don't understand what I just did, if this goes through, it's two different pieces of legislation. One on the licensing, and then a separate section that limits the number of facilities and who gets to apply. (inaudible) you to have two votes on two different issues. Totally different issues.

Mr. Lang – Given that we've spent almost the entire time here talking about the limitations, there's a number of issues within the licensing we haven't even addressed. There're criminal penalties. There's a process for appeals that I think really do need to be addressed, and clearly the dispensary issue itself, the limitation, is a much more controversial issue. I think we should consider it separately. So, I'm going to second Mr. Rath's motion.

Mr. Houser – Point of order here. Is it possible to comment on that, or is that a non-discussing issue for us if we're separating question?

Mr. Cost – Not either.

Mr. Marmie – It's debatable.

Mr. Houser – I think that it was insinuated that it's a political motivation that we're trying to keep these together. I wouldn't be comfortable with a licensing procedure moving forward that didn't contain those specific limits. I don't view them as two separate issues. I view them as intimately connected as we move forward with this process. So, I will not be in support of that.

Mr. Lang – I think the reason for needing to consider them separately is that if for some reason, if we don't pass any licensing, and we pass the zoning, the Safety Director has no access, no information from the adult use facilities. I think getting the licensing through, regardless of whether you think a limit is a good idea or a bad idea, the licensing itself includes another limitation because again, it allows the Safety Director to appeal to Council to say, hey, we have too many or these or hey, any number of reasons that he might have a concern about a particular applicant. He can come to Council and appeal to us. So, I think there's a separate mechanism for that that I would be happy to move forward whether we have a limit or not. I think it's important that we move forward the licensing separately. That's why I'm in support of the motion to separate.

Mr. Marmie – Thank you, Mr. Cost. My political motivation is that when folks tie things together in order to get a vote in a manner, there are folks who whole heartedly will vote for the licensing. They want the licensing, but yet they don't want to vote, in their conscience, on the limitation. Therefore, you're putting someone in the position to vote no

on licensing, just because of the one part of it that is being tied in there as far as the limitation. The separation would allow an individual to vote no on one and yes on the other. I don't think that anybody is opposed to the licensing that I've heard of, that does not believe that we should have licensing just like we do recreational. So, tying those together forces someone to vote on whether or not you want a license, and I believe that everybody wants a license. We've done this with other pieces of legislation. Historically, when someone is opposed to a part of it, it is separated out. It's always been a professional courtesy of those on Council in order to separate that. So, then it is not used to try to get someone to vote yes just because the bigger portion is to make sure that we have the licensing. The limitation is maybe somebody wants to make a stance.

Mr. Cost – I'm going to be really honest with you. I've heard conscience, I've heard politics, I've heard federal, I've heard banks and insurance companies. I'm going to tell you what concerns me the most. What I keep hearing is we don't know yet, we haven't heard yet, the state hasn't said anything yet, something hasn't been decided yet, we're going to wait until September 7th to hear something. I feel like there are a lot more questions than answers. That's what concerns me more than anything else. I just don't think we're ready to...

Mr. Rath – I'd like to address that if you don't mind.

Mr. Cost – Sure, why not.

Mr. Rath – Like I said when I started, when we passed the legislation for licensing for medicinal marijuana, the purpose of that licensure was for any facilities who were moving into the city of Newark would communicate with us, would give us information about who the owner was, who the contacts were, what sort of business they were doing, and then also access to those facilities to our safety forces. That was it. That is licensure of medicinal marijuana in Newark. Hopefully, that's what it should be for recreational use as well. The state is going to pass a multitude of regulations. Hoops to jump through, if you will, to be able to do what they want to do. We're going to comply with each and every single one of those without a doubt, but we just want the extra added layer of saying, you can't move into Newark without telling us, without letting us know, without giving us full access. So, regardless of what the state's hoops are, this is just us protecting our own city. Again, as far as the limits go, there's plenty of ways to limit this. We have those zoning laws yet, although we have something in the works that if we choose, can be amended at any time. Ultimately, its own piece of legislation we have the ability of the Safety Director to simply say no. At that point it comes back to full Council, and the ten of us as a unit decides yes or no. So, there are plenty of safety nets in there for us to limit where this is to ensure us that it's not going where we don't want it.

Mr. Cost – One more shot then we're going to wrap this up.

Mr. Lang – I was just going to say, if we separate the question, Mr. Houser can certainly vote no on the licensing and yes on his limitation. If we don't separate the question, as Mr. Marmie said, it does put me in a quandary because I do think we need the licensing, but the limitation as written doesn't work. I really do think we need to consider these separately. There is a lot of detail in this licensing that I think we still need to discuss.

Mr. Cost – If I understand this right, we need to vote on whether or not we're going to separate the two parts of this?

Mr. Houser, Ms. Blaine, Mr. Cost vote no.

Mr. Rath, Mr. Lang vote yes.

Mr. Cost – Now we're going to go back to the original piece of legislation.

Mr. Lang – Mr. Chair, I'd like to make a motion to table given that we don't know what the regulations are. This is way premature. We still have emergency clauses in here. This is unlimited. It goes on indefinitely. I think we need to reconsider this. So, I'll make a motion to table indefinitely, but I think we should bring it back to the table when we've got final regs and we have a better idea of what the medical dispensaries are going to do.

Motion to table Ordinance No. 24-20 by Mr. Lang, Second by Mr. Rath, passed 3-0 with Mr. Houser and Ms. Bline voting no.

Safety Committee stands adjourned

Bill Cost, Chair