

**RESOLUTION
REGARDING THE ESTABLISHMENT OF
THE CITY OF RUTLAND CANNABIS CONTROL COMMISSION**

As passed by the Board of Aldermen on June 20, 2022

WHEREAS, the City of Rutland, through majority vote of those present and voting at the City's Annual Meeting on March 1, 2022, the City approved the operation of cannabis retailers and the retail portion of integrated licensees within the City of Rutland, beginning October 1, 2022; and

WHEREAS, 7 V.S.A. § 863 provides the City of Rutland with the authority to establish a cannabis control commission to issue and oversee compliance with local control licenses; and

WHEREAS, the City of Rutland Board of Alderman has determined that it is in the interest of the City of Rutland's general welfare and public safety to establish a cannabis control commission.

NOW THEREFORE be it resolved by the Board of Aldermen that:

1. "Cannabis establishment" when used in this resolution carries the same meaning as set forth in 7 V.S.A. § 861(8).
2. The Board of Aldermen hereby establishes the City of Rutland Cannabis Control Commission (hereinafter referred to as the "Commission") pursuant to the authority granted by 7 V.S.A. § 863(b).
3. The Commission shall have the power to issue local control licenses for cannabis establishments (hereinafter referred to as "License(s)"), condition issuance of such Licenses upon compliance with any ordinance adopted pursuant to the statutes listed in 7 V.S.A. § 863(b) (hereafter referred to as the "863(b) Ordinances"), and suspend or revoke such Licenses for violation of any 863(b) Ordinances.
4. Prior to applying to the Commission for a License, a prospective cannabis establishment must have applied for and received all City permits required by any 863(b) Ordinances.
5. The application for a License shall include:
 - a. A City of Rutland zoning permit along with the full findings and conditions placed upon the permit.
 - b. A City of Rutland permit for any sign the applicant proposes to display.
 - c. Either a copy of the registration materials filed with the Vermont Secretary of State for the business organization that will own and operate the cannabis establishment, or (for partnerships and sole proprietors) the list of individuals who will own and operate the cannabis establishment along with each individual's mailing address, phone number and email.

- d. A copy of all completed application materials submitted or planned to be submitted to the Vermont Cannabis Control Board for a state cannabis establishment license.
 - e. A statement designating an Agent to receive service and notices on behalf of the cannabis establishment's owners along with that Agent's address capable of receiving delivery of mail via the U.S. Postal Service.
6. The Commission shall grant or deny an application for a License within sixty (60) days of receipt of a complete License application, and the Commission shall send copies of all Licenses to the Vermont Cannabis Control Board.
7. The Commission shall have the authority to issue notices of violation relating to any 863(b) Ordinances. This Resolution does not limit the authority of any City Official or Board to issue a notice of violation of a permit or ordinance to a cannabis retail establishment.
8. The Commission shall have the sole authority to suspend and revoke Licenses for any legally allowable reason.
9. Any City Official or Board that issues a notice of violation to a cannabis establishment relating to any 863(b) Ordinances shall send the Commission a copy of the notice of violation.
10. Upon receiving notice of the issuance of a notice of violation to a cannabis establishment relating to any 863(b) Ordinances, the Commission shall decide whether to suspend the violating cannabis establishment's License.
11. If the Commission seeks to suspend the License of a cannabis establishment, it shall either:
 - a. Mail a notice of intent to suspend via certified mail to the address of the cannabis establishment's designated Agent at the address provided in the cannabis establishment's License application;
 - b. Hand deliver the notice of intent to suspend to the cannabis establishment's Agent or any owner listed on the cannabis establishment's License; and/or
 - c. Prominently tack the notice of intent to suspend on the front door of the cannabis establishment.
12. The notice of intent to suspend shall provide the cannabis establishment with a date to be heard by the Commission regarding the violation which led to the notice of intent to suspend of a License within ten (10) business days of the date of the notice.
13. After holding the hearing, the Commission must decide whether:

- a. to suspend the License until the Commission is satisfied that the violation of the License has been remedied;
 - b. place the License on probationary status, during which time the establishment must remedy the violation by a date certain;
 - c. revoke the License; or
 - d. take no action on the License.
14. Following the final action of the Commission under Section 13 hereof, the Commission shall share a copy of its decision or final action with the Vermont Cannabis Control Board.
15. The Commission may review all Licenses periodically to ensure continued compliance. The Commission may request relevant information from the holder of a License to aid in this review.
16. The Commission shall be comprised of the members of the Board of Aldermen and require the same number of members present to form a quorum as that required to form a quorum of the Board of Aldermen. The Commission may act upon concurrence of six (6) members. The Chairperson of the Board of Aldermen shall serve as the chairperson of the Commission to preside of meetings. In the absence of the Chairperson of the Board of Aldermen, the members of the Commission shall elect a different Chairperson to preside over meetings. The Chairperson shall vote.
17. This Resolution shall be read to be consistent with state statutes. The provisions of this Resolution are severable, and if any provision hereof be judged invalid, or otherwise not in accordance with law, such judgment shall not affect the validity or legal effect of any other provision.