

ORDINANCE 2021-1005

AN ORDINANCE AMENDING SECTIONS 2.06.02 (12) and 3.04 Definitions of THE ZONING ORDINANCES OF THE CITY OF ONIDA, ADOPTED BY ORDINANCE effective January 27, 2010 AS AMENDED, RELATING TO REGULATIONS FOR CANNABIS ESTABLISHMENTS

BE IT ORDAINED BY THE CITY COUNCIL OF ONIDA, SOUTH DAKOTA:

That Section 2.06.02(12)

“Principal permitted uses” (Industrial District) of the Zoning Ordinance of the City of Onida shall be amended by insertion of the following:

(12) Cannabis dispensary.

That Section .04 “Definitions,” of the Zoning Ordinance of the City of Onida shall be amended by adding the following:

“Cannabis (or Marijuana)” means all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not include the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.

“Cannabis Cultivation Facility” is further defined, in addition to the definition in SDCL 34-20G-1, as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.

“Cannabis Dispensary” is further defined, in addition to the definition in SDCL 34-20G-1, as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.

“Cannabis Establishment” means a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.

“Cannabis Product Manufacturing Facility” is further defined, in addition to the definition in SDCL 34-20G-1, as a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.

“Cannabis Products” means concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures.

“Cannabis Testing Facility” is further defined, in addition to the definition in SDCL 34-20G-1, as a legally licensed entity authorized to analyze the safety and potency of cannabis.

Passed and adopted this ___4th___ day of ___October___ 2021.

LaJena Gruis, MAYOR
City of Onida

ATTEST:

Rondha Hiller, AUDITOR
City of Onida

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