

CITY OF NORTH POLE

ORDINANCE 15-01

**AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA TO
AMEND CHAPTER 8.04 NUISANCES AND ADD SECTION 8.04.005 TO
PROHIBIT THE EXTRACTION OF MARIJUANA OILS WITHIN CITY
LIMITS.**

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WHEREAS, Ballot Measure 2 – An act to Tax and Regulate the Production, Sale and Use of Marijuana, and codified as Alaska Statutes 17.38, provides for the legalization of marijuana, was passed by the voters in the recent state election and certified on November 28, 2014 by the State of Alaska, Division of Elections; and

WHEREAS, the effective date of the state marijuana statute is February 24, 2015; and

WHEREAS, marijuana extraction of “hash oils” is an extremely dangerous process, and

WHEREAS, cooking of “hash oils” poses an extreme danger to our residents, homes and businesses, and

WHEREAS, “hash oil” cookers are not listed as approved devices in Alaska for commercial or home use, and

WHEREAS, the personal use and consumption of marijuana is not affected by the decision to ban the extraction of marijuana oils within North Pole City Limits, and;

WHEREAS, The state of Alaska has yet to determine regulations for the extracting of marijuana oils, and

~~**WHEREAS** it is extremely unlikely that the State of Alaska will establish guidelines for personal extraction of marijuana oils, and~~

WHEREAS, North Pole is interested in keeping its neighborhoods as safe as possible from fire and explosion risk.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Title 8 Chapter 4 Section .005 Marijuana oil extraction-prohibited, is hereby added to the North Pole Municipal Code of Ordinances as follows [new text in underlined italicized red font; deleted text in strikethrough font]:

Title 8
Chapter 04

Section 8.04.005 Marijuana oil, flammable extraction-prohibited.

- A. Methods to process marijuana oil using a flammable extraction method is hereby prohibited within North Pole City Limits.
- B. “Flammable extraction method” is defined as using a flammable or explosive chemical, series of chemicals or fluid to extract oil from a marijuana plant.
- C. Methods of marijuana oil extraction that do not involve flammable or explosive materials are not a violation of this section.
- D. A person or corporation that processes marijuana oil using an flammable extraction method is in violation of this section and subject to a \$1,500 (fifteen hundred dollar) fine.

Section 3. Effective date.

This ordinance shall become effective on the first City business day following its adoption.

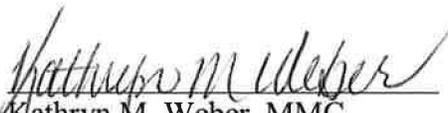
PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this 17th day February, 2015.





Bryce J. Ward, Mayor

ATTEST:



Kathryn M. Weber, MMC
North Pole City Clerk

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| <p>PASSED/FAILED Yes:7 – McGhee, Welch, Holm, Hunter, Smith, McCarthy, Ward No: 0 Absent: 0</p> |
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