

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA
Serial No. 2014-51(b)

An Ordinance Amending the Second-hand Smoke Control Code to Regulate the Use of Marijuana.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJ 36.60.005 Definitions, is amended to read:

36.60.005 Definitions.

In this chapter:

...

Enclosed public place means an enclosed area or portion thereof to which the public is invited or into which the public is permitted, including:

...

(16) Bars, private clubs, and any other enclosed place, where marijuana or alcoholic beverages are sold, or food is offered for sale.

...

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2 Marijuana means all of the plant of the genus cannabis whether growing or not, the
3 seeds thereof, the resin extracted from any part of the plant, and every compound,
4 manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin,
5 including marijuana concentrate.

6 ...
7 *Smoking* means inhaling or exhaling tobacco or marijuana smoke, or burning or
8 carrying any lighted tobacco product or marijuana, or the use of any noncombustible product
9 that provides a vapor of liquid nicotine or marijuana to the user, or relies on vaporization of
10 any liquid or solid nicotine or marijuana. This term shall include such devices whether they
11 are manufactured as e-cigarettes, e-cigars, e-pipes or under any other product name, but
12 shall not include a tobacco substitute prescribed by a licensed physician, or a tobacco
13 product that has been approved by the United States Food and Drug Administration for sale
14 as a tobacco use cessation or harm reduction product or for other medical purposes, and
15 which is being marketed and sold solely for that approved purpose.
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18 **Section 3. Amendment of Section.** CBJ 36.60.010 Smoking prohibited, is
19 amended to read:

20 **36.60.010 Smoking prohibited.**

21 (a) Smoking is prohibited in:

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24 (6) Private clubs that are licensed by the State of Alaska to sell marijuana or alcoholic
25 beverages, or that offer food for sale, regardless of the number of employees; and

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Section 4. Amendment of Section. CBJ 36.60.030 Exceptions; areas where smoking is not prohibited, is amended to read:

36.60.030 Exceptions; areas where smoking is not prohibited.

(a) Unless otherwise prohibited by State or Federal law, Smoking is not prohibited in the following places:

...

Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk