

PART 9

MEDICAL MARIJUANA REGULATIONS

ARTICLE I. – GENERAL PROVISIONS

§ 9-101 CITATION.

This Ordinance and these regulations shall hereafter be known, cited and referred to as “Medical Marijuana Permit Regulations.”

§ 9-102 DEFINITIONS.

When used in this Code, words and phrases shall have the meaning as defined pursuant to the rules adopted by the Oklahoma State Department of Health, Oklahoma Administrative Code Section 310:681-1-1, et seq., and as they may be amended from time to time.

§ 9-103 AUTHORITY, JURISDICTION AND PURPOSE.

A. The growing, processing, testing, sale or disposal of marijuana within the town is limited to that authorized by this ordinance, by Part 13, Chapter 1 of the code, (pertaining to zoning regulations), and by state law, set forth in *title 63 Okla. Stat. §427.1, et seq.*, and the Oklahoma Department of Health regulations, as shown in *Section 310:681-1-1, Chapter 681 et. seq.* as promulgated through the Oklahoma Medical Marijuana Authority, or successor agency, as amended.

All medical marijuana facilities within the Town of Slaughterville are limited to that authorized by this ordinance, and the town’s zoning regulations, set forth in Part 13, Chapter 1 of this code.

B. The disposal of medical marijuana waste within the town is limited to that authorized by the zoning ordinance by Specific Use Permit, by state law set forth in *title 63 Okla. Stat. §427a, et seq.*, through the Oklahoma Medical Marijuana Waste Management Act, and the Oklahoma Department of Health regulations, as promulgated through the Oklahoma Medical Marijuana Authority, or successor agency, as amended.

C. The processing or testing of medical marijuana within the town is limited to that authorized by the zoning ordinance by Specific Use Permit, by state law set forth in *title 63 Okla. Stat. §427.17*, through the Oklahoma Medical Marijuana Waste Management Act, and the Oklahoma Department of Health regulations, as promulgated through the Oklahoma Medical Marijuana Authority, or successor agency, as amended.

D. Medical marijuana educational facilities and research facilities within the town are limited to that authorized by the zoning ordinance by Specific Use Permit, by state law set forth in *title 63 Okla. Stat. §§427.19-427.20*, and the Oklahoma Department of Health regulations, as promulgated through the Oklahoma Medical Marijuana Authority, or successor agency, as amended.

E. Any grow facility that is designed to accommodate 5,000 plants per planting cycle within the town are limited to that authorized by the zoning ordinance by Specific Use Permit, by state law set forth in *title 63 Okla. Stat. §§427.12*, and the Oklahoma Department of Health regulations, as promulgated through the Oklahoma Medical Marijuana Authority, or successor agency, as amended.

F. The town recognizes that the medical marijuana industry and regulations, whether through the Oklahoma Medical Marijuana Authority, the Oklahoma State Department of Health, or Oklahoma State Statutes are rapidly changing. If there are minor changes between the ever-changing state regulations, as they are amended from time to time and town ordinance (such as fencing requirements, security cameras, etc.), then the state regulations shall prevail.

G. The town hereby establishes and regulates zoning requirements for all medical marijuana licensees, except individual users. These regulations establish where to grow medical marijuana, where to sell medical marijuana, where to test medical marijuana, where to process medical marijuana, where the educational and research facilities are located, and where to dispose of medical marijuana waste.

H. These regulations are for the purpose of promoting the health, safety and general welfare of the residents of the town and are being enacted with public hearings regarding the same. It is the intent that all provisions contained in all state laws, state regulations, the Federal Fair Housing Act, and with the Americans with Disabilities Act be followed in all respects and that reasonable accommodations be made when necessary. To receive a permit, all town ordinances must be followed.

- I. It is the intent of the town that nothing in this ordinance be construed to:
1. Allow persons to engage in conduct that endangers or causes a public nuisance;
 2. Allow the use of marijuana for non-medical purposes; or
 3. Allow any activity that is otherwise illegal and not permitted by state law.

§ 9-104 PERMITS REQUIRED.

A. Any growing, processing, testing, sale of medical marijuana, operating an educational or research facility, or the disposal of marijuana waste within the town that is not authorized in, or without having obtained the applicable permit provided in this ordinance shall constitute an offense.

B. All permit applicants shall obtain their state medical marijuana business license no later than sixty (60) days after obtaining the town permit or the permit and the compliance certificate will be revoked since the state license was not properly obtained.

C. If the permit is revoked as set forth in these provisions, then the permittee may be allowed to re-apply for another permit, by filling out the appropriate application and paying the appropriate fee as set forth by Resolution, once the permittee is compliant.

§ 9-105 RESTRICTIONS AND ENFORCEMENT APPLICABLE TO ALL PERMITS.

A. All permits issued pursuant to this ordinance shall be displayed in a conspicuous place at all times on the permitted premises. No permit holder may consent to or allow the use or display of the permit by a person other than the person to whom the permit was issued. No person may use a permit or exercise any privileges granted by the permit except at the place, address, premises or location for which the permit is issued. Permits issued cover only the person or entity named in the permit and shall not be refundable or transferable.

B. No person shall operate a medical marijuana facility (growing, processing, selling, educating or research, or disposing) without being issued a valid medical marijuana license from the State of Oklahoma. A copy shall be provided to the town prior to operations.

C. Any person violating the provisions of this ordinance shall be provided notice to comply with the provisions of the same. If compliance does not occur within fifteen (15) days after notice, then the town may seek relief from a district court. If this occurs, then the offender who is not complying with these provisions shall be responsible for all attorney fees and court costs incurred in the enforcement of these provisions and in any lawsuit filed.

D. Failure to comply with all the terms and provisions of this ordinance is considered a nuisance.

E. The provisions of this ordinance regarding enforcement of nuisance provisions may be enforced by any affected person through injunctive proceedings in any court of competent jurisdiction. For the purposes of this section, the word “person” shall include, but not be limited to, the Town of Slaughterville and a private citizen. In the event a lawsuit is filed, attorney fees, court costs, and all other costs to the person shall be recovered.

§ 9-106 PERMIT INSPECTIONS AND OTHER REQUIREMENTS.

A. All permits outlined in this ordinance will be subject to inspection of the facilities by an authorized municipal inspector prior to issuance.

B. The inspection prior to a permit decision will occur at a time scheduled and approved by both the applicant and the municipal inspector.

C. The applicant will be required to be present during the inspection.

§ 9-107 PROHIBITED ACTS.

A. No commercial marijuana establishment shall allow the consumption of alcohol, medical marijuana, or medical marijuana products on the premises.

B. No commercial marijuana establishment shall employ any person under the age of eighteen (18).

C. No grower, or processor shall allow for, or provide the delivery of medical marijuana products to patient license holders or caregiver's license holders.

D. No commercial establishment shall engage in false advertising, as prohibited by law. A medical marijuana business shall not engage in advertising that is deceptive, false or misleading. Medical marijuana advertising shall not contain any statement or illustration that:

1. Promotes overconsumption;
2. Represents that the use of marijuana has curative or therapeutic effects; or
3. Depicts a child or other person under legal age to consume marijuana, or includes:
 - a. Objects such as toys or cartoon or other characters, which suggest the presence of a child, or any of the depiction designed in any manner to be especially appealing to children or other persons under legal age to consume marijuana, or
 - b. Any manner or design that would be especially appealing to children or other persons under eighteen (18) years of age.

E. A medical marijuana business shall not include in any form of advertising or signage any content that specifically targets individuals under the age of eighteen (18), including but not limited to cartoon characters or similar images. (*Title 63 O.S. §427.21(B)*).

F. All commercial disposal facilities, testing facilities, educational facilities, and research facilities for medical marijuana or medical marijuana byproducts shall only be allowed under Specific Use Permits in the zoning regulations. Further, the following applies: residual Tetrahydrocannabinol (THC), which is the chemical responsible for most of marijuana's euphoric and medicinal effects, can poison animals and have adverse effects on the local ecology if improperly disposed. Furthermore, marijuana growers may use products, such as pesticides or other chemicals used in the cultivation process, certain solvents or other chemicals used in the production of marijuana concentrate, and flammable solvents for the purpose of producing a marijuana concentrate, which are all considered hazardous waste. Hazardous wastes must be disposed of properly by a registered hazardous waste transporter shipping to a hazardous waste treatment, storage and disposal facility (TSDF). Furthermore, if a licensee generates waste that are regulated hazardous wastes, then the licensee must comply with all Environmental Protection Agency rules and regulations before the wastes can be accepted for disposal by an appropriate hazardous waste TSDF.

§ 9-108 SMOKING ON TOWN PROPERTY PROHIBITED.

Smoking or using marijuana or any other smokable product shall be prohibited on all town property, including but not limited to vehicles, buildings, parks or other facilities. No tobacco or marijuana smoking, or marijuana vaping shall be allowed within twenty-five (25) feet of the entrance or exit of any town building. (*Ref. 21 O.S. §1247(C) and (E)*).

§ 9-109 RENEWAL OF PERMITS.

If the applicant desires to renew their existing permit with the existing use on the existing property and with the existing buildings (there are no changes to the original permit), then they must pay the renewal fee set by Resolution and the property must pass all inspections with the town, and the applicant, obtain the certificate of compliance, and obtain their state license, before renewal will be allowed.

§9-110 EXPANSION OF FACILITIES.

A. If the applicant desires to expand their use under an existing permit, whether the expansion is for an existing building, if the expansion is for different buildings on the property, or if the expansion is by adding new buildings, then:

1. the zoning regulations apply, including but not limited to obtaining a zoning compliance permit, if required; and
2. all fees for renewal and all permits, as set forth by Resolution shall be paid in full.

B. Any expansion that may be allowed by the town, shall only be valid through the date of the existing permit.

C. Expansion shall only be allowed when the proposal will not exceed 5000 plants. If the expansion is for 5000 plants, then the specific use permit regulations apply.

D. No expansion shall be allowed on separate real property. A separate permit shall be obtained, and public hearings held.

§ 9-111 - § 9-115 RESERVED.

ARTICLE II

MEDICAL MARIJUANA RETAILER/DISPENSARY PERMITS

§ 9-116 PERMIT REQUIREMENTS.

A. In order to promote the health and safety of all citizens of the town, all retailers/dispensary of medical marijuana are required to obtain a Medical Marijuana Retailer/Dispensary permit from the town. The permit shall be renewed annually.

B. The Medical Marijuana Retailer/Dispensary permit and renewal fee shall be the amount set forth by resolution. The fee shall be used to offset municipal expenses covering costs related to permitting, inspection, administration and enforcement of retail/dispensary marijuana establishments.

C. A Medical Marijuana Retailer/Dispensary permit will only be granted as follows: the proposed location is located within an approved commercial zoning district as set forth in the zoning regulations of the Slaughterville Code of Ordinances.

§ 9-117 LOCATION RESTRICTIONS.

A. A Medical Marijuana Retailer/Dispensary permit shall only be valid for a single location at the address listed on the application in the zoning district set forth in this article.

B. A Medical Marijuana Retailer/Dispensary permit will not be granted to any applicant where the proposed location would be located within one thousand (1,000) feet of any public or private school entrance.

§ 9-118 CONDITIONS OF OPERATION.

A. The medical marijuana retailer/dispensary establishment must collect the applicable sales tax on all sales.

B. Any violations of this article will result in the revocation of the Medical Marijuana Retailer/Dispensary permit.

C. Medical Marijuana Retailer/Dispensary licensee shall not dispose of medical marijuana on site and shall dispose of the same by composting the same off site. (*Title 63 O.S. §429 (B)*).

D. Medical Marijuana Retailer/Dispensary must remain locked at all times when not in operation. The facility must have an electronic security system.

§ 9-119 RENEWAL OR EXPANSION OF DISPENSARIES.

A. There shall not be more than one (1) dispensary allowed for each location for each permit.

B. All renewal of license and/or expansion of facilities shall be subject to the provisions set forth in §9-109 and/or §9-110.

§9-120 - §9-125 RESERVED.

ARTICLE III

MEDICAL MARIJUANA COMMERCIAL GROWER PERMITS

§ 9-126 PERMIT REQUIREMENTS.

A. In order to promote the health and safety of all citizens of the town, all commercial growers of medical marijuana are required to obtain a Medical Marijuana Commercial Grower permit from the town. The permit shall be renewed annually.

B. The Medical Marijuana Commercial Grower permit fee and renewal fee shall be the amount set forth by resolution. The fee shall be used to offset municipal expenses covering costs related to permitting, inspection, administration and enforcement of marijuana commercial grower establishments.

C. A Medical Marijuana Commercial Grower permit will only be granted as follows:

1. The proposed location is located within an approved agricultural zoning district as set forth in the zoning regulations of the Slaughterville Code of Ordinances, as a use permitted on review.

2. If medical marijuana growers use any products, such as pesticides or other chemicals used in the cultivation process, including certain solvents or other chemicals used in the production of marijuana concentrate, and flammable solvents for the purpose of producing a marijuana concentrate, such as, butane, ethanol or other solvents, they are all considered hazardous waste. Hazardous wastes must be disposed of properly by a registered hazardous waste transporter shipping to a hazardous waste treatment, storage and disposal facility (TSDF) and comply with federal regulations.

3. Any permit application for a medical marijuana grow facility which is designed to accommodate less than 5,000 plants per planting cycle shall be allowed.

4. Any permit application for a grow facility which is designed to accommodate more than 5,000 plants per planting cycle, shall comply with the Specific Use Permit zoning.

§ 9-127 LOCATION RESTRICTIONS.

A. A Medical Marijuana Commercial Grower permit shall only be valid for a single location at the address listed on the application, in the zoning district set forth in this article.

B. A medical marijuana grower who is proposing to grow 5000 plants per planting cycle shall comply with all requirements of the Specific Use Permit.

§ 9-128 CONDITIONS OF OPERATION.

- A. Growing of marijuana pursuant to a Medical Marijuana Commercial Grower permit shall be within an enclosed structure for public safety and welfare.
- B. The facility shall have an alarm system and limited access. The facility shall be in a secure area and must be locked at all times.
- C. The medical marijuana commercial grower facility must be constructed in such a manner that the growing of the marijuana plants cannot be seen by the public from a public right of way.
- D. The growing area, including any lighting, plumbing or electrical components used shall comply with state and town building, fire and all other applicable codes and ordinances.
- E. Growing marijuana shall not be conducted in a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if growing marijuana produces light, glare, heat, noise, odor or vibration, run-off, or other nuisances that are detrimental to public health, safety or welfare or interferes with the reasonable enjoyment of life and property.
- F. Any violations of this section will result in the revocation of the Medical Marijuana Commercial Grower permit. (*Ref. OAC 310:681-6-1 Emergency regulations*).

§ 9-129 RENEWAL OR EXPANSION OF GROWER FACILITIES.

All renewal of license and/or expansion of commercial grow facilities shall be subject to the provisions set forth in §9-109 and/or §9-110.

§ 9-130 - §9-135 RESERVED.

ARTICLE IV

MEDICAL MARIJUANA PROCESSOR PERMITS

§ 9-136 PERMIT REQUIREMENTS.

- A. In order to promote the health and safety of all citizens of the town, all medical marijuana processors are required to obtain a Medical Marijuana Processor permit from the town. The permit shall be renewed annually.
- B. The Medical Marijuana Processor permit and renewal fee shall be the amount set forth by resolution. The fee shall be used to offset municipal expenses covering costs related to permitting, inspection, administration and enforcement of marijuana processor establishments.

C. A Medical Marijuana Processor permit will only be granted as follows:

1. The proposed location is located within commercial or industrial zoning districts (based on the intensity of the business and the products used in processing) as set forth in the zoning regulations of the Slaughterville Code of Ordinances, as a Specific Use Permit; and

2. If processors use any products, such as pesticides, chemicals or certain solvents or other chemicals used in the production of marijuana concentrate, or flammable solvents for the purpose of producing a marijuana concentrate, they are all considered hazardous waste. Hazardous wastes must be disposed of properly by a registered hazardous waste transporter shipping to a hazardous waste treatment, storage and disposal facility (TSDF) and comply with federal regulations.

§ 9-137 LOCATION RESTRICTIONS.

A. A Medical Marijuana Processor permit shall only be valid for a single location at the address listed on the application in the zoning district set forth in this article.

B. Medical marijuana processor applicants shall comply with all requirements of the Specific Use Permit.

§ 9-138 CONDITIONS OF OPERATION.

A. Buildings where marijuana processing occurs must be equipped with commercial grade equipment for proper food preparation, handling, packaging and labeling in accordance with current state and federal regulations.

B. Buildings where marijuana processing occurs must be equipped with ventilation/air filtration systems so that no odors are detectable off premises.

C. Medical marijuana processing facilities must remain locked at all times when not in operation. The facility must have an electronic security system.

D. Processing marijuana shall not be conducted in a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if processing marijuana produces light, glare, heat, noise, odor or vibration, run-off, or other nuisances that are detrimental to public health, safety or welfare or interferes with the reasonable enjoyment of life and property.

E. Any violations of this section will result in the revocation of the Medical Marijuana Processor permit.

§ 9-139 RENEWAL OR EXPANSION OF PROCESSING FACILITIES.

A. There shall not be more than one (1) processing facility allowed for each location for each permit.

B. All renewal of license and/or expansion of processing facilities shall be subject to the provisions set forth in §9-109 and/or §9-110.

§ 9-140 - § 9-145 RESERVED.

ARTICLE V

MEDICAL MARIJUANA TESTING PERMITS

§ 9-146 PERMIT REQUIREMENTS.

A. In order to promote the health and safety of all citizens of the town, all medical marijuana testing facilities are required to obtain a Medical Marijuana Testing permit from the town. The permit shall be renewed annually.

B. The Medical Marijuana Testing permit and renewal fee shall be the amount set forth by resolution. The fee shall be used to offset municipal expenses covering costs related to permitting, inspection, administration and enforcement of marijuana testing establishments.

C. A Medical Marijuana Testing permit will only be granted as follows:

1. The proposed location is located within commercial or industrial zoning districts (based on the intensity of the business) as set forth in the zoning regulations of the Slaughterville Code of Ordinances, as a Specific Use Permit; and

2. If a Medical Marijuana Testing facility uses any products, such as pesticides, chemicals or certain solvents or other chemicals used in the production of marijuana concentrate, or flammable solvents for the purpose of producing a marijuana concentrate (which are all considered hazardous waste), then the hazardous wastes must be disposed of properly by a registered hazardous waste transporter shipping the waste to a hazardous waste treatment, storage and disposal facility (TSDF) and comply with all federal regulations.

§ 9-147 LOCATION RESTRICTIONS.

A. A Medical Marijuana Testing permit shall only be valid for a single location at the address listed on the application in the zoning district set forth in this article.

B. All medical marijuana testing applicants shall comply with all requirements of the Specific Use Permit.

§ 9-148 CONDITIONS OF OPERATION.

A. Buildings where Medical Marijuana Testing occurs must be with commercial grade equipment for proper testing and handling in accordance with current state and federal regulations.

B. Medical Marijuana Testing facilities must remain locked at all times when not in operation. The facility must have an electronic security system.

C. Medical Marijuana Testing facilities must have a director on sight during all hours of operations.

D. Medical Marijuana Testing facilities shall not dispose of medical marijuana on site and shall dispose of the same as medical waste (red bag waste); and the same shall be properly disposed of in a licensed facility. (*Title 63 O.S. §429 (B)*).

E. Testing marijuana shall not be conducted in a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if testing marijuana produces light, glare, heat, noise, odor or vibration, run-off, or other nuisances that are detrimental to public health, safety or welfare or interferes with the reasonable enjoyment of life and property.

F. Any violations of this section will result in the revocation of the Medical Marijuana Testing permit.

§ 9-148A RENEWAL OR EXPANSION OF TESTING FACILITIES.

A. There shall not be more than one (1) testing facility allowed for each location for each permit.

B. All renewal of license and/or expansion of testing facilities shall be subject to the provisions set forth in §9-109 and/or §9-110.

ARTICLE VI

MEDICAL MARIJUANA EDUCATION OR RESEARCH FACILITIES

§ 9-149 PERMIT REQUIREMENTS.

A. In order to promote the health and safety of all citizens of the town, all medical marijuana education or research facilities are required to obtain a Medical Marijuana Education or Research permit from the town. The permit shall be renewed annually.

B. The Medical Marijuana Education or Research permit and renewal fee shall be the amount set forth by resolution. The fee shall be used to offset municipal expenses covering costs related to permitting, inspection, administration and enforcement of Medical Marijuana Education or Research establishments.

C. A Medical Marijuana Education or Research permit will only be granted as follows:

1. The proposed location is located within commercial or industrial zoning districts (based on the intensity of the business) as set forth in the zoning regulations of the Slaughterville Code of Ordinances, as a Specific Use Permit; and

2. If a Medical Marijuana Testing facility uses any products, such as pesticides, chemicals or certain solvents or other chemicals used in the production of marijuana concentrate, or flammable solvents for the purpose of producing a marijuana concentrate (which are all considered hazardous waste), then the hazardous wastes must be disposed of properly by a registered hazardous waste transporter shipping the waste to a hazardous waste treatment, storage and disposal facility (TSDF) and comply with all federal regulations.

§ 9-150 LOCATION RESTRICTIONS.

A. A Medical Marijuana Education or Research permit shall only be valid for a single location at the address listed on the application in the zoning district set forth in this article.

B. All medical marijuana testing applicants shall comply with all requirements of the Specific Use Permit.

§ 9-151 CONDITIONS OF OPERATION.

A. Buildings where Medical Marijuana Education or Research occurs must be equipped with commercial grade equipment for proper testing and/or research and handling in accordance with current state and federal regulations.

B. Medical Marijuana Education or Research facilities must remain locked at all times when not in operation. The facility must have an electronic security system.

C. Medical Marijuana Education or Research facilities shall not dispose of medical marijuana on site and shall dispose of the same as medical waste (red bag waste); and the same shall be properly disposed of in a licensed facility. (*Title 63 O.S. §429 (B)*)

D. Education and research of marijuana shall not be conducted in a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if the facility produces light, glare, heat, noise, odor or vibration, run-off, or other nuisances that are detrimental to public health, safety or welfare or interferes with the reasonable enjoyment of life and property.

E. Any violations of this section will result in the revocation of the Medical Marijuana Education or Research permit

§ 9-152 RENEWAL OR EXPANSION OF EDUCATION AND RESEARCH FACILITIES.

A. There shall not be more than one (1) research and/or educational facility allowed for each location for each permit.

B. All renewal of license and/or expansion of research and/or educational facilities shall be subject to the provisions set forth in §9-109 and/or §9-110.

§ 9-153 - § 9-155 RESERVED.

ARTICLE VII

MEDICAL MARIJUANA WASTE DISPOSAL PERMITS

§ 9-156 PERMIT REQUIREMENTS.

A. A Medical Marijuana Waste Disposal permit shall not be required for an individual grower unless the grow facility accommodates 5,000 plants per planting cycle or more.

B. In order to promote the health and safety of all citizens of the town, all disposal of medical marijuana waste within the town shall be subject to a permit. The permit shall be renewed annually.

C. The Medical Marijuana Waste Disposal permit and renewal fee shall be the amount set forth by resolution. The fee shall be used to offset municipal expenses covering costs related to permitting, inspection, administration and enforcement of marijuana disposal.

D. A Medical Marijuana Waste Disposal permit will only be granted as follows:

1. The proposed location is located within an industrial zoning district as set forth in the zoning regulations of the Slaughterville Code of Ordinances.

2. All waste disposal shall be performed so that plants and products are rendered unusable and unrecognizable.

3. All waste disposal shall be performed by burying, mulching, or composting. Open burning and incineration shall not be allowed.

§ 9-157 LOCATION RESTRICTIONS.

A. A Medical Marijuana Waste Disposal permit shall only be valid for a single location at the address listed on the application in the zoning district set forth in this article.

B. Medical Marijuana Waste Disposal permit shall not be granted to any applicant in a residential zoned area.

C. All medical marijuana waste disposal applicants shall comply with all requirements of the Specific Use Permit.

§ 9-158 CONDITIONS OF OPERATION.

A. No obnoxious odors shall be permitted from Medical Marijuana Waste Disposal.

B. All permit holders shall comply with all rules promulgated by the Oklahoma Health Department, the Oklahoma Department of Environmental Quality, the Oklahoma Medical Marijuana Authority, or its successor agency, and all federal regulations.

C. No marijuana or marijuana derivatives which have been chemically enhanced, shall be disposed of in the town; all marijuana products with chemicals shall be considered medical waste and shall be properly disposed of as red bag medical waste in a proper medical waste disposal facility.

D. Disposal of marijuana shall not be conducted in a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if marijuana disposal produces light, glare, heat, noise, odor or vibration, run-off, or other nuisances that are detrimental to public health, safety or welfare or interferes with the reasonable enjoyment of life and property.

E. Any violations of this article will result in the revocation of the Medical Marijuana Waste Disposal permit.

§ 9-159 RENEWAL OR EXPANSION OF WASTE DISPOSAL FACILITIES.

A. Renewal of existing waste disposal permits is set forth in section 9-109.

B. Expansion of waste disposal facilities shall not be allowed unless the provisions set forth in this article are met, including all provisions set forth in the Specific Use Regulations.

9-160- §9-166 RESERVED.

§ 9-167 SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

§ 9-168 EMERGENCY.

It being immediately necessary for the preservation of the public health, peace and safety of the Town of Slaughterville and the inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

§ 9-169 - §9-175 RESERVED.