

**Office of the City Clerk  
City of Ketchikan, Alaska**

**Kim Stanker, City Clerk  
Taylor Lee, Deputy City Clerk**

To: Mayor and City Council

From: Kim Stanker, City Clerk

Date: March 22, 2023

Subject: Standard Marijuana Cultivation Facility New Application– Northern Lights Cultivation

Notification of a new application for a standard marijuana cultivation facility license for Northern Lights Cultivation, owned by Jesse Hoyt, was received on March 2, 2023 from Alcohol and Marijuana Control Office (AMCO) and the City must respond to AMCO by May 2, 2023. Ketchikan Municipal Code 5.20.050(a)(b) sets forth the City's standards and procedures for filing a protest with AMCO.

When a notification for a new application of a marijuana license is received from AMCO, the Clerk's office sends a memorandum to the Fire Department, the Police Department, the Building Official and the Borough Revenue and Planning Departments to ascertain compliance with the Code. According to the KMC, one of the conditions under which the Council may consider a protest of a new application of a marijuana cultivation license states, "whether the business to be opened under the license would violate the zoning code of the borough or whether there are delinquent property taxes or local improvement district assessments or penalties or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license." The Borough Revenue Department, Fire Department, Police Department and Building Department have notified my office that they find no objections with this new application, however, the Borough Planning Department stated because this license had expired, Mr. Hoyt is required to apply for a new Conditional Use Permit (CUP). Mr. Hoyt returned the application before the March 17<sup>th</sup> deadline to be considered at the Planning Commission's meeting of April 11, 2023. Should the Planning Commission deny Mr. Hoyt's application he will be in violation of the Borough's zoning code.

Should the Council decide to protest the renewal of a marijuana license, the first step would be adopting a motion to do so. A public hearing on the protest would then be set for the regular Council meeting of April 20, 2023. Should the Council decide to protest, but the CUP is approved, the Council may elect to remove the item from the April 20, 2023 agenda. Alternatively, the Council may wish to approve the license, and in addition, may wish to apply certain conditions to that approval.

Three alternative motions have been prepared for Council consideration.

**Alternate Motion No. 1:** I move the City Council approve the new application of Northern Lights Cultivation License No. 34926.

**Alternate Motion No. 2:** I move the City Council approve the new application of Northern Lights Cultivation License No. 34926 contingent upon the Planning Commission approving the CUP.

**Alternate Motion No. 3:** Pursuant to Ketchikan Municipal Code 5.20.050(a)(b), I move that the City Council protest the new application of Northern Lights Cultivation License No. 34926, direct the City Clerk to schedule a public hearing on the protest at 7:00 p.m. on April 20, 2023 in the Council Chambers, and notify the license applicant in accordance with Ketchikan Municipal Code Section 5.20.050(b).

**5.20.050 City council review of issuance, renewal or transfer of liquor licenses.**

(a) Upon receipt of notification from the Alcoholic Beverage Control Board that the board has before it an application for the issuance, renewal or transfer of an alcoholic beverage license, the council shall determine whether to protest the proposed action and shall consider such of the following facts as the council believes are pertinent:

- (1) The character and public interests of the surrounding neighborhood;
- (2) The actual and potential law enforcement problems, including the proximity of the premises to law enforcement stations and patrols;
- (3) The concentration of other licenses of the same and other types in the area;
- (4) Whether the surrounding area experiences an unacceptable rate of alcohol abuse or of crime or accidents in which alcohol is involved as a cause;
- (5) The comments and objections, if any, of the residents, owners, and inhabitants of the surrounding area;
- (6) The adequacy of parking facilities;
- (7) Unsafe conditions at the licensed premises, including, but not limited to, the safety of ingress to and egress from the premises;
- (8) Whether the applicant has timely permitted the inspection provided for under KMC 5.20.040 and whether the premises complies with local, state, and federal fire, health and other safety codes;
- (9) The degree of control the licensee has, or proposes to have, over the conduct of the licensed business;
- (10) The history of convictions of the applicants and affiliates of the applicants for:
  - (A) Any felony,
  - (B) Any criminal violation of state or local statute or regulation involving use or abuse of alcohol or a controlled substance,
  - (C) Any violation of AS Title 4 or regulations adopted by the Alcoholic Beverage Control Board,
  - (D) Any violation of the alcoholic beverage control laws of another state as a licensee of that state;
- (11) Whether the applicant or the applicant's affiliates are untrustworthy, unfit to conduct a licensed business, or constitute a potential source of harm to the public;
- (12) The business operated under the license is, on the date the council considers the application, delinquent in the payment of any sales tax or penalty or interest on sales tax arising out of the operation of the licensed premises;
- (13) Whether there are delinquent property taxes or local improvement district assessments or penalties or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;
- (14) Whether there are any delinquent charges or assessments owing the city by the licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the city at the request of or arising out of an activity of the business conducted under the license;
- (15) Whether the business to be opened under the license would violate the zoning code of the borough;

- (16) If an application is for a tourism license under AS 04.11.400(d), then:
- (A) The city will protest any application based on construction of a new tourist facility unless the construction will include at least 30 rooms,
  - (B) The council will protest any application for a new tourism beverage dispensary license based on an improvement to an existing tourist facility of at least 30 rooms unless the improvements will result in at least a 50 percent increase in the assessed or appraised valuation compared to the value of the original tourist facility,
  - (C) The council, in addition to the requirements of subsections (a)(16)(A) and (B) of this section, as applicable, will require the applicant to show by convincing evidence that issuance of an additional beverage dispensary license to a tourist facility will, in fact, encourage tourism in the city. The applicant must prove that tourism will constitute a majority of the business of the beverage dispensary license;
- (17) Any other factors the council determines are generally relevant or relevant to a particular application or to the public interest.
- (b) If the council decides to protest the issuance, renewal or transfer of a license it shall state the basis of the protest and the applicant shall be notified of such decision and shall be afforded an abbreviated and informal hearing before the council to defend the application. At the conclusion of the hearing, the council decision to protest the application shall stand unless a majority of the council votes to withdraw the protest. (Ord. 1782 § 12, 2014; Ord. 1431, 2000; Ord. 1061 § 1, 1985. Formerly 5.20.130)

**5.20.015 Limits and prohibition of marijuana establishments.**

There shall be no more than two retail marijuana stores and no more than two marijuana cultivation facilities within the boundaries of the city. There shall be no marijuana product manufacturing facilities within the boundaries of the city. (Ord. 1863 § 1, 2018; Ord. 1827 § 1, 2016)





THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Commerce,  
Community,  
and Economic Development

Alcohol and Marijuana Control Office

550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

March 2, 2023

City of Ketchikan; Ketchikan Gateway Borough

Attn: Kacie Paxton; Kim Stanker; Taylor Lee

VIA Email: [boroclerk@kgbak.us](mailto:boroclerk@kgbak.us); [deputyclerk@kgbak.us](mailto:deputyclerk@kgbak.us); [kims@ktn-ak.us](mailto:kims@ktn-ak.us); [taylorl@ktn-ak.us](mailto:taylorl@ktn-ak.us)

License Number:	34926
License Type:	Standard Marijuana Cultivation Facility
Licensee:	Jesse Hoyt
Doing Business As:	Northern Lights Cultivation
Physical Address:	4705 North Tongass Hwy Apt 1 Ketchikan, AK 99901
Designated Licensee:	Jesse Milan Hoyt
Phone Number:	907-617-1919
Email Address:	invin69@yahoo.com

☒ **New Application**      ☐ **New Onsite Consumption Endorsement Application (Retail Only)**

AMCO has received a complete application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.025(d)(2). Application documents will be sent to you separately via ZendTo.

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant. If the protest is a "conditional protest" as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license, but require the applicant to show to the board's satisfaction that the requirements of the local government have been met before the director issues the license.

3 AAC 306.010, 3 AAC 306.080, and 3 AAC 306.250 provide that the board will deny an application for a new license if the board finds that the license is prohibited under AS 17.38 as a result of an ordinance or election conducted under AS 17.38 and 3 AAC 306.200, or when a local government protests an application on the grounds that the proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

This application will be in front of the Marijuana Control Board at our March 8-9, 2023, meeting.

Sincerely,

Joan Wilson, Director

[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)



Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

Alaska Marijuana Control Board

## Form MJ-00: Application Certifications

### Why is this form needed?

This application certifications form is required for all marijuana establishment license applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306.

This form must be completed and submitted to AMCO's Anchorage office by each proposed licensee (as defined in 3 AAC 306.020(b)(2)) before any license application will be considered complete.

### Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JESSE HOYT	License Number:	34926
License Type:	Standard Cultivation		
Doing Business As:	Northern lights Cultivation		
Premises Address:	4705 North Tongass Hwy Apt 1		
City:	Ketchikan	State:	AK
		ZIP:	99901

### Section 2 – Individual Information

Enter information for the individual licensee.

Name:	JESSE HOYT
Title:	Owner

### Section 3 – Other Licenses

Ownership and financial interest in other licenses:

Yes No

Do you currently have or plan to have an ownership interest in, or a direct or indirect financial interest in another marijuana establishment license?

☐ ☒

If "Yes", which license numbers (for existing licenses) and license types do you own or plan to own?

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Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

Alaska Marijuana Control Board

## Form MJ-00: Application Certifications

### Section 4 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that I have not been convicted of a felony in any state or the United States, including a suspended imposition of sentence, for which less than five years have elapsed from the time of the conviction to the date of this application.

JA

I certify that I am not currently on felony probation or felony parole.

JA

I certify that I have not been found guilty of selling alcohol without a license in violation of AS 04.11.010.

JA

I certify that I have not been found guilty of selling alcohol to an individual under 21 years of age in violation of 04.16.051 or AS 04.16.052.

JA

I certify that I have not been convicted of a misdemeanor crime involving a controlled substance, violence against a person, use of a weapon, or dishonesty within the five years preceding this application.

JA

I certify that I have not been convicted of a class A misdemeanor relating to selling, furnishing, or distributing marijuana or operating an establishment where marijuana is consumed within the two years preceding this application.

JA

I certify that my proposed premises is not within 500 feet of a school ground, recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility, as set forth in 3 AAC 306.010(a).

JA

I certify that my proposed premises is not located in a liquor licensed premises.

JA

I certify that I meet the residency requirement under AS 43.23 for a permanent fund dividend in the calendar year in which I am initiating this application.

JA

I certify that all proposed licensees (as defined in 3 AAC 306.020(b)(2)) have been listed on my online marijuana establishment license application. Additionally, if applicable, all proposed licensees have been listed on my application with the Division of Corporations.

JA

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by AMCO is grounds for denial of my application.

JA



Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

Alaska Marijuana Control Board

## Form MJ-00: Application Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify and understand that I must operate in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.



I certify and understand that I must operate in compliance with each applicable public health, fire, safety, and tax code and ordinance of this state and the local government in which my premises is located.



Read each line below, and then sign your initials in the box to the right of only the applicable statement:

Initials

Only initial next to the following statement if this form is accompanying an application for a marijuana testing facility license:

I certify that I do not have an ownership in, or a direct or indirect financial interest in a retail marijuana store, a marijuana cultivation facility, or a marijuana products manufacturing facility.



Only initial next to the following statement if this form is accompanying an application for a retail marijuana store, a marijuana cultivation facility, or a marijuana products manufacturing facility license:

I certify that I do not have an ownership in, or a direct or indirect financial interest in a marijuana testing facility license.



All marijuana establishment license applicants:

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.



JESSE HOYT

Printed name of licensee

Signature of licensee





Alaska Marijuana Control Board

**Form MJ-01: Marijuana Establishment Operating Plan**

**Why is this form needed?**

An operating plan is required for all marijuana establishment license applications. Applicants should review Title 17.38 of Alaska Statutes and Chapter 306 of the Alaska Administrative Code. This form will be used to document how an applicant intends to meet the requirements of those statutes and regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020(c).

**What must be covered in an operating plan?**

Applicants must identify how the proposed premises will comply with applicable statutes and regulations regarding the following:

- Control plan for persons under the age of 21
- Security
- Business records
- Inventory tracking of all marijuana and marijuana product on the premises
- Employee qualification and training
- Health and safety standards
- Transportation and delivery of marijuana and marijuana products
- Signage and advertising

Applicants must also complete the corresponding operating plan supplemental forms (Form MJ-03, Form MJ-04, Form MJ-05, or Form MJ-06) to meet the additional operating plan requirements for each license type.

**Section 1 - Establishment & Contact Information**

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JESSE Hoyt	MJ License #:	34926
License Type:	Standard Cultivation		
Doing Business As:	Northern Lights Cultivation		
Premises Address:	4705 North Tongass Hwy Apt 2		
City:	Ketchikan	State:	Alaska
		ZIP:	99901
Mailing Address:	Box 7501		
City:	Ketchikan	State:	Alaska
		ZIP:	99901
Designated Licensee:	JESSE Hoyt		
Main Phone:		Cell Phone:	907-617-1919
Email:	invin69@yahoo.com		



## Form MJ-01: Marijuana Establishment Operating Plan

### Section 2 – Control Plan for Persons Under the Age of 21

2.1. Describe how the marijuana establishment will prevent persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items:

It is a locked facility at all times. Only people over 21 years old will be allowed accompanied with employee.  
No one under 21 ever allowed.

### Section 3 – Security

Restricted Access Areas (3 AAC 306.710):

3.1. Describe how you will prevent unescorted members of the public from entering restricted access areas:

We will have non-residential, commercial grade doors and locks on all entryways. Doors will be clearly marked, "Restricted access, visitors must be escorted!"

3.2. Describe your recordkeeping and processes for admitting visitors into and escorting them through restricted access areas:

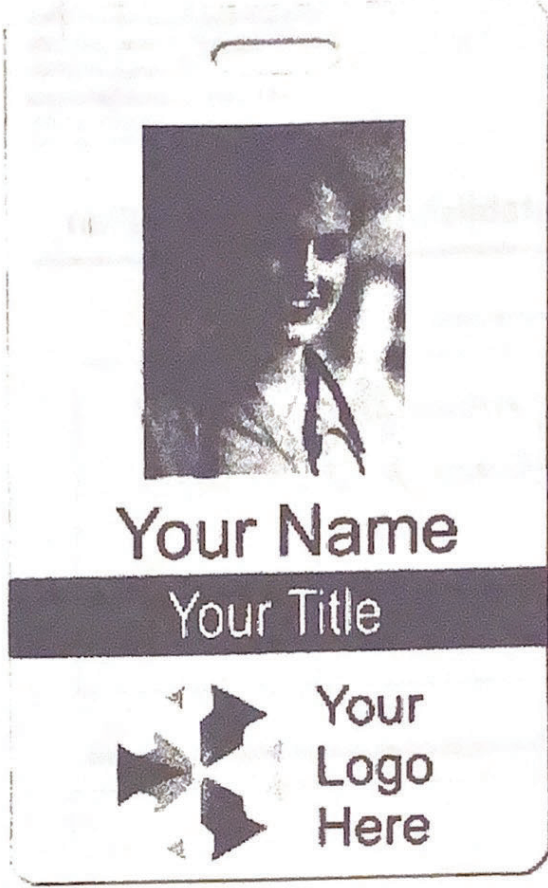
First, I.D. will be checked to verify age (over 21 years old).  
Second, all visitors will sign into our visitors log book.  
Third, all visitors are required to wear our visitors badge.  
Fourth, all visitors will be accompanied by our employee at all times.





## Form MJ-01: Marijuana Establishment Operating Plan

3.3. Provide samples of licensee-produced identification badges that will be displayed by each licensee, employee, or agent while on the premises, and of visitor identification badges that will be worn by all visitors while in restricted access areas:



Security Alarm Systems and Lock Standards (3 AAC 306.715):

3.4. Exterior lighting is required to facilitate surveillance. Describe how the exterior lighting will meet this requirement:

We have flood lights on the exterior of the building which will come on automatically when it is dark outside.  
The lights will be placed in such a way that there will be no blind spots surrounding the building.



## Form MJ-01: Marijuana Establishment Operating Plan

3.5. An alarm system is required for all license types that must be activated on all exterior doors and windows when the licensed premises is closed for business. Describe the security alarm system for the proposed premises, explain how it will meet all regulatory requirements, and outline your policies and procedures regarding the actions to be taken by a licensee, employee, or agent when the alarm system alerts of an unauthorized breach:

The alarm will be number code activated just inside doorway entrance and a high definition resolution.

If security is breached, local law enforcement will be notified.

There will be cameras on all exterior doors and windows.

Cameras will be on all the inside doors and windows.

3.6. Describe your policies and procedures for preventing diversion of marijuana or marijuana product, including by employees:

We have cameras and security systems. Cameras are placed within facility so there are no blind spots and cameras will be on 24/7. Nothing leaves or enters premises without being properly logged and tracked by METRC.

3.7. Describe your policies and procedures for preventing loitering:

A clearly marked sign, "NO LOITERING".

If a person(s) persist, we will politely ask them to leave, if they persist, we will contact law enforcement.

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right:

Initials

3.8. I certify that if any additional security devices are used, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm, to enhance security of the licensed premises, I will have written policies and procedures describing their use.





## Form MJ-01: Marijuana Establishment Operating Plan

### Video Surveillance (3 AAC 306.720):

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

3.9. The video surveillance and camera recording system for the licensed premises covers each restricted access area, and both the interior and exterior of each entrance to the facility.



3.10. Each video surveillance recording: is preserved for a minimum of 40 days, in a format that can be easily accessed for viewing (consistent with the Alcohol & Marijuana Control Office's approved format list); clearly and accurately displays the time and date; and is archived in a format that does not permit alteration of the recorded image.



3.11. The surveillance room or area is clearly defined on the Form MJ-02: Premises Diagram that is submitted with this application.



3.12. Surveillance recording equipment and video surveillance records are housed in a designated, locked, and secure area or in a lock box, cabinet, closet or other secure area where access is limited to the licensee(s), an authorized employee, and law enforcement personnel (including an agent of the Marijuana Control Board).



3.13. Describe how the video cameras will be placed to produce a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises:

Cameras are mounted up high in clear view of entry way. Flood lights light up the surrounding area. The outside camera is mounted on the eaves of the building. On the inside, we have cameras throughout the facility which will leave no blind spots. We have a camera capturing every door.

3.14. Describe the locked and secure area where video surveillance recording equipment and original copies of surveillance records will be housed and stored, and how you will ensure the area is accessible only to authorized personnel, law enforcement, or an agent of the Marijuana Control Board. If you will be using an offsite monitoring service and offsite storage of video surveillance records, your response must include how the offsite facility will meet these security requirements:

An inside wall storage room with a commercial grade metal lock and door with cameras on the inside and outside of door.



**Form MJ-01: Marijuana Establishment Operating Plan****Section 4 – Business Records**

Review the requirements under 3 AAC 306.755. All licensed marijuana establishments must maintain, in a format that is readily understood by a reasonably prudent business person, certain business records.

4.1. I certify that the following business records will be maintained and kept on the licensed premises:

Initials

- a. all books and records necessary to fully account for each business transaction conducted under my license for the current year and three preceding calendar years (records for the last six months must be maintained on the licensed premises; older records may be archived on or off-premises);
- b. a current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent who works at the marijuana establishment;
- c. the business contact information for vendors that maintain video surveillance systems and security alarm systems for the licensed premises;
- d. records related to advertising and marketing;
- e. a current diagram of the licensed premises, including each restricted access area;
- f. a log recording the name, and date and time of entry of each visitor permitted into a restricted access area;
- g. all records normally retained for tax purposes;
- h. accurate and comprehensive inventory tracking records that account for all marijuana inventory activity from seed or immature plant stage until the retail marijuana or retail marijuana product is sold to a consumer, to another marijuana establishment, or destroyed;
- i. transportation records for marijuana and marijuana product, as required by 3 AAC 306.750(f); and
- j. registration and inspection reports of scales registered under the Weights and Measures Act, as required by 3 AAC 306.745.

4.2. A marijuana establishment is required to exercise due diligence in preserving and maintaining all required records. Describe how you will prevent records and data, including electronically maintained records, from being lost or destroyed:

We have a back-up hard drive which we will store in a fire safe box at the end of each day.





## Form MJ-01: Marijuana Establishment Operating Plan

### Section 5 – Inventory Tracking of All Marijuana and Marijuana Product

Review the requirements under 3 AAC 306.730. All licensed marijuana establishments must use a marijuana inventory tracking system capable of sharing information with Metrc to ensure all marijuana cultivated and sold in the state, and each marijuana product processed and sold in the state, is identified and tracked from the time the marijuana is propagated from seed or cutting, through transfer to another licensed marijuana establishment, or use in manufacturing a marijuana product, to a completed sale of marijuana or marijuana product, or disposal of the harvest batch of marijuana or production lot of marijuana product.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

5.1. My marijuana establishment will be using Metrc, and if any other tracking software is used, it will be capable of sharing information with Metrc.



5.2. All marijuana delivered to a marijuana establishment will be weighed on a scale registered in compliance with 3 AAC 306.745.



5.3. My marijuana establishment will use registered scales in compliance with AS 45.75.080 (Weights and Measures Act), as required by 3 AAC 306.745.



### Section 6 – Employee Qualification and Training

Review the requirements under 3 AAC 306.700. All licensees, and every employee or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor, must obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

6.1. All licensees, and each employee or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at the marijuana establishment.



6.2. Each licensee, employee, or agent who is required to have a marijuana handler permit shall keep that person's marijuana handler permit card in that person's immediate possession (or a valid copy on file on the licensed premises) when on the licensed premises.



6.3. Each licensee, employee, or agent who is required to have a marijuana handler permit shall ensure that that person's marijuana handler permit card is valid and has not expired.



6.4. Describe any in-house training that will be provided to employees and agents (apart from a marijuana handler course):

All METRC transactions will be done by licensee.  
Employees will study rules and regulations of Amco.





### Section 7 – Health and Safety Standards

Review the requirements under 3 AAC 306.735.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

- 7.1. I understand that a marijuana establishment is subject to inspection by the local fire department, building inspector, or code enforcement officer to confirm that health or safety concerns are not present. ☒
- 7.2. I have policies regarding health and safety standards (including: ensuring a person with an illness or infection does not come into contact with marijuana or marijuana product; good hygienic practices; cleaning and maintenance of equipment and the premises; pest deterrence; chemical storage; sanitation principles; and proper handling of marijuana and marijuana product) and will take all reasonable measures and precautions to ensure that they are met or exceeded. ☒
- 7.3. I have policies to ensure that any marijuana or marijuana product that has been stored beyond its usable life, or was stored improperly, is not salvaged and returned to the marketplace. ☒
- 7.4. I have policies to ensure that in the event information about the age or storage conditions of marijuana or marijuana product is unreliable, the marijuana or marijuana product will be handled in accordance with 3 AAC 306.735(d). ☒

Answer "Yes" or "No" to each of the following questions:

Yes No

- 7.5. Adequate and readily accessible toilet facilities that are maintained and in good repair and sanitary condition are clearly indicated on my Form MJ-02: Premises Diagram. ☒ ☐
- 7.6. Convenient handwashing facilities with running water at a suitable temperature are clearly indicated on my Form MJ-02: Premises Diagram. ☒ ☐

7.7. If you answered "No" to either 7.5 or 7.6 above, describe how toilet and/or handwashing facilities are made accessible, as required by 3 AAC 306.735(b)(2):

### Section 8 – Transportation and Delivery of Marijuana and Marijuana Products

Review the requirements under 3 AAC 306.750.

8.1. Describe how marijuana or marijuana product will be prepared, packaged, and secured for shipment. Include a description of the type of locked, safe, and secure storage compartments to be used in vehicles transporting marijuana or marijuana product:

The packages are a heavy duty ziploc bag with a tamper proof sticker. Packages will be labeled with strain, weight, license number, company name, ~~tracking~~ label, all while transporting marijuana with a transport manifest and we will use a lockable suitcase.





## Form MJ-01: Marijuana Establishment Operating Plan

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

8.2. The marijuana establishment from which a shipment of marijuana or marijuana product originates will ensure that any individual transporting marijuana shall have a marijuana handler permit required under 3 AAC 306.700.



8.3. The marijuana establishment that originates the transport of any marijuana or marijuana product will use the marijuana inventory tracking system to record the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle.



8.4. The marijuana establishment that originates the transport of any marijuana or marijuana product will ensure that a complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times during transport.



8.5. During transport, any marijuana or marijuana product will be in a sealed package or container in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product, and the sealed package will not be opened during transport.



8.6. Any vehicle transporting marijuana or marijuana product will travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and will not make any unnecessary stops in between except to deliver or pick up marijuana or marijuana product at any other licensed marijuana establishment.



8.7. When the marijuana establishment receives marijuana or marijuana product from another licensed marijuana establishment, the recipient of the shipment will use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received.



8.8. The marijuana establishment will refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest.



### Section 9 – Signage and Advertising

Review the requirements under 3 AAC 306.770.

9.1. Describe any signs that you intend to post on your establishment, including quantity, dimensions, graphics, and location on your establishment (photos or drawings may be attached):

None



## Form MJ-01: Marijuana Establishment Operating Plan

9.2. Describe any advertising you intend to distribute for your establishment. Include medium types and business logos (photos or drawings may be attached):

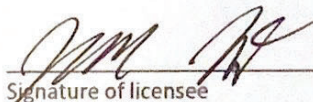
None

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

31

JESSE HART

Printed name of licensee



Signature of licensee



## Kim Stanker

---

**From:** Taylor Lee  
**Sent:** Monday, March 13, 2023 9:49 AM  
**To:** Kim Stanker  
**Subject:** FW: Marijuana license application

---

**From:** Jonathan Lappin <[jonathanl@kgbak.us](mailto:jonathanl@kgbak.us)>  
**Sent:** Friday, March 10, 2023 4:28 PM  
**To:** Taylor Lee <[taylorl@City.Ketchikan.Ak.Us](mailto:taylorl@City.Ketchikan.Ak.Us)>  
**Subject:** RE: Marijuana license application

### CAUTION: External Email

This email originated from a source outside the City of Ketchikan. Do not click links or open attachments unless you recognize the sender and know the content is safe.

---

Taylor,

Yes, he did drop that off. We will schedule him for the April meeting. If for some reason the CUP is denied, then operation of the cultivation facility would be a violation of our zoning code.

Jonathan Lappin, AICP  
Associate Planner

---

**From:** Taylor Lee <[taylorl@City.Ketchikan.Ak.Us](mailto:taylorl@City.Ketchikan.Ak.Us)>  
**Sent:** Thursday, March 9, 2023 3:56 PM  
**To:** Jonathan Lappin <[jonathanl@kgbak.us](mailto:jonathanl@kgbak.us)>  
**Cc:** Kim Stanker <[KimS@City.Ketchikan.Ak.Us](mailto:KimS@City.Ketchikan.Ak.Us)>  
**Subject:** RE: Marijuana license application

Hi Johnathan,

Did Jesse drop off his CUP application with your office? Clerk Stanker spoke with him today and he said he was on his way over there.

Also, if the Planning Commission denies his application the Borough has the ability to enforce that he will not be able to operate as a cultivation facility, correct?

Thank you,

Taylor

**Subject:** Marijuana license application

### CAUTION: External Email

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Good morning Mr. Hoyt,

I am in receipt of a notice from the City of Ketchikan that you have applied for marijuana cultivation license from the State of Alaska. The notification was sent to me in the Planning Department so that we can review the application and identify any conflicts between your application and the Borough's Zoning Code.

Per KGBC 18.45.020 in order for you to operate a marijuana cultivation facility you are required to obtain a Conditional Use Permit (CUP) from the Borough. I understand that you received a CUP for the cultivation facility that operated in that location in the past; however, when the state license for that use expired the use of the property changed. By applying for a new license you are asking to change the use of the property back, and that required a new CUP.

I have attached a blank CUP and Zoning Permit application forms and an Owner Authorization form.

If you have any questions about how to complete the forms we would be happy to assist you.

In order for your application to be considered by the Planning Commission at the April 11, 2023 meeting we must receive a complete application no later than March 17, 2023.

If you have any questions, please do not hesitate to contact me.

Jonathan Lappin, AICP  
Associate Planner  
Ketchikan Gateway Borough Planning Department  
(907) 228-6618

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This email has been processed with the City of Ketchikan SPAM filter. Please still be diligent with suspicious emails as no SPAM filter is 100% effective.



## Kim Stanker

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**From:** Molly Stump <mollys@kgbak.us>  
**Sent:** Monday, March 6, 2023 9:01 AM  
**To:** Taylor Lee; Jonathan Lappin; Gretchen O'Sullivan; Corey Bingham; Eric Mattson  
**Cc:** Jonathan Kelley; Kim Stanker  
**Subject:** RE: Standard Marijuana Cultivation Facility

### CAUTION: External Email

This email originated from a source outside the City of Ketchikan. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Hello,

The Finance Department has no objections.

Thank you,

**Molly Stump**

*Accounts Receivable/Acctg Tech II*  
Ketchikan Gateway Borough  
1900 First Ave Ste 118  
Ketchikan, AK 99901  
(907)228-6609

---

**From:** Taylor Lee  
**Sent:** Thursday, March 2, 2023 4:23 PM  
**To:** 'jonathanl@kgbak.us' <[jonathanl@kgbak.us](mailto:jonathanl@kgbak.us)>; Gretchen O'Sullivan <[gretcheno@City.Ketchikan.Ak.Us](mailto:gretcheno@City.Ketchikan.Ak.Us)>; Corey Bingham <[coreyb@City.Ketchikan.Ak.Us](mailto:coreyb@City.Ketchikan.Ak.Us)>; Eric Mattson <[ericm@city.ketchikan.ak.us](mailto:ericm@city.ketchikan.ak.us)>; 'Claire Kelly' <[clairek@kgbak.us](mailto:clairek@kgbak.us)>  
**Cc:** Kim Stanker <[KimS@City.Ketchikan.Ak.Us](mailto:KimS@City.Ketchikan.Ak.Us)>  
**Subject:** Standard Marijuana Cultivation Facility

Good afternoon,

Attached is a notification from the Alcohol & Marijuana Control Office regarding application for a Standard Marijuana Cultivation Facility:

### Northern Lights Cultivation

This establishment was one of the two cultivation facilities within the City of Ketchikan. They had an issue with their renewal application and had to reapply as a new cultivation facility.

Please respond by **Monday, March 20, 2023** in order to put it on the agenda for City Council consideration at the April 7, 2023 meeting.

Thank you,

Taylor

Thank you,

**Taylor Lee**

---

**Subject:** FW: Standard Marijuana Cultivation Facility

Hi Taylor,

No objection from the PD on this.

Happy Friday,

Eric

**From:** Taylor Lee <[taylorl@City.Ketchikan.Ak.Us](mailto:taylorl@City.Ketchikan.Ak.Us)>

**Sent:** Thursday, March 2, 2023 4:23 PM

**To:** [jonathanl@kgbak.us](mailto:jonathanl@kgbak.us); Gretchen O'Sullivan <[gretcheno@City.Ketchikan.Ak.Us](mailto:gretcheno@City.Ketchikan.Ak.Us)>; Corey Bingham <[coreyb@City.Ketchikan.Ak.Us](mailto:coreyb@City.Ketchikan.Ak.Us)>; Eric Mattson <[EricM@City.Ketchikan.Ak.Us](mailto:EricM@City.Ketchikan.Ak.Us)>; Claire Kelly <[clairek@kgbak.us](mailto:clairek@kgbak.us)>

**Cc:** Kim Stanker <[KimS@City.Ketchikan.Ak.Us](mailto:KimS@City.Ketchikan.Ak.Us)>

**Subject:** Standard Marijuana Cultivation Facility

Good afternoon,

Attached is a notification from the Alcohol & Marijuana Control Office regarding application for a Standard Marijuana Cultivation Facility:

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Please respond by **Monday, March 20, 2023** in order to put it on the agenda for City Council consideration at the April 7, 2023 meeting.

Thank you,

Taylor

Thank you,

Taylor

Taylor Lee, CMC  
Deputy City Clerk  
334 Front Street  
Ketchikan, AK 99901  
907.228.5604  
[taylorl@ktn-ak.us](mailto:taylorl@ktn-ak.us)

**Taylor Lee**

---

**Subject:** FW: Standard Marijuana Cultivation Facility

Hi Taylor,

The fire department has no objection to this application.

Gretchen

**From:** Taylor Lee

**Sent:** Thursday, March 2, 2023 4:23 PM

**To:** 'Jonathanl@kgbak.us' <[jonathanl@kgbak.us](mailto:jonathanl@kgbak.us)>; Gretchen O'Sullivan <[gretcheno@City.Ketchikan.Ak.Us](mailto:gretcheno@City.Ketchikan.Ak.Us)>; Corey Bingham <[coreyb@City.Ketchikan.Ak.Us](mailto:coreyb@City.Ketchikan.Ak.Us)>; Eric Mattson <[ericm@city.ketchikan.ak.us](mailto:ericm@city.ketchikan.ak.us)>; 'Claire Kelly' <[clairek@kgbak.us](mailto:clairek@kgbak.us)>

**Cc:** Kim Stanker <[KimS@City.Ketchikan.Ak.Us](mailto:KimS@City.Ketchikan.Ak.Us)>

**Subject:** Standard Marijuana Cultivation Facility

Good afternoon,

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**Northern Lights Cultivation**

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Please respond by **Monday, March 20, 2023** in order to put it on the agenda for City Council consideration at the April 7, 2023 meeting.

Thank you,

Taylor

Thank you,

Taylor

Taylor Lee, CMC  
Deputy City Clerk  
334 Front Street  
Ketchikan, AK 99901  
907.228.5604  
[taylorl@ktn-ak.us](mailto:taylorl@ktn-ak.us)

**Taylor Lee**

---

**Subject:** FW: Standard Marijuana Cultivation Facility

The building dept has no reason to object

John Baxstrom  
Building Inspector  
City of Ketchikan  
907-228-4720  
907-204-0198 cell  
[johnb@ktn-ak.us](mailto:johnb@ktn-ak.us)



**From:** Taylor Lee  
**Sent:** Thursday, March 2, 2023 4:23 PM  
**To:** 'jonathanl@kgbak.us' <[jonathanl@kgbak.us](mailto:jonathanl@kgbak.us)>; Gretchen O'Sullivan <[gretcheno@City.Ketchikan.Ak.Us](mailto:gretcheno@City.Ketchikan.Ak.Us)>; Corey Bingham <[coreyb@City.Ketchikan.Ak.Us](mailto:coreyb@City.Ketchikan.Ak.Us)>; Eric Mattson <[ericm@city.ketchikan.ak.us](mailto:ericm@city.ketchikan.ak.us)>; 'Claire Kelly' <[clairek@kgbak.us](mailto:clairek@kgbak.us)>  
**Cc:** Kim Stanker <[KimS@City.Ketchikan.Ak.Us](mailto:KimS@City.Ketchikan.Ak.Us)>  
**Subject:** Standard Marijuana Cultivation Facility

Good afternoon,

Attached is a notification from the Alcohol & Marijuana Control Office regarding application for a Standard Marijuana Cultivation Facility:

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This establishment was one of the two cultivation facilities within the City of Ketchikan. They had an issue with their renewal application and had to reapply as a new cultivation facility.

Please respond by **Monday, March 20, 2023** in order to put it on the agenda for City Council consideration at the April 7, 2023 meeting.

Thank you,

Taylor

Thank you,

Taylor