

City of New Haven

165 Church Street
New Haven, CT 06510
(203) 946-6483 (phone)
(203) 946-7476 (fax)
cityofnewhaven.com



Meeting Agenda

Tuesday, May 5, 2026

6:00 PM

Meeting can be viewed on Board of Alders YouTube.

Aldermanic Chambers

Legislation Committee

(Board of Alders Notice New Haven) The Legislation Committee of the Board of Alders will meet “in-person” on Tuesday, May 5, 2026, at 6:00 p.m. in the Board of Alders Chamber located at 165 Church Street, 2nd Floor; New Haven, CT to hear and act on the following items:

- 1) [LM-2026-0109](#) ZONING ORDINANCE TEXT AMENDMENT APPROVING AN AMENDMENT TO SECTION 42, TABLE 3. USE TABLE, PARAGRAPH V OF THE NEW HAVEN ZONING ORDINANCE TO PERMIT CULTURAL ACTIVITIES NOT CARRIED ON AS A GAINFUL BUSINESS, INCLUDING ART GALLERIES, LIBRARIES, AND MUSEUMS, TO BE DESIGNATED AS-OF-RIGHT IN THE LIGHT INDUSTRIAL (IL) DISTRICT

- 2) [OR-2025-0024](#) ORDINANCE AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS ADOPTING THE CGA STATE STATUTE, CHAPTER 420H, REGULATION OF ADULT-USE CANNABIS, SEC. 21A-420C LICENSE REQUIRED FOR SALE, OFFERING, OR DELIVERY OF CANNABIS. PENALTIES. ENFORCEMENT POWERS OF THE COMMISSIONER, ATTORNEY GENERAL, AND MUNICIPALITIES.

Per Order: Hon. Richard Furlow, Chair

Attest: Hon. Michael Smart, City/Town Clerk

These items are on file and available in the Office of Legislative Services, City Hall, 165 Church Street, 2nd Floor, New Haven, Connecticut 06510.

For accessibility related accommodations, please call (203) 946 7651 (V) or (203) 946 8582 (TTY/TDD).

Public comment/testimony may also be submitted via email to publictestimony@newhavenct.gov before 2:00 pm on the day of the meeting.

This meeting may be viewed on the New Haven Board of Alders YouTube page.



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Text File

File Number: LM-2026-0109

Agenda Date:

Version: 1

Status: In Committee

In Control: Legislation Committee

File Type: Order

Agenda Number: 1)

WHEREAS, pursuant to 1925 Special Act No. 490 §5, Article XIII §2 of the Charter of the City of New Haven, and § 64(d)(1) of the Zoning Ordinance, City of New Haven (the "Zoning Ordinance"), Lost in New Haven, Inc. LLC ("Petitioner") filed with the New Haven City Clerk for transmission to the Board of Alders a Petition (the "Petition") requesting that the Board of Alders amend the text of the New Haven Zoning Ordinance, Section 42, Table 3, Use Table, Paragraph V to permit Cultural activities not carried on as a gainful business, including art galleries, libraries and museums, to be permitted as-of-right in the Light Industrial (IL) Districts, as set forth on Schedule A attached hereto (the "Text Amendment"); and

WHEREAS, on _____, 2026 pursuant to the City of New Haven Charter and the Zoning Ordinance, the Board of Alders referred the Petition to the New Haven City Plan Commission for a public hearing and for their advice;
And

WHEREAS, on _____, the City Plan Commission following its public hearing rendered an advisory report to the Board of Alders after considering the factors set forth in § 64(d)(2) of the Zoning Ordinance recommending _____ of the Petition, City Plan Commission Report No. _____

and

WHEREAS, following the public hearing of the Board of Alders Legislation Committee on _____, the Committee issued a _____ report; and WHEREAS, the Board of Alders finds that the Text Amendment to the Zoning Ordinance requested in the Petition is in accordance with the Comprehensive Plan of Development and the Comprehensive Plan for the City of New Haven, as such an amendment will facilitate the repurposing of vacant industrial buildings for cultural uses, and encourage the development of cultural activities in neighborhoods outside of downtown New Haven, in accordance with the goals and strategies set forth in Vision 2034, the City's Comprehensive Plan of Development; and

WHEREAS, the Board of Alders further finds that the Text Amendment to the Zoning Ordinance requested in the Petition is designed to lessen congestion in the streets, secure safety, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue concentrations of population, provide adequate provisions for all forms of transportation and other public requirements, reflect the character of the applicable zoning district and its peculiar suitability for the uses to be allowed in such district, conserve the value of existing buildings, and encourage the most appropriate use of land in the City; and

WHEREAS, the Board of Alders further finds that the Text Amendment to the Zoning Ordinance requested in the Petition is uniform for each class of buildings or structures within the IL District.

NOW THEREFORE BE IT ORDAINED by the Board of Alders of the City of New Haven that the Petition of Lost in New Haven, Inc. is granted for an amendment to the Zoning Ordinance text permitting Cultural activities not carried on as a gainful business, including art galleries, libraries and museums, be allowed as of right in the Light Industrial (IL) District, and the text of the Zoning Ordinance, Section 42, Table 3. Use Table, Paragraph V shall be amended to provide that such uses are permitted as of right in the IL District. This Ordinance shall be effective on the day after the date of publication of notice of the adoption of this Ordinance.

ZONING ORDINANCE TEXT AMENDMENT APPROVING AN AMENDMENT TO SECTION 42, TABLE 3. USE TABLE, PARAGRAPH V OF THE NEW HAVEN ZONING ORDINANCE TO PERMIT CULTURAL ACTIVITIES NOT CARRIED ON AS A GAINFUL BUSINESS, INCLUDING ART GALLERIES, LIBRARIES, AND MUSEUMS, TO BE DESIGNATED AS-OF-RIGHT IN THE LIGHT INDUSTRIAL (IL) DISTRICT

LOST IN NEW HAVEN, INC.
80 HAMILTON STREET
NEW HAVEN, CT 06511

March 10, 2026

VIA HAND-DELIVERY

Honorable Tyisha Walker-Myers
President
Board of Alders
City of New Haven
165 Church Street
New Haven, CT 06510

Mr. Michael Smart
City/Town Clerk
City of New Haven
200 Orange Street
New Haven, CT 06510

Re: Petition to Amend the Text of the New Haven Zoning Ordinance, Section 42, Table 3, Use Table, Paragraph V, to Permit Cultural Activities Not Carried On As A Gainful Business, Including Art Galleries, Libraries and Museums to be Permitted As-Of-Right in Light Industrial (IL) Districts.

Dear President Walker-Myers and Mr. Smart:

Lost in New Haven, Inc., the operator of the Lost in New Haven Museum, respectfully requests that the New Haven Board of Alders amend the text of the New Haven Zoning Ordinance to permit nonprofit cultural activities, including art galleries, libraries and museums located in IL Districts to be as-of-right uses. Currently, such uses are prohibited in the IL zones. The requested amendment furthers the goals Vision 2034 to support the arts, to repurpose vacant industrial and manufacturing buildings for cultural activities, to make the arts more accessible to New Haven residents, and to update the Zoning Ordinance to support neighborhood development.

The Lost in New Haven Museum (“Lost In New Haven” or the “Museum”) holds in excess of 20,000 objects, maps, photographs and other memorabilia that document New Haven’s 400 year plus industrial, cultural and artistic history. The Museum is open to the public for visitation and tours and partners with schools and community organizations to host educational programs and musical and cultural events.

Lost in New Haven is located at 80 Hamilton Street in the IL District. As stated above, museums are not permitted uses in the IL District. In 2021, the New Haven Board of Zoning Appeals granted a use variance to permit Lost in New Haven to occupy a vacant industrial building at 80 Hamilton Street. In granting the use variance, the Board of Zoning Appeals noted that the former industrial building at that location was

President Tyisha Walker
Mr. Michael Smart
March 10, 2026
Page 2

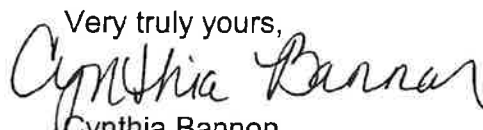
"perfect for what [was] proposed," noting that the high ceilings, strong concrete floors, sufficient size as well as the loading dock supported museum use.

Today, Lost in New Haven seeks to expand the Museum. Lost in New Haven has additional objects that it wishes to display, it needs space for its administrative functions (offices, a conference room), it requires storage spaces, and desires to have a library, a classroom, a community function space, and a gallery where it can host temporary exhibitions, including art shows of local artists. To achieve these goals, Lost in New Haven wishes to occupy the second floor of 80 Hamilton Street and also to acquire an adjoining vacant industrial property at 60 Hamilton Street, which is also in the IL District. In both instances, additional museum use is not permitted. Accordingly, the requested zoning amendment is necessary to allow the expansion of the Museum as-of-right thereby providing certainty to the Museum, its donors and its funders that museum use is an allowed use at these locations.

In sum, Lost in New Haven is seeking to change the text of the New Haven Zoning Ordinance to permit it to occupy these properties as-of-right. The Museum recognizes that such change would impact properties in addition to 60 and 80 Hamilton Street but believes that such zoning amendment is appropriate for those locations as well. This amendment will allow vacant and underutilized factories and warehouses, which are not appropriate for modern manufacturing, to be repurposed as cultural institutions. Such change will enliven neighborhoods, provide desperately needed space for the arts and bring museums, libraries and art galleries to a number of new locations in the City, thereby making cultural activities more accessible to the residents of New Haven.

The attached Petition for a Text Amendment complies with the requirements of Section 64(d)(2) of the Zoning Ordinance for an amendment to the Zoning Ordinance as well as the Charter requirements for a zoning amendment, as set forth in the attached Petition.

For all of these reasons, we urge approval of this Petition. Enclosed please find a check for the filing fee in the amount of \$1,500.

Very truly yours,

Cynthia Bannon
Managing Director

Enclosures

cc: Laura Brown, Executive Director of the City Plan Department (VIA Hand-Delivery)

Attachment A: Petition for Zoning Map Amendment
Attachment B: Proposed Ordinance for Zoning Text Amendment

ATTACHMENT B

ZONING ORDINANCE TEXT AMENDMENT APPROVING AN AMENDMENT TO SECTION 42, TABLE 3. USE TABLE, PARAGRAPH V OF THE NEW HAVEN ZONING ORDINANCE TO PERMIT CULTURAL ACTIVITIES NOT CARRIED ON AS A GAINFUL BUSINESS, INCLUDING ART GALERIES, LIBRARIES, AND MUSEUMS, TO BE DESIGNATED AS-OF-RIGHT IN THE LIGHT INDUSTRIAL (IL) DISTRICT

WHEREAS, pursuant to 1925 Special Act No. 490 §5, Article XIII §2 of the Charter of the City of New Haven, and § 64(d)(1) of the Zoning Ordinance, City of New Haven (the "Zoning Ordinance"), Lost in New Haven, Inc. LLC ("Petitioner") filed with the New Haven City Clerk for transmission to the Board of Alders a Petition (the "Petition") requesting that the Board of Alders amend the text of the New Haven Zoning Ordinance, Section 42, Table 3, Use Table, Paragraph V to permit Cultural activities not carried on as a gainful business, including art galleries, libraries and museums, to be permitted as-of-right in the Light Industrial (IL) Districts, as set forth on Schedule A attached hereto (the "Text Amendment"); and

WHEREAS, on _____, 2026 pursuant to the City of New Haven Charter and the Zoning Ordinance, the Board of Alders referred the Petition to the New Haven City Plan Commission for a public hearing and for their advice; and

WHEREAS, on _____, the City Plan Commission following its public hearing rendered an advisory report to the Board of Alders after considering the factors set forth in § 64(d)(2) of the Zoning Ordinance recommending _____ of the Petition, City Plan Commission Report No. _____; and

WHEREAS, following the public hearing of the Board of Alders Legislation Committee on _____, the Committee issued a _____ report; and

WHEREAS, the Board of Alders finds that the Text Amendment to the Zoning Ordinance requested in the Petition is in accordance with the Comprehensive Plan of Development and the Comprehensive Plan for the City of New Haven as such Amendment will facilitate the repurposing of vacant industrial buildings for cultural uses and encourage the development of cultural activities in neighborhoods outside of downtown New Haven; in accordance with the goals and strategies set forth in Vision 2034, the City's Comprehensive Plan of Development; and

WHEREAS, the Board of Alders further finds that the Text Amendment to the Zoning Ordinance requested in the Petition is designed to lessen congestion in the streets, secure safety, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue concentrations of population, provide adequate provisions for all forms of transportation and other public requirements, reflect the character of the applicable zoning district and its peculiar suitability for the uses to be allowed in such district, conserve the value of existing buildings, and encourage the most appropriate use of land in the City; and

WHEREAS, the Board of Alders further finds that the Text Amendment to the Zoning Ordinance requested in the Petition is uniform for each class of buildings or structures within the IL District.

NOW THEREFORE BE IT ORDAINED by the Board of Alders of the City of New Haven that the Petition of Lost in New Haven, Inc. is granted for an amendment to the Zoning Ordinance text permitting Cultural activities not carried on as a gainful business, including art galleries, libraries and museums, be allowed as-of-right in the Light Industrial (IL) District, and the text of the Zoning Ordinance, Section 42, Table 3. Use Table, Paragraph V shall be amended to provide that such uses are permitted as-of-right in the IL District. This Ordinance shall be effective on the day after the date of publication of notice of the adoption of this Ordinance.

Signed

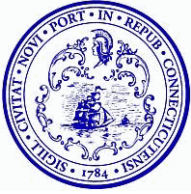
Date

SCHEDULE A

TABLE 3, USE TABLE

Key: R - Permitted As-of-Right SP - Special Permit SE - Special Exception X - Not Permitted NA - Not Applicable
 In case of conflict between this Table 3 and the text of the Zoning Ordinance, the text shall prevail.

Use	BA	BA-1	CGD	BA-2	BC	BD	BD-1	BD-2	BD-3	BE	MUL W	TOC	IL	IM	IH	Parking	Loading
V. Institutional and Public Uses																	
Cultural activities not carried on as a gainful business, including art galleries, libraries and museums.	R	R	R	R	R	R	R	R	R	X	R/R	R	X R	X	X		h



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Text File

File Number: OR-2025-0024

Agenda Date:

Version: 1

Status: In Committee

In Control: Board of Alders

File Type: Ordinance

Agenda Number: 2)

WHEREAS, on October 1, 2024, the Connecticut General Assembly enacted new provisions that establish penalties for unfair and deceptive cannabis trade practices and grant municipal officials new enforcement powers;

WHEREAS, on March 17, 2025, the New Haven Board of Alders passed an ordinance amendment to the New Haven Code of Ordinances, amending Chapter 17 by adding Article XIX to establish retail license requirements for tobacco and smoking products; updating licensing fees in Article XX - Fees and Charges, as applicable to these retailers; and updating Chapter 16, Article VI, regarding the prohibition of tobacco, smoking, vapor, and nicotine products;

WHEREAS, also, on March 17, 2024, the New Haven Board of Alders passed a Zoning Ordinance Amendment to establish zoning regulations for retailers of tobacco and/or vapor products, smoke shops, and smoking places;

WHEREAS, by adopting this legislation by the Connecticut General Assembly, any person found in violation of this statute or as amended, who poses an immediate threat to public health and safety in relation to the sale, delivery, and offering of adult-use cannabis, the City of New Haven is empowered to impose fines upon that person through a civil legal process;

WHEREAS, (b) no person except a delivery service, or an employee of a delivery service, subject to the restrictions set forth in section 21a-420z of the Connecticut General Statutes, acting in the course of such employee's employment, may deliver cannabis to consumers, patients, or caregivers;

WHEREAS, (c) any violation of the provisions of this section shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b of the Connecticut General Statutes;

WHEREAS, (d) (1) any municipality may, by vote of its legislative body, prohibit the operation of any business within such municipality that is found to be in violation of the provisions of this section or if such operation poses an immediate threat to public health and safety;

WHEREAS, (2) if the chief executive officer of a municipality determines that a business within the municipality is operating in violation of the provisions of this section or poses an immediate threat to public health and safety, the chief executive officer may apply to the Superior Court for an order under subdivision (3) of this subsection;

WHEREAS, (3) upon an application under subdivision (2) of this subsection, the Superior Court, upon a finding that a business within the municipality is operating in violation of the provisions of this section or poses an immediate threat to public health and safety, may issue forthwith, ex parte and without a hearing, an order that shall direct the chief law enforcement officer of the municipality to take from such business possession and control of any merchandise related to

such violation or immediate threat to public health and safety, which merchandise shall include, but need not be limited to, (A) any cannabis or cannabis product, (B) any cigarette, tobacco or tobacco product, (C) any merchandise related to the merchandise described in subparagraphs (A) and (B) of this subdivision, and (D) any proceeds related to the merchandise described in subparagraphs (A) to (C), inclusive, of this subdivision; and

WHEREAS, (4) As used in this subsection, (A) “cigarette” has the same meaning as provided in section 4-28h of the Connecticut General Statutes, (B) “immediate threat to public health and safety” includes, but is not limited to, the presence of (i) any cannabis or cannabis product in connection with a violation of this section, or (ii) any cigarette or tobacco product alongside any cannabis or cannabis product, and (C) “operation” and “operating” mean engaging in the sale of, or otherwise offering for sale, goods and services to the general public, including, but not limited to, through indirect retail sales.

NOW THEREFORE, BE IT ORDAINED by the Board of Alders, that the Code of Ordinances be amended pursuant to CGA state statutes Sec. 21a-420c. be approved as follows:

(e) (1) Any person who violates any provision of this section shall be assessed a civil penalty of thirty thousand dollars for each violation. Each day that such violation continues shall constitute a separate offense.

(2) Any person who aids or abets any violation of the provisions of this section shall be assessed a civil penalty of thirty thousand dollars for each violation. Each day that such person aids or abets such violation shall constitute a separate offense. For the purposes of this subdivision, no person shall be deemed to have aided or abetted a violation of the provisions of this section unless (A) such person was the owner, officer, controlling shareholder or in a similar position of authority that allowed such person to make command or control decisions regarding the operations and management of another person who (i) is prohibited from selling or offering any cannabis or cannabis product under this section, and (ii) sold or offered any cannabis or cannabis product in violation of this section, (B) such person knew that such other person (i) is prohibited from selling or offering any cannabis or cannabis product under this section, and (ii) sold or offered any cannabis or cannabis product in violation of this section, (C) such person provided substantial assistance or encouragement in connection with the sale or offer of such cannabis or cannabis product in violation of this section, and (D) such person's conduct was a substantial factor in furthering the sale or offer of such cannabis or cannabis product in violation of this section.

(3) Any person who manages or controls a commercial property, or who manages or controls a commercial building, room, space or enclosure, in such person's capacity as an owner, lessee, agent, employee or mortgagor, who knowingly leases, rents or makes such property, building, room, space or enclosure available for use, with or without compensation, for the purpose of any sale or offer of any cannabis or cannabis product in violation of this section shall be assessed a civil penalty of ten thousand dollars for each violation. Each day that such violation continues shall constitute a separate offense.

(4) No person other than the Attorney General, upon complaint of the Commissioner of Consumer Protection, or a municipality in which the violation of this section occurred, shall assess any civil penalty under this subsection or institute a civil action to recover any civil penalty imposed under this subsection. If a municipality institutes a civil action to recover any civil penalty imposed under this subsection, such penalty shall be paid first to the municipality to reimburse such municipality for the costs incurred in instituting such action. One-half of the remainder, if any, shall be payable to the treasurer of such municipality and one-half of such remainder shall be

payable to the Treasurer and deposited in the General Fund.

(f) Nothing in this section shall be construed to prohibit the imposition of any criminal penalty on any person who (1) is prohibited from selling or offering any cannabis or cannabis product under this section, and (2) sells or offers any cannabis or cannabis product in violation of this section.

ORDINANCE AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS ADOPTING THE
CGA STATE STATUTE, CHAPTER 420H, REGULATION OF ADULT-USE CANNABIS, SEC.
21A-420C LICENSE REQUIRED FOR SALE, OFFERING, OR DELIVERY OF CANNABIS.
PENALTIES. ENFORCEMENT POWERS OF THE COMMISSIONER, ATTORNEY GENERAL,
AND MUNICIPALITIES.



**CITY OF NEW HAVEN
BOARD OF ALDERS**

Richard Furlow
Alder, Ward 27

Majority Leader

Vice Chair
Legislation Committee

Vice Chair
New Haven Land Bank

Member
Finance Committee
Black & Hispanic Caucus
Livable City Initiative Board
Resource Allocation Committee

62 Fairfield Street
New Haven, CT 06515-2812

Telephone: (203) 507-5796
Email: Ward27@newhavenct.gov

September 15, 2025

Hon. Tyisha Walker-Myers
President, Board of Alders
165 Church Street
New Haven, CT 06510-2010
Dear President Walker-Myers:

I respectfully submit to the Board of Alders, as a communication, the attached Ordinance Amendment entitled: **ORDINANCE AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS ADOPTING THE CGA STATE STATUTE, CHAPTER 420H, REGULATION OF ADULT-USE CANNABIS, SEC. 21A-420C — LICENSE REQUIRED FOR SALE, OFFERING, OR DELIVERY OF CANNABIS. PENALTIES. ENFORCEMENT POWERS OF THE COMMISSIONER, ATTORNEY GENERAL, AND MUNICIPALITIES.**

The adoption of this legislation, enabled by the State of Connecticut, will authorize the City of New Haven to impose fines through a civil process on individuals and businesses found to be in violation of state statutes and municipal ordinances related to the unlicensed sale, offering, or delivery of cannabis. This is an important step toward safeguarding public health and safety, reducing unlawful activity, and ensuring that all cannabis-related enterprises operate in compliance with the law.

Our residents deserve a safe and orderly environment in which legitimate businesses can thrive. By providing the City with the authority to enforce these provisions locally, we can protect neighborhoods from illegal



operations, improve public confidence in lawful businesses, and help foster a well-regulated, responsible adult-use cannabis market.

Therefore, it is fitting and appropriate that the Board of Alders adopt this ordinance amendment to align New Haven's municipal code with state law and strengthen our local enforcement capabilities.

Thank you for your consideration of this request and for your continued commitment to the well-being of all New Haven residents.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Richard Furlow".

Hon. Richard Furlow
Majority Leader
Alder, Ward 27

Attachment

Title 21a - Consumer Protection

Chapter 420h - Regulation of Adult-Use Cannabis

Section 21a-420c. - License required for sale, offering or delivery of cannabis. Penalties. Enforcement powers of commissioner, Attorney General and municipalities.

Citation: CT Gen Stat § 21a-420c. (2024)

(a) Except as provided in RERACA and chapter 420b or 420f, (1) no person, other than a retailer, hybrid retailer, micro-cultivator or delivery service, or an employee thereof in the course of such employee's employment, may sell or offer cannabis to a consumer, and (2) no person, other than a hybrid retailer, dispensary facility or a delivery service, or an employee thereof in the course of such employee's employment, may sell or offer cannabis to qualifying patients and caregivers.

(b) No person except a delivery service, or an employee of a delivery service, subject to the restrictions set forth in section 21a-420z, acting in the course of such employee's employment may deliver cannabis to consumers, patients or caregivers.

(c) Any violation of the provisions of this section shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b.

(d) (1) Any municipality may, by vote of its legislative body, prohibit the operation of any business within such municipality that is found to be in violation of the provisions of this section or if such operation poses an immediate threat to public health and safety.

(2) If the chief executive officer of a municipality determines that a business within the municipality is operating in violation of the provisions of this section or poses an immediate threat to public health and safety, the chief executive officer may apply to the Superior Court for an order under subdivision (3) of this subsection.

(3) Upon an application under subdivision (2) of this subsection, the Superior Court, upon a finding that a business within the municipality is operating in violation of the provisions of this section or poses an immediate threat to public health and safety, may issue forthwith, ex parte and without a hearing, an order that shall direct the chief law enforcement officer of the municipality to take from such business possession and control of any merchandise related to such violation or immediate threat to public health and safety, which merchandise shall include, but need not be limited to, (A) any cannabis or cannabis product, (B) any cigarette, tobacco or tobacco product, (C) any merchandise related to the merchandise described in subparagraphs (A) and (B) of this subdivision, and (D) any proceeds related to the merchandise described in subparagraphs (A) to (C), inclusive, of this subdivision.

(4) As used in this subsection, (A) “cigarette” has the same meaning as provided in section 4-28h, (B) “immediate threat to public health and safety” includes, but is not limited to, the presence of (i) any cannabis or cannabis product in connection with a violation of this section, or (ii) any cigarette or tobacco product alongside any cannabis or cannabis product, and (C) “operation” and “operating” mean engaging in the sale of, or otherwise offering for sale, goods and services to the general public, including, but not limited to, through indirect retail sales.

(e) (1) Any person who violates any provision of this section shall be assessed a civil penalty of thirty thousand dollars for each violation. Each day that such violation continues shall constitute a separate offense.

(2) Any person who aids or abets any violation of the provisions of this section shall be assessed a civil penalty of thirty thousand dollars for each violation. Each day that such person aids or abets such violation shall constitute a separate offense. For the purposes of this subdivision, no person shall be deemed to have aided or abetted a violation of the provisions of this section unless (A) such person was the owner, officer, controlling shareholder or in a similar position of authority that allowed such person to make command or control decisions regarding the operations and management of another person who (i) is prohibited from selling or offering any cannabis or cannabis product under this section, and (ii) sold or offered any cannabis or cannabis product in violation of this section, (B) such person knew that such other person (i) is prohibited from selling or offering any cannabis or cannabis product under this section, and (ii) sold or offered any cannabis or cannabis product in violation of this section, (C) such person provided substantial assistance or encouragement in connection with the sale or offer of such cannabis or cannabis product in violation of this section, and (D) such person's conduct was a substantial factor in furthering the sale or offer of such cannabis or cannabis product in violation of this section.

(3) Any person who manages or controls a commercial property, or who manages or controls a commercial building, room, space or enclosure, in such person's capacity as an owner, lessee, agent, employee or mortgagor, who knowingly leases, rents or makes such property, building, room, space or enclosure available for use, with or without compensation, for the purpose of any sale or offer of any cannabis or cannabis product in violation of this section shall be assessed a civil penalty of ten thousand dollars for each violation. Each day that such violation continues shall constitute a separate offense.

(4) No person other than the Attorney General, upon complaint of the Commissioner of Consumer Protection, or a municipality in which the violation of this section occurred shall assess any civil penalty under this subsection or institute a civil action to recover any civil penalty imposed under this subsection. If a municipality institutes a civil action

to recover any civil penalty imposed under this subsection, such penalty shall be paid first to the municipality to reimburse such municipality for the costs incurred in instituting such action. One-half of the remainder, if any, shall be payable to the treasurer of such municipality and one-half of such remainder shall be payable to the Treasurer and deposited in the General Fund.

(f) Nothing in this section shall be construed to prohibit the imposition of any criminal penalty on any person who (1) is prohibited from selling or offering any cannabis or cannabis product under this section, and (2) sells or offers any cannabis or cannabis product in violation of this section.