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Title: ORDINANCE OF THE BOARD OF ALDERS AMENDING THE ZONING ORDINANCE OF THE CITY OF NEW HAVEN CONCERNING THE RESPONSIBLE AND EQUITABLE REGULATION OF ADULT-USE CANNABIS.

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Attachments: 1. 1-Checklist Adult Use Cannabis Zoning Ordinance Amendment - February 15, 2022, 2. 2-Cover Letter Adult Use Cannabis Zoning Ordinance Amendment - February 15, 2022, 3. 2-Cover Letter Adult Use Cannabis Zoning Ordinance Amendment - February 15, 2022, 4. 3 - Zoning Ordinance Adult Use Cannabis Amendment - February 15, 2022, 5. 3-Zoning Ordinance Adult Use Cannabis Amendment - February 15, 2022, 6. 4-Prior Notification Form Adult Use Cannabis - February 15, 2022, 7. 5-Fiscal Impact Statement Adult Use Cannabis Zoning Ordinance Amendment - February 15, 2022, 8. 6-Supplemental Information Adult Use Cannabis Zoning Ordinance - February 15, 2022, 9. signed checklist for adult cannabis ordinance, 10. OR-2022-0003

Date	Ver.	Action By	Action	Result
8/1/2022	2	Board of Alders	Adopted As Amended	
7/5/2022	2	Board of Alders	Noted	
6/7/2022	2	Legislation Committee	Favorable Report	
4/5/2022	1	Legislation Committee	No Action	
2/22/2022	1	Board of Alders	Referred	

ORDINANCE OF THE BOARD OF ALDERS AMENDING THE ZONING ORDINANCE OF THE CITY OF NEW HAVEN CONCERNING THE RESPONSIBLE AND EQUITABLE REGULATION OF ADULT-USE CANNABIS.

WHEREAS, on July 1, 2021, the State of Connecticut (State) adopted the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA); and

WHEREAS, RERACA delegates to the municipalities of the State) to regulate the land use and zoning of adult-use Cannabis establishments including cultivation, processing, manufacturing, distribution, testing and sale of nonmedical marijuana in tandem with a comprehensive system of State licensing and regulatory provisions; and

WHEREAS, the Board of Alders acknowledges that it is in the best interest of the City of New Haven that all cannabis that is cultivated, processed, manufactured, distributed, tested, or sold in the City of New Haven is well-regulated, environmentally responsible, and economically sustainable; and

WHEREAS, the Board of Alders seeks to prohibit the commercial cultivation of adult-use cannabis in residential zones and provide locations within commercial and industrial districts where Cannabis may be cultivated, grown, sold, distributed, or dispensed; and

WHEREAS, the Board of Alders seeks to protect and preserve peace, order, property and safety of persons as

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a result of issues associated with Cannabis Establishments, including but not limited to problems with insufficient or improper electrical supply, problems with ventilation leading to mold, offensive odors, or other health hazards and other hazards which are associated with the commercial cultivation of Cannabis within the City of New Haven and which is otherwise often difficult to detect and regulate; and

WHEREAS, the Board of Alders further desires to permit Cannabis Establishments that enhance the aesthetic value of the site; wherein, the proposed will not present a substantial detriment to surrounding area, public health, safety and welfare of the community; and

WHEREAS, the Board of Alders understands that the social, environmental, economic, and land use impacts of commercial cannabis cultivation, processing, manufacturing, distribution, and testing are no different whether in support of the medicinal or adult use commercial marketplace; and

WHEREAS, the Board of Alders desires to amend its Zoning Ordinance related to smoking in public places; and

WHEREAS, the Board of Alders finds that there is indisputable evidence that smoke-free environments are an effective way to protect the population from the effects of exposure to and contact with secondhand smoke; and

WHEREAS, the Board of Alders sought the City Plan Commission recommendations regarding proposed permitted locations, operational standards, such as, but not limited to, odor, decision making criteria, alignment with the City's comprehensive plan and/or other protocols; and

WHEREAS, the City Plan Commission conducted its own independent studies and analysis regarding the aforementioned items; and

WHEREAS, the Board of Alders received and reviewed analysis, data and reports regarding Cannabis Establishments; and

WHEREAS, a letter submitted by the City Plan Department has requested legislation amending various sections of the Zoning Ordinance of the City of New Haven entitled Zoning Ordinance City of New Haven, Connecticut.

NOW, THEREFORE, THE BOARD OF ALDERS HEREBY FINDS that it is necessary and desirable to protect the public health, safety and environmental resources, ensure safe and equitable access for Cannabis Establishments to foster a healthy, diverse and economically viable adult-use cannabis industry and also to provide fair and equitable regulations in a manner consistent with RECACA and the Comprehensive Plan of Development of 2015.

THE BOARD OF ALDERS FURTHER FINDS that the State's adoption of a comprehensive statewide licensing and regulatory policy for Cannabis Establishments permits the City of New Haven to regulate and/or restrict cannabis locations of trade and industries at the local level.

THE BOARD OF ALDERS FURTHER FINDS that unlicensed and/or unregulated commercial cultivation of cannabis within the City of New Haven can adversely affect the health, safety, and well-being of residents and the environment. Comprehensive civil regulation of premises used for cannabis cultivation, including zoning regulation, is proper and necessary to reduce the risks of criminal activity, degradation of the natural environment, malodorous smells, and indoor electrical fire hazards that may result from unregulated cannabis cultivation.

THE BOARD OF ALDERS FURTHER FINDS that certain plans and planning districts previously approved by the Board of Alders did not contemplate Cannabis Establishments and require additional study prior to permitting Cannabis Establishments in these districts.

THE BOARD OF ALDERS FURTHER FINDS that comprehensive regulation of commercial cannabis cultivation and activities related to cannabis commerce is proper and necessary to address the risks and adverse impacts as stated herein.

NOW, THEREFORE, BE IT ORDAINED; by the Board of Alders of the City of New Haven that the following Zoning Text Amendments are hereby adopted:

Part 1. ARTICLE I, Section 1, Definitions is hereby amended as follows:

Section 1. Definitions.

Article I, Section 1 is amended to add the following definitions, which shall be codified in alphabetical order:

DRUG PARAPHERNALIA: means Drug Paraphernalia as defined in section 21a-240 of the general statutes pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21 -1 (2021), and as may be amended from time to time.

In determining whether an object is drug paraphernalia, a court, zoning officer, zoning board, building department, or other authority should consider, in addition to all other logically relevant factors, the following:

1. Statements by an owner or by anyone in control of the object concerning its use;
2. Prior convictions, if any, of an owner, or of anyone in control of the object, under a state or federal law relating to any controlled substance;
3. The proximity of the object, in time and space, to a direct violation of such law;
4. The proximity of the object to controlled substances;
5. The existence of any residue of controlled substances on the object;
6. Direct or circumstantial evidence of the intent of an owner, of anyone control of the object, to deliver it to persons whom it knows, or should reasonably know, intend to use the object to facilitate a violation of any law of the State of Connecticut or of the United States; the innocence of the owner, or of anyone in control of the object, as to a direct violation of such law shall not prevent a finding the object is intended for use, or designed for use as drug paraphernalia.
7. Instructions, oral or written, provided with the object concerning its use;
8. Descriptive materials accompanying any object which explain or depict its use;
9. National or local advertising concerning its use;
10. The manner in which the object is displayed for sale;
11. Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;
12. Direct or circumstantial evidence of the ratio of sales of the object(s) to the total sales of the business enterprise;
13. The existence and scope of legitimate uses for the object in the community;
14. Expert testimony concerning its use;

DRUG PARAPHERNALIA CENTER: Any store, restaurant, bar, premises or other establishment which, in addition to any other trade, business or service conducted therein, includes a significant amount of drug paraphernalia. For the purposes of this zoning ordinance, an amount of drug paraphernalia shall be deemed significant as to any store, restaurant, bar, premises or other establishment if:

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(a) 10% or more of the square footage or active display area of such store, restaurant, bar, social club, premises or other establishment is devoted to or occupied by drug paraphernalia; or

(b) 10% or more of the monthly gross revenue of such store, restaurant, bar, social club, premises or other establishment is or can reasonably be expected to be attributable to the sale or rental of drug paraphernalia; or

(c) 10% or more of the value of the inventory and equipment or of such store, restaurant, bar, social club, premises, or other establishment consists of drug paraphernalia.

Any amount above such a threshold shall be deemed a separate use, subject to the provisions of the New Haven Zoning Ordinance.

MIXED USE BUILDING: A building designed and constructed for a mixture of residential and commercial, institutional or office uses, typically with residential uses located above non-residential uses.

PARAPHERNALIA: means “drug paraphernalia,” as defined in section 21a-240 of the general statutes pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21 -1 (2021), and as may be amended from time to time; also see DRUG PARAPHERNALIA of the New Haven Zoning Ordinance.

SMOKING: Inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted tobacco and/or marijuana product in any manner or in any form.

STAND-ALONE BUILDING: Buildings that are not attached/semi-detached and do not have common walls with adjacent structure(s).

Part 2 - ARTICLE V. BUSINESS AND INDUSTRIAL DISTRICTS is hereby amended as follows,

Section 42.6. CANNABIS ESTABLISHMENTS.

A. Purpose.

It is the purpose of this Section 42.6 is to establish reasonable and uniform regulation of Cannabis Establishments within the City of New Haven in order to protect the health, safety, and general welfare; to ensure that due process is done and to promote social equity as directed by the RERACA, and to ensure harmony with the general purpose of this ordinance and compatibility with the City's Comprehensive Plan and Connecticut General Statutes by:

1. Creating a system for evaluating and siting permitted cannabis establishments in appropriate locations within the City; and

2. Protecting environmental, cultural, residential and/or other sensitive areas, institutions, features, structures and/or sites from potential negative externalities from cannabis establishments.

B. Definitions.

For the purposes of this Section 42.6, the following definitions apply:

CANNABIS: Marijuana, as defined in section 21a-240 of the general statutes in accordance with pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

CANNABIS ESTABLISHMENT: A producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con.

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Pub. Act 21-1 (2021), as may be amended from time to time. (RERACA Defined shorten)

CANNABIS PRODUCT: Cannabis that is in the form of a cannabis concentrate or a product that contains cannabis, which may be combined with other ingredients, and is intended for use or consumption. "Cannabis product" does not include the raw cannabis plant pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

CANNABIS CONCENTRATE: Any form of concentration, including, but not limited to, extracts, oils, tinctures, shatter and waxes, that is extracted from cannabis pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

CANNABIS-TYPE SUBSTANCES: Have the same meaning as "marijuana", as defined in section 21a-240 of the general statutes pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

CONSUMER: An individual who is twenty-one years of age or older pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

CULTIVATION: has the same meaning as provided in section 21a-408 of the general statutes pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

CULTIVATOR: A person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

DELIVERY SERVICE: Pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time, a person that is licensed to deliver cannabis from

(A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and

(B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in section 21a-408 of the general statutes, or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to chapter 368v of the general statutes that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof.

DISPENSARY FACILITY: A place of business where cannabis may be dispensed, sold or distributed in accordance with chapter 420f of the general statutes and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under chapter 420f of the general statutes and any regulations adopted thereunder pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

EXTRACT: The preparation, compounding, conversion or processing of cannabis, either directly or indirectly by extraction or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis to produce a cannabis concentrate pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

FOOD AND BEVERAGE MANUFACTURER: A person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

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GROW SPACE: The portion of a premises owned and controlled by a producer, cultivator or micro-cultivator that is utilized for the cultivation, growing or propagation of the cannabis plant, and contains cannabis plants in an active stage of growth, measured starting from the outermost wall of the room containing cannabis plants and continuing around the outside of the room pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time. "Grow space" does not include space used to cure, process, store harvested cannabis or manufacture cannabis once the cannabis has been harvested.

HYBRID RETAILER: A person that is licensed to purchase cannabis and sell cannabis and medical marijuana products pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

MARIJUANA: means CANNABIS, as defined in section 21a-240 of the general statutes in accordance with pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21 -1 (2021), as may be amended from time to time. *See,* CANNABIS above.

MEDICAL MARIJUANA PRODUCT: Cannabis that may be exclusively sold to qualifying patients and caregivers by dispensary facilities and hybrid retailers and which are designated by the Commissioner of Consumer Protection of the State of Connecticut as reserved for sale to qualifying patients and caregivers and published on the department's Internet web site pursuant to the Responsible and Equitable Regulation of Adult -Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

MICRO-CULTIVATOR: A person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the commissioner of consumer protection pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

PERSON: An individual, partnership, limited liability company, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other legal entity and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination thereof pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21 -1 (2021), as may be amended from time to time.

PRODUCER: A person that is licensed as a producer pursuant to section 21a-408i of the general statutes and any regulations adopted thereunder pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

PRODUCT MANUFACTURER: A person that is licensed to obtain cannabis, extract and manufacture products exclusive to such license pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

PRODUCT PACKAGER: A person that is licensed to package and label cannabis pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

INDOOR PUBLIC PLACE: An enclosed area to which the public is invited or in which the public is permitted, including, but not limited to: Aquariums, galleries, libraries, and museums; (2) Areas available to and customarily used by the general public in businesses ; (3) Bars; (4) Bingo facilities ; (5) Child care and adult day care facilities ; (6) Convention facilities; (7) Educational facilities, both public and private ; (8) Elevators; (9) Gaming facilities; (10) Governmental facilities, including buildings and vehicles; (11) Health care facilities ; (12)

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Hotels and motels; (13) Lobbies, hallways, and other common areas in apartment buildings, condominiums, retirement facilities, nursing homes, and other multiple-unit residential facilities; (14) Polling places; (15) Pool and billiard halls; (16) Public transportation facilities, including buses and taxicabs, and ticket, boarding, and waiting areas of public transit depots ; (17) Restaurants ; (18) Restrooms, lobbies, reception areas, hallways, and other common-use areas; (19) Retail establishments ; (20) Service lines; (21) Shopping malls ; (22) Sports arenas; and (23) Theaters and other facilities primarily used for exhibiting motion pictures, stage dramas, lectures, musical recitals, or other similar performances. A private residence is not a 'public place' unless used as a child-care, adult day care, or health care facility.

QUALIFYING PATIENT: Has the same meaning as provided in section 21a-408 of the general statutes pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21 -1 (2021), as may be amended from time to time.

RESPONSIBLE AND EQUITABLE REGULATION OF ADULT-USE CANNABIS ACT (RERACA): Pursuant to Section 24 of the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

RETAILER: A person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021, as may be amended from time to time.

SALE or SELL: Has the same meaning as provided in section 21a-240 of the general statutes pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

TOBACCO/CANNABIS BAR: A bar in which the on-site sales or rentals of tobacco/cannabis products and smoking accessories for consumption or use on the premises exceeds 20% of gross revenues and into which entry is restricted to individuals 18 years of age and above.

TRANSPORT: To physically move from one place to another pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021), as may be amended from time to time.

TRANSPORTER: A person licensed to transport cannabis between cannabis establishments, laboratories and research programs pursuant to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA) Con. Pub. Act 21-1 (2021).

C. Eligibility and Permitted Locations.

1. Except as provided in Section 42.6.E below, the following types of Cannabis Establishment uses shall be allowed as of right in the BA, BA-1, BA-2, BA-2, BB, BC, BD, BD-1, BD-2, BD-3, CGD, IL or IH zones: Delivery Service or Transporter.

2. Except as provided in Section 42.6.E below, the following types of Cannabis Establishment uses shall be allowed by Special Permit in the BA, BA-1, BA-2, BA-2, BB, BC, BD, BD-1, BD-2, BD-3, CGD, IL or IH zones: Producer, Dispensary Facility, Cultivator, Micro-Cultivator, Retailer, Hybrid Retailer, Food and Beverage Manufacturer, or Product Packager.

   In evaluating an application for Special Permit under this section 42.6, the City Plan Commission shall take

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into consideration,

a. all criteria for evaluating a Special Permit under section 64(e); and

b. the health safety and welfare of the public, in general, and the neighborhood in particular; and

c. the following suitability criteria:
i. Proximity to sensitive receptors including but not limited to schools, parks, playgrounds, and community gardens;

ii. The location, the size the nature and the intensity of the proposed Cannabis Establishment and the operations involved in or conducted in connection with it;

iii. Provisions for odor control, security, noise and lighting as may be appropriate as well as other externalities which may create a nuisance.

3. In the case of a Retailer only, there shall not be more than one (1) licensed Retailer per each 25,000 residents of the City, as measured by the most recent decennial census or American Community Survey data issued by the United States Census Bureau, whichever is the more recent, at any one time.

D. Standards.
The following additional standards are hereby established for Cannabis Establishment uses.

1. Requirements.
a. Distance Requirement.
i. No Cannabis Establishment use shall be permitted to locate, relocate, move and/or operate within any premises where the property boundary of such premises is within 500' from the property line of any public, parochial, or private elementary or secondary school.

ii. The following Cannabis Establishment uses shall not be permitted to locate, relocate, move and/or operate within any premises where the property boundary of such premises is within 1,500 feet of another Cannabis Establishment: Dispensary Facility, Retailer, Hybrid Retailer or Tobacco/Cannabis Bar.

iii. The distance shall be measured from the property boundary of the proposed site, establishment and/or premises to the nearest property line encountered. However, where a Cannabis Establishment is located within a structure of more than 50,000 square feet, the point of measurement shall be the main public entrance of such location, premises, or site.

b. Development Concept Plan. Where Special Permit is required, the applicant shall submit a preliminary Development Concept Plan of the proposed development showing all proposed and existing buildings and uses on the lot, proposed grow spaces, retail floor areas, storage areas, yard setbacks, the proposed location and design of all signage, driveways, parking lots, number of parking spaces, screening, landscaping, open space.

d. All Cannabis Establishment uses shall occur within a fully enclosed structure.

e. All Cannabis Establishments shall comply with state law regarding concealed design standards.

E. Prohibitions.
1. Cannabis Establishments are prohibited in all residence districts, as well as the, “IM”, “Park”, “Cemetery” and “Airport” Zoning Districts.

2. Cannabis Establishments are prohibited in the following districts which shall be considered overlay

districts to the New Haven Zoning Ordinance,
a. River Street Municipal Development Plan;
b. Port District; and
c. Hill to Downtown Plan

3. Temporary Cannabis events, including but not limited to private marijuana vending events, cannabis trade shows or public cannabis events are prohibited unless authorized by state law.

4. Smoking, ingestion, or use of Cannabis, shall be prohibited in all Indoor Public Places, as defined in RERACA, S.B. 1201, Conn. Pub. Act 21-, where smoking or consumption of tobacco or tobacco products is prohibited by state law, unless specifically permitted by this ordinance, or other ordinance of the City of New Haven.

F. Conflicting Provisions.

1. If any standards, objectives, land uses, provisions, controls, permitted uses and other restrictions and requirements stated in this Section 42.6 of the Ordinance materially conflict with the provisions in other section(s) of the Zoning Ordinance, unless otherwise specified, this section of the Ordinance shall prevail. Notwithstanding the foregoing, all reasonable efforts shall be made to harmonize interpretations of this section 42.6 with the other provisions of the Ordinance.

2. Nothing in this Section 42.6 shall be construed to allow the use of Cannabis or allow any activity relating to the cultivation or consumption of Cannabis that is otherwise not expressly allowed in the New Haven Zoning Ordinance or is illegal under State law.

G. Severability. <file:///K:\Misty\Legislation%20Committee\220607%20LEG\Cannabis%20Ordinance%20Revision%20Joint%20edit%20RRW%20MP%20mjp%20LB_Redlined.docx>
Should any section, subsection, paragraph, sentence, clause, provision or phrase of this Section 42.6 be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect any other portion of this Section.

Part 3 - Section 42 of the Zoning Code is hereby amended to reflect 42.6.C (1-2).

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