

Wasilla considers weed ban

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WASILLA — The city council will consider a ban on the production of marijuana concentrates Feb. 23.

An ordinance introduced by council member Stu Graham would also limit the use of marijuana to within a home, and set a two-ounce limit for both possession and transportation with the city limits. The measure also stipulates that marijuana use must not disturb residents inside the home or in neighboring homes. The measure also lays out a series of fines for violations, roughly \$300 for manufacture, and \$100 each for violations of the possession, transportation, and nuisance use sections of the resolution.

If adopted, the measure would make Wasilla the first city in the Mat-Su Borough to address the question of marijuana possession legislatively since the November 2014 passage of the ballot initiative legalizing recreational marijuana. Palmer officials say a previously enacted smoking ban — the measure covers “burning plant material” — covers smoking marijuana in public places. Houston has not yet addressed the issue. The borough government is awaiting clarification from the Legislature as to whether they can address the issue legislatively.

The approaches in each city are largely driven by the will of voters. Houston passed the initiative by the widest margin, at about 14 percent. Palmer approved it by a much narrower margin, about four percent. Voters rejected the marijuana initiative in Wasilla by about six percent. Overall, borough voters opposed the measure.

The resolution introduced Feb. 9 is no different, according to Graham.

“The city has a responsibility to push forward the will of the voters, which was to not allow commercialization of marijuana within the city limits of Wasilla,” he said. “The will of the voters is that we not allow this to become mainstream. If we don’t take action, it’s going to become mainstream, and once you’re in the fast current, it’s hard to get out of it.”

Graham timed the initiative to be considered ahead of legalized possession measure, which takes effect at the end of February, though the actual date of legalization is still a matter of interpretation of



Marijuana plant

The city of Wasilla is considering legislation that could greatly restrict the use of soon-to-be-legal marijuana in the city.

the measure itself, with dates given ranging from Feb. 24 to Feb. 26. The Feb. 23 meeting is the last scheduled meeting before that range of dates.

The ordinance is targeted at getting rules on the books to amend as potential problems arise, Graham said.

“The reason that I addressed edibles, extracts, concentrates that sort of thing is because the state hasn’t acted to define anything on that, and while I empathize with those who said I’d rather eat a cookie than smoke a joint, I empathize with that, but do you have any idea what your eating, or does the police officer who’s trying to enforce the law have any idea what was used to make that cookie or make that brownie?” he said. “Did they take a pound of marijuana to make an ounce of concentrate to make those two-dozen brownies?”

That particular portion of the ordinance isn’t intended to exclude personal use, Graham said.

“Until we can find figure that out, it’s probably better to say just don’t do it, because if we say don’t do it and you’re a brownie eater, chances are you’re still going to make your brownies at home, but you’re not going to be making them for your neighbors, and that would be kind of the intent there,” he said.

While the primary focus of public comment is reserved for public hearings, a few hopeful entrepreneurs attended the meeting to voice concerns about the proposed measure.

Sarah Williams intends to start a seed-to-sale greenhouse and smoking parlor named Midnight Greenery in the borough, and objected to several portions of the law on the grounds that government was interfering with consumers unreasonably.

“Adding edibles to the list provides significant government overreach into the home of the individual who wants to make brownies for medicine,” she said.

The proposition would also run contrary to the spirit of the ballot initiative without an amendment allowing each adult to possess up to an ounce of marijuana in the home, Williams said.

Williams reserved her strongest criticism for the proposed limitation of smoking marijuana in the home.

“First, confining marijuana use to a domicile treats cannabis users like second-class citizens,” she said. “In an attempt to regulate this like alcohol, we need to allow businesses to apply for permits to allow smoking clubs, social clubs.”

“Otherwise, consumers will speak with their dollars and they’ll go elsewhere,” Williams added. “At the same time, if social clubs are not wanted because the assumption is that Wasilla didn’t really want this in the first place, won’t the consumer speak with their dollars and not go to them either? So why not allow the opportunity for the free market to decide for itself?”

Larry Clark, CEO of Valkyrie Security and Asset Protection Inc., said his company is particularly concerned about restrictions on transportation. Established security firms won't accept marijuana for secure transport, creating a market opening for his firm, the staff of which is largely comprised of former law enforcement officials and veterans, according to Clark.

“If those parties that are in business are north of Wasilla, what limitations or amendments can be made for us to transport larger amounts to their dispensary locations in Anchorage or Eagle River?” he said. “Are we going to be held to the same standard as the general public? Because we are a licensed business, and that is what we are in business to do is to provide a safe transport so that we can work with law enforcement to keep the criminal element out of this.”

Wasilla's location between the northern valley agricultural areas and the markets could pose a problem, because there are few safe alternate routes to the south, Clark pointed out.

Mayor Bert Cottle, who has served on the state alcoholic Beverage Control Board, said the local regulation likely wouldn't affect traffic along the state-maintained Parks Highway, which would be the primary conduit for agricultural traffic. The board has resolved similar disputes involving alcohol transportation in the past, Cottle added.

In other business, a resolution laying out a timetable for the possible sale of the Meta Rose building was postponed indefinitely. Council members had sought to amend the timeframe to match ongoing events. An appraisal estimating the building's worth at about \$1.6 million without an “anchor” or main business was delivered Monday, several months behind schedule.

Some council members — Deputy Mayor A. Clark Buswell and Graham — said they wanted to wait and see whether a proposed downtown overlay district would affect the sale.

The overlay district received a 4-1 recommendation from the city planning commission at that body's Tuesday meeting.

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