ALABAMA MEDICAL CANNABIS COMMISSION
ADMINISTRATIVE CODE

CHAPTER 538-X-8
REGULATION OF DISPENSARIES

538-X-8-.04 Requirements And Limitations As To Dispensaries Sites.

Dispensing sites must comply with the following:

(1) *Premises*. A "dispensing site" as defined in Chapter 1 of these Rules may consist of a stand-alone building or occupy dedicated exclusive space within a multi-use structure, strip mall or other such retail facility, except that a dispensing site may not occupy space within the same multi-use structure, strip mall or other such retail facility as a certifying physician or another licensee. To the extent that the dispensing site occupies space within a multi-use structure, strip mall or other retail facility, the licensee must provide a verified plan demonstrating that the space is reasonably secure from outside intrusion and that the safety and privacy of patients and caregivers is fully supported and monitored at all times during their visits to the dispensary (including in the parking area outside the dispensing site, see 538-X-8-.O4-2). Other facilities owned or leased and operated by a dispensary, such as a business office and a warehouse, shall not be deemed a dispensing site, provided that no medical cannabis products are offered for sale at such facilities.

(2) *Parking lot*. To the extent that a dispensing site is housed in a stand-alone building, a dispensary must maintain a parking area adjacent to its structure that shall be for the exclusive use of patients and caregivers seeking to purchase medical cannabis and related equipment and supplies; the parking area must be designed to provide reasonable privacy to those individuals in their ingress and egress from the dispensing site. Alternatively, if an exclusive parking area is not feasible for the stand-alone dispensary site, the dispensary must maintain for the exclusive use of patients and caregivers a designated portion of the parking area that is situated conveniently to the dispensing site, and which may be monitored and supported for the reasonable safety and security of customer patients and caregivers. To the extent that a dispensing site is housed in a multi-use structure, strip mall or other such retail facility, the dispensary must maintain for the exclusive use of patients and caregivers a designated portion of the parking area that is situated conveniently to the dispensing site, and which may be monitored and supported for the reasonable safety and security of customer patients and caregivers.

(3) *Restricted Proximity to School, Daycare or Childcare Facility*.

(a) The location of any dispensing site must be at least 1000 feet from any school, day care, or childcare facility.

(b) For purposes of paragraph 3.a. of this Rule, the following terms have the following meanings:

1. "At Least One Thousand Feet" shall mean at least one thousand feet in a straight line from the property line of the dispensing site premises to the property line of the school, daycare or childcare facility, measured at the nearest possible point between the two.

2. "School, Daycare or Childcare Facility" shall mean the real property on which a public or private school for students in any grade K-12 (not including a residence in which school- age children are being home-schooled) has actively operated within the last six months, or the real property on which a licensed daycare or childcare facility has actively operated within the last six months.

3. "Premises" shall mean a stand-alone structure housing a dispensing site, all portions of the real property where a dispensing site operates, including but not limited to the parking lot and any peripheral space outside the structure housing the dispensing site.

(4) *Dispensing Site Prohibited in the Absence of Authorizing local Resolution or Ordinance*. A dispensing site may not operate in the unincorporated area of a county or in a municipality that has not adopted a resolution or ordinance authorizing the operation of dispensing sites under §20-2A-51, Code of Ala. 1975, (as amended).

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