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BILL NO. 3-3-26-2

SUMMARY – An ordinance to amend Title 7 of the Clark County Code by adding a new Chapter designated as 7.220 – Hemp Retail Sales to establish regulations governing the retail sale of hemp and hemp-derived products, including findings, license application requirements, fees, operational regulations, investigation and inspection, penalties, and enforcement; and to amend Clark County Code Section 6.10.020 to make conforming changes regarding work identification card requirements; and providing for other matters properly related thereto.

ORDINANCE NO. _____

(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 7 OF THE CLARK COUNTY CODE BY ADDING A NEW CHAPTER DESIGNATED AS 7.220 – HEMP RETAIL SALES TO ESTABLISH REGULATIONS GOVERNING THE RETAIL SALE OF HEMP AND HEMP-DERIVED PRODUCTS, INCLUDING FINDINGS, LICENSE APPLICATION REQUIREMENTS, FEES, OPERATIONAL REGULATIONS, INVESTIGATION AND INSPECTION, PENALTIES, AND ENFORCEMENT; AND TO AMEND CLARK COUNTY CODE SECTION 6.10.020 TO MAKE CONFORMING CHANGES REGARDING WORK IDENTIFICATION CARD REQUIREMENTS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK,
STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION ONE. Title 7 of the Clark County Code is hereby amended by adding a new chapter to read as follows:

TITLE 7 – CHAPTER 7.220 – HEMP RETAIL SALES

7.220.010 Findings.

The Clark County Board of Commissioners finds and declares that:

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- (a) The retail sale of hemp and hemp-derived products in the unincorporated areas of Clark County has expanded rapidly following changes to federal law. Hemp products, including items containing cannabinoids, can pose health risks if contaminated, inaccurately dosed, misrepresented, or sold without safeguards. Many hemp products are currently sold without rigorous third-party testing or uniform compliance standards. The unregulated sale of such products poses risks to the health, safety, and welfare of the public including, but not limited to, inaccurate labeling and potency, contamination, youth access, and inconsistent business practices. The unregulated sale of hemp products further presents potential impacts on neighborhood character, business districts, enforcement resources, and overall community welfare. Local regulation is necessary to ensure the safe, orderly, and responsible sale of hemp products within Clark County.
- (b) Pursuant to its powers to address matters of local concern and to adopt ordinances necessary and proper to promote safe commercial practices and safeguard public health, the Clark County Board of Commissioners finds that it is necessary to license and regulate retailers of hemp products and to impose reasonable restrictions on the sale, marketing, and distribution of hemp products within the unincorporated areas of Clark County, as set forth in this chapter.
- (c) This chapter is an exercise of the County's police powers to protect public health and safety by regulating intoxicating or potentially intoxicating substances sold to the public. The federal legalization of hemp was not intended to create an unregulated pathway for the sale of psychoactive products. This chapter is necessary to prevent consumer deception; to protect residents, youth, the workforce, first responders, and visitors; and to

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create a clear distinction between non-intoxicating hemp products and intoxicating substances that are properly regulated under State's and the County's cannabis programs.

7.220.220 Definitions.

The following words, terms and phrases when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words used in the present tense include the future, and words in the singular number include the plural number and the plural number include the singular number. The words "shall" and "will" are mandatory and "may" is permissive. Words not defined in this section shall have their generally accepted meanings unless otherwise defined in Chapters 6.04 and 6.08 of the Clark County Code. The director shall have the authority to interpret words in accordance with established practice.

7.220.220.005 Artificially derived cannabinoid.

"Artificially derived cannabinoid" means a cannabinoid created by a chemical reaction that changes molecular structure of any substance derived from the plant *Cannabis sativa* L. This term includes, but is not limited to:

- (a) any isomer of tetrahydrocannabinol (THC) created from cannabidiol (CBD), a process also known as isomerization;
- (b) any cannabinoid that does not naturally occur in the plant but is created from a naturally occurring cannabinoid.

7.220.220.010 Cannabis independent testing laboratory.

"Cannabis independent testing laboratory" has the meaning ascribed to it in NRS 678A.115 and means:

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- (c) An adult-use cannabis independent testing laboratory; or
- (d) A medical cannabis independent testing laboratory.

7.220.220.020 Cannabis paraphernalia.

"Cannabis paraphernalia" means any accessories, devices and other equipment that is necessary or useful for a person to engage in the use of cannabis.

7.220.220.030 CBD.

"CBD" has the meaning ascribed to it in Nevada Cannabis Compliance Regulations (NCCR) 1.070 and means cannabidiol, which is a primary phytocannabinoid compound found in cannabis.

7.220.220.040 Department.

"Department" means, unless otherwise indicated, the Department of Business License of Clark County.

7.220.220.050 Director.

"Director" means the director of the Clark County Department of Business License.

7.220.220.060 Food.

"Food" means any food, drink, confection or beverage, or any component in the preparation or manufacture thereof, intended for ultimate human consumption.

7.220.220.070 Hemp.

"Hemp" means any plant of the genus Cannabis sativa L. and any part of such a plant, including, without limitation, the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts and salts of isomers, whether growing or not, with a total tetrahydrocannabinols

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concentration (including tetrahydrocannabinolic acid) of not more than 0.3 percent on a dry weight basis.

7.220.220.080 Hemp-derived product.

"Hemp-derived product" means any intermediate or final product derived from hemp, that:

- (a) Contains cannabinoids in any form; and
- (b) Is intended for human or animal use through any means of application or administration, such as inhalation, ingestion, or topical application.

7.220.220.090 Hemp paraphernalia.

"Hemp paraphernalia" means any accessories, devices and other equipment that is necessary or useful for a person to engage in the use of hemp or hemp-derived products.

7.220.220.100 Hemp retail store.

"Hemp retail store" means a business that:

- (a) Does or will derive ten percent or more of its gross revenue from the sale of hemp paraphernalia, cannabis paraphernalia, hemp, hemp-derived products;
- (b) At any particular time, devotes ten percent or more of its gross retail floor space to hemp paraphernalia, cannabis paraphernalia, hemp, hemp-derived products, or
- (c) A business that holds itself out through advertising to the public as a business engaging in that activity.

The term does not include businesses that do not sell or offer for sell any hemp or hemp-derived products.

7.220.220.110 Lot.

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“Lot” means that quantity of a product produced at a single production facility within a single manufacturing cycle and specifically marked with a date, distinctive combination of letters, numbers or symbols, or any combination of any of the foregoing, from which it can be determined that an individual item of the product was produced during that cycle, not to exceed a seven (7) day period.

7.220.220.120 Potential total THC.

“Potential total THC” has the meaning ascribed to it in NCCR 1.150 and means the sum of the percentage by weight of THCA multiplied by 0.877 plus the percentage by weight of Delta-9 tetrahydrocannabinol and Delta-8 tetrahydrocannabinol. The Delta-9 tetrahydrocannabinol level must account for any Delta-9-THCA in a substance. The calculation must account for the process of decarboxylation, which is when THCA is converted into THC.

7.220.220.130 Premises.

"Premises" means all portions of the building in which a hemp retail store is located and over which it has control and that area of the parking lot over which the licensee has ownership or contractual parking privileges.

7.220.220.140 THC.

“THC” or “tetrahydrocannabinol” has the meaning ascribed to it in NRS 453.139 and means Delta-9-tetrahydrocannabinol and any structural, optical or geometric isomer thereof, including, without limitation:

- (a) Delta-8-tetrahydrocannabinol;
- (b) Delta-7-tetrahydrocannabinol; and
- (c) Delta-10-tetrahydrocannabinol.

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7.220.220.150 THCA.

“THCA” means tetrahydrocannabinolic acid.

7.220.230 - License required.

It is unlawful to operate, conduct, carry on, or maintain any retail hemp store business, as described in this chapter, without first having obtained and thereafter maintaining a valid business license issued by the Director as required herein.

7.220.240 – Work identification card required.

Each employee of a hemp retail store who sells or handles hemp paraphernalia, cannabis paraphernalia, hemp, or hemp-derived products, or has daily control of the operations of the hemp retail store shall obtain a work identification card pursuant to Clark County Code 6.10.020.

7.220.250 License application requirements.

Prior to commencing business operations in the unincorporated areas of Clark County, the applicant shall pay a non-refundable application fee as provided by Clark County Code 6.08.030 and file a written application with the Director on a form to be provided by the Department with all information required by Section 6.08.010 of this code. The application form may include any number of additional questions as determined by the Director.

7.220.260 Issuance or denial of business license.

Upon receipt of an application for a hemp retail store license, the Director shall issue a license to an applicant who meets the requirements imposed by this chapter, unless:

- (a) The application and supporting documentation are incomplete or contains false, misleading or fraudulent statements with respect to any information required;
- (b) The full application fee has not been received by the Department;

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- (c) The operation of the business, as proposed by the applicant, would not comply with all applicable laws, including, but not limited to, all requirements of this code; or
- (d) The applicant fails to satisfy any qualification or requirement imposed by this code or fails to satisfy any other local, state or federal law or regulation pertaining to such activities.

Upon denial of an application for a hemp retail store license, the Department shall issue a written notice of the denial of the application to the applicant which clearly sets forth the reasons for the denial. Any applicant aggrieved by the denial of an application for a hemp retail store license may request an administrative hearing before a hearing officer in accordance with the provisions of Section 6.04.090(j) of this code.

7.220.270 Change of ownership.

Every licensee shall furnish to the Department complete information pertaining to any change of ownership of any interest in the licensed business at least thirty days before the date of such change. If the licensee is not a party to the transaction effecting the change of ownership, then such notice to the Department must be provided by the licensee immediately upon acquiring knowledge of the change of ownership or any contemplated change of ownership.

7.220.280 License fee.

Each hemp retail store shall pay a semiannual license fee determined by the amount of semiannual gross revenue as contained in the schedule of Section 6.12.995 of the Clark County Code.

7.220.290 Licensee to conform to law and cooperate.

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It is the sole responsibility of the licensee to keep informed of the content of all of the applicable provisions of this code, state statutes, rules and regulations pertaining to the sale of hemp paraphernalia, cannabis paraphernalia, hemp, hemp-derived products; ignorance thereof will not excuse violations. Every licensee has a duty to cooperate with county licensing officials, government regulatory agency officials, and members of the Las Vegas Metropolitan Police Department in their enforcement responsibilities under this title.

7.220.300 Duties of a licensee.

- (a) Every holder of a hemp retail store license shall be responsible for the conduct of his or her employees, agents, independent contractors, representatives, or other persons, on the premises of the business or establishment.
- (b) It is the affirmative duty of each holder of a hemp retail store license to strictly comply with all of the applicable provisions of this code, state and federal statutes, rules and regulations pertaining to the sale of hemp paraphernalia, cannabis paraphernalia, hemp, hemp-derived products and, without limiting the generality of the foregoing, each holder of a hemp retail store license must:
 - (1) Maintain and conduct all activities in a decent and respectful manner and shall not permit any conditions that could cause disorder, disturbances, nuisances or other activities which endanger the health or safety of the public;
 - (2) Be responsible for the acts of his or her employees, agents and volunteers when they are performing their duties for the business;
 - (3) Comply with and adhere to all health and public safety requirements and conditions from any inspection agency; and

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- (4) Remain qualified to hold a license pursuant to this chapter of the code and state law.

7.220.310 – Hemp retail store regulations.

- (a) All hemp and hemp-derived products located on the premises of a hemp retail store must be kept in their original unopened container or packaging and must clearly identify all THC concentrations on the label.
- (b) All hemp and hemp-derived products located on the premises of a hemp retail store must have lot specific test results from an independent testing laboratory certified by the Nevada Cannabis Compliance Board pursuant to NRS 678B.290 and must be tested, and for potency, microbials, pesticides, and heavy metals in the same manner as cannabis products. The products must contain no greater than 0.4 milligrams of Potential Total THC per package with an allowable variance of 15 percent. If the testing procedure employed does not include decarboxylation and instead keeps the THCA intact, the THC concentration must be calculated by adding the sum of the percentage by weight of THCA multiplied by 0.877 plus the percentage by weight of THC.
- (c) A hemp retail store shall not produce, sell, or offer for sale any products containing an artificially derived cannabinoid, an intoxicating cannabinoid that exceeds the limits established in this chapter, or any products that are intended to cause an intoxicating, narcotic, and/or hallucinogenic effect. This includes any products or materials that allow for human or animal use through any means of application or administration, such as inhalation, ingestion, or topical application. For the purposes of this chapter, “intoxicating cannabinoids” include, but are not limited to, Delta-7 THC, Delta-8 THC, Delta-9 THC, Delta-10 THC, HHC (hexahydrocannabinol), THC-O.

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- (d) A hemp retail store shall prominently display at all times in a conspicuous place at the location at which the sale or offer is made, a sign at each:
- (1) Entrance used by a customer which states “THIS LOCATION IS NOT LICENSED TO SELL CANNABIS.” Each sign displayed pursuant to this subsection must use letters not less than 1 inch high and must be adequately illuminated to be visible from a distance of 30 feet from the sign by a person whose visual acuity is 20/20.
 - (2) Station where sales are made which states “ALL HEMP PRODUCTS CONTAIN LESS THAN THE LEGAL LIMIT OF THC.” Each sign displayed pursuant to this subsection must use letters not less than three-eighths of an inch high, in non-italicized type, and be displayed at a height of not less than 3 feet and not more than 7 feet from the floor.
- (e) A hemp retail store shall not introduce into any packaged food product or dietary supplement any product containing CBD as an ingredient or advertised as containing CBD.
- (f) All hemp or hemp-derived products located on the premises of a hemp retail store must be approved or generally recognized as safe by the United States Food and Drug Administration for human use through any means of application or administration, such as inhalation, ingestion, or topical application.
- (g) A hemp retail store shall not permit a person under twenty-one (21) years of age to enter or remain within the store, unless they are continuously accompanied by a parent or legal guardian.

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- (h) A hemp retail store shall not sell or offer for sale any hemp or hemp-derived products to a person under twenty-one (21) years of age.
- (i) Every hemp retail store employee who sells or handles hemp paraphernalia, cannabis paraphernalia, hemp, or hemp-derived products, or has daily control of the operations of the hemp retail store must be twenty-one (21) years of age or older.
- (j) A hemp retail store shall not use any signage, packaging, labeling, marketing, advertising, or promotional materials that contains misleading, deceptive, or false statements or representations, including those that suggest that the hemp retail store is licensed to cultivate, distribute, or sell cannabis (e.g., images and drawings of cannabis leaves and buds, and references to “420” and “kush”).
- (k) A hemp retail store shall not package, label, market, advertise, or otherwise promote any product using text, images, symbols, or other representations that state, imply, or suggest that hemp, hemp-derived products, or CBD:
 - (1) Are cannabis;
 - (2) Produce an intoxicating effect; or
 - (3) Provide medical, curative, or disease-related benefits.

7.220.320 - Application of state and federal laws.

Nothing in this Chapter is intended to limit the application of local, state and federal laws and regulations governing tobacco products, cannabis paraphernalia, hemp paraphernalia, hemp, hemp-derived products, cannabis, other artificially derived cannabinoid paraphernalia or substances that are classified or to be classified as controlled substances under state and federal law and regulations, including without limitation Section 297A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1639o), NRS Chapters 453, 678A through 678D, and regulations adopted

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thereunder. Businesses subject to this Chapter are subject to compliance with state and federal law and regulations in accordance with the terms thereof.

7.220.330 Applicability.

This chapter does not apply to any business operating pursuant to and in compliance with the provisions of Clark County Code Chapter 8.60 - Medical Cannabis Establishments or Chapter 8.65 - Adult-Use Cannabis Establishments.

7.220.340 Subject to investigation, inspection and audit.

All licenses issued and renewed pursuant to this chapter are subject to the condition that the licensed premises may be inspected. Investigators from the department of business license, government regulatory agency officials, and law enforcement officers have the right to enter the licensed premises for the purpose of investigation, inspection or audit. Licensees shall not refuse such right to enter, investigate, inspect or audit.

7.220.350 Enforcement action and penalty for violation.

- (a) The Department and law enforcement officers shall be entitled to enforce the provisions of this chapter and impose disciplinary action as set forth in this section.
- (b) Any person in violation of this chapter shall be subject to the penalties and remedies set forth herein. The penalties and remedies shall be cumulative and may be exercised in any order or combination and at any time.
- (c) Notice of violation. Any person, firm or corporation in violation of this chapter may be issued a written notice of violation.
- (d) Civil penalty. Any person, firm or corporation in violation of this chapter may be issued a civil penalty.

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- (1) The penalty shall not exceed one thousand dollars for each violation. Each violation of this chapter shall be subject to a separate fine, and fines may be assessed cumulatively in the same notice of civil penalty. Each day during or on which the violation continues constitutes a new violation.
 - (2) Any person who contests a civil penalty may appeal to a hearing officer by filing a written notice with the Department within thirty days.
 - (3) The hearing officer shall follow Chapter 8.08 of the Clark County Code concerning the pleadings, admission, presumptions and procedure when conducting a hearing on any civil penalty issued pursuant to this section.
 - (4) All civil penalties affirmed by the hearing officer shall be remitted to the Department within ten working days of the hearing.
 - (5) If payment of any imposed civil penalties is not received by the Department within ten working days of the hearing, a demand for payment notice will be sent requiring payment within five working days of receipt of the notice. If payment is not received by the Department after this additional five-day period the case may be referred back to the hearing officer and may result in additional penalties, issuance of a citation and/or revocation of any applicable business licenses.
 - (6) Any person aggrieved by final decision or order of the hearing officer made after hearing may obtain a judicial review of questions of law thereof in the Eighth Judicial District Court. The judicial review shall be instituted by filing a petition within twenty days after the effective date of the final decision or order.
- (e) Criminal penalty. Any person, firm or corporation violating the terms of this chapter is guilty of a misdemeanor and upon conviction shall be sentenced to serve a term in the

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county jail for not more than six months or to pay a fine not exceeding one thousand dollars, or shall be punished by both such fine and imprisonment.

(f) Nothing in this section shall be deemed to limit the county's right to exercise any other enforcement options and remedies authorized by law, including, but not limited to:

- (1) The issuance of a misdemeanor citation to any person for any conduct deemed unlawful by this code or state law;
- (2) The right to suspend, revoke, or not renew a license issued by the Department;
and
- (3) The authority to petition a court of competent jurisdiction for injunctive relief or any other appropriate remedy to prevent the continued unapproved or noncompliant operation of the business in violation of this chapter.

7.220.360 Revocation, suspension, condition, limitation or nonrenewal of licenses.

Upon notice and hearing, any license issued by the Department pursuant to this chapter may be revoked, suspended, conditioned, limited, or non-renewed for violation of or noncompliance with any law of the State of Nevada, the County of Clark, or this chapter. Notice and hearing shall comply with the requirements of Chapter 8.08 of the Clark County Code.

SECTION TWO. Title 6, Chapter 6.10, Section 6.10.020 of the Clark County Code is hereby amended to read as follows:

6.10.020 Work identification card required.

- (a) It shall be unlawful for any licensee engaging in any business for which the code requires work identification cards for the licensee or employees thereof to employ any person unless such person is the holder of a valid work identification card issued in conformity

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with the provisions of this chapter. It shall be unlawful for any person to be employed as a non-gaming employee without a valid work identification card. A licensee who violates this provision shall be subject to the penalties provided in Section 6.04.140.

- (b) Each hiring authority shall determine if an employee or prospective employee has a valid work identification card for such business pursuant to this code. If the employer determines that the employee or prospective employee does not have a valid work identification card then the hiring authority shall provide the employee or prospective employee with a referral form to obtain a work identification card.
- (c) Notwithstanding any other provision of this code to the contrary, or subsequent repeal thereof, a work identification card is required for employees, owners, and managers of the following non-gaming categories:
 - (1) Family home care providers;
 - (2) Security guards;
 - (3) Adult entertainment cabarets;
 - (4) Erotic dance establishments pursuant to the provisions in Clark County Code Section 6.160.090;
 - (5) Escort bureaus;
 - (6) Dancehalls;
 - (7) Teenage dancehalls;
 - (8) Adult nightclub establishments pursuant to the provisions of Clark County Code Section 6.170.080;
 - (9) Martial arts;
 - (10) Hemp retail stores; and

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(11) As required pursuant to Nevada Revised Statutes.

SECTION THREE. If any provision, section, paragraph, sentence, clause, or phrase of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining parts of this ordinance. It is the intent of the County Commission in adopting this ordinance that no portion or provision thereof shall become inoperative or fail by reason of any invalidity or unconstitutionality of any other portion or provision, and to this end all provisions of this ordinance are declared to be severable.

SECTION FOUR. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION FIVE. This ordinance shall take effect and be in force ninety (90) days after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the _____ day of _____, 2026.

PROPOSED BY: Commissioner _____

PASSED on the _____ day of _____, 2026.

AYES: _____

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NAYS: _____

ABSTAINING: _____

ABSENT: _____

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

BY: _____
TICK SEGERBLOM, Chair

ATTEST:

LYNN MARIE GOYA, County Clerk

This ordinance shall be in force and effect from and after
the _____ day of _____ 2026.