

ORDINANCE NO. 2026 – 35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, REGULATING THE RETAIL SALE OF CONSUMABLE HEMP PRODUCTS WITHIN THE CORPORATE LIMITS, IN ACCORDANCE WITH STATE LAW

WHEREAS, the State of Alabama has enacted Act 2025-385 (formerly HB 445), adding Chapter 12 to Title 28, Code of Alabama 1975, to regulate the testing, labeling, distribution, and retail sale of consumable hemp products, including requirements for licensing by the Alabama Alcoholic Beverage Control Board (ABC Board), age restrictions (21+), bans on smokable hemp, and prohibitions on online/direct delivery sales; and

WHEREAS, said state law authorizes municipalities to impose additional local requirements or restrictions on the location and operation of retailers of consumable hemp products, provided they do not conflict with state regulations; and

WHEREAS, the City of Cullman seeks to protect public health, safety, and welfare by ensuring that any retail sales of consumable hemp products within city limits comply with state standards, local zoning, and community standards, including appropriate location restrictions to minimize impacts on residential areas, schools, parks, and youth-oriented facilities; and

WHEREAS, the City Council finds that requiring local review and approval prior to or in conjunction with ABC Board licensing is consistent with the city's authority and promotes orderly development;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, as follows:

Chapter 5 - Hemp

Section 1. Definitions.

- a) "Consumable Hemp Product" means any product as defined in Ala. Code § 28-12-20 et seq. "Retailer" means any person or entity seeking or holding an ABC Board license to sell consumable hemp products at retail in the City.
- b) "Pharmacy" means a place as defined in Ala. Code § 34-23-1(21) and licensed by the Alabama State Board of Pharmacy in which prescriptions, drugs, medicines, medical devices, chemicals, and poisons are sold, offered for sale, compounded, or dispensed, and shall include all places whose title may imply the sale, offering for sale, compounding, or dispensing of prescriptions, drugs, medicines, chemicals, or poisons."
- c) "Liquor Store" means a place licensed by the City of Cullman as a liquor (package) store and its primary business is the sale of alcoholic beverages for off-premises consumption.

Section 2. Local Approval Required. No person shall sell consumable hemp products within the corporate limits of the City of Cullman without first obtaining approval from the Cullman City Council or its designee, the Alcohol Review Committee of the City of Cullman, in addition to any required Alabama Alcoholic Beverage Control Board license. Applicants must submit:

- a) Proof of Alabama Alcoholic Beverage Control Board application (or intent to apply).
- b) Site plan demonstrating zoning compliance.
- c) Business details on operations, security, and age verification (21+ with ID checks).
- d) Any other information deemed necessary by the Cullman City Council or its designee, the Alcohol Review Committee of the City of Cullman.

Section 3. Zoning and Location Restrictions. Retailers of consumable hemp products are permitted as follows:

- a) B-1 Business District – pharmacies only.
 - i) Minimum distance of 1,000 feet from private and public schools, churches, or other similar uses (measured from property lines).
 - ii) Full compliance with state THC limits, packaging, labeling, and age restrictions.
 - iii) No drive-thru sales or exterior displays visible from public rights-of-way.

- b) B-2 Business District – pharmacies and liquor stores.
 - i) Minimum distance of 1,000 feet from private and public schools, churches, or other similar uses (measured from property lines).
 - ii) Minimum distance of 1,500 feet from another location already licensed to sell consumable hemp products excluding pharmacies.
 - iii) Full compliance with state THC limits, packaging, labeling, and age restrictions.
 - iv) No drive-thru sales or exterior displays visible from public rights-of-way.
- c) B-3 Business District – pharmacies only.
 - i) Minimum distance of 1,000 feet from private and public schools, churches, or other similar uses (measured from property lines).
 - ii) Full compliance with state THC limits, packaging, labeling, and age restrictions.
 - iii) No drive-thru sales or exterior displays visible from public rights-of-way.
- d) CBD Central Business District – pharmacies only.
 - i) Minimum distance of 1,000 feet from private and public schools, churches, or other similar uses (measured from property lines).
 - ii) Full compliance with state THC limits, packaging, labeling, and age restrictions.
 - iii) No drive-thru sales or exterior displays visible from public rights-of-way.

Section 4. Enforcement and Penalties. Violations are punishable by fines up to five hundred (\$500.00) dollars per offense, business license revocation, or injunction.

Section 5. Severability. If any provision is held invalid, the remainder shall remain in effect.

Section 6. Effective Date. This Ordinance shall take effect immediately upon adoption and approval.

ADOPTED BY THE CITY COUNCIL this the 23rd day of March, 2026.

ATTEST:

President of the City Council

City Clerk

APPROVED BY THE MAYOR this the 23rd day of March, 2026.

Mayor

COUNCIL AGENDA REQUEST

Date: 03/05/2026

Department: Police Name: Pam Leslie

Phone: 256-775-7104 Email: pleslie@cullmanal.gov

Type of request (select all that apply):

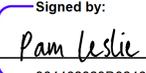
- Alcohol License
- Budget Amendment
- Contract Approval
- Public Comment
- Special Event
- Other ordinance
- Annexation
- Change Order
- Petition
- Resolution
- Tax Abatement
- Bid Award
- Codification Change
- Proclamations
- Rezoning
- Variance

Reason for Request:

To consider ordinance regulating the retail sale of hemp products

Supporting Documentation:

Attach supporting documentation.

Signature:  

Signed by: Pam Leslie
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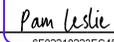
Approval Sequence:

1. Administration – City Clerk’s Office

Verifies form is completed and proper documentation is attached.

Approved to Move Forward Rejected Return to Requestor

Comments:

Signature:  Date: March 5, 2026 | 9:04 AM CST

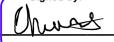
Signed by: Pam Leslie
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2. Council Committee Chairperson - Chuck Shikle

Ensures necessity of the request.

Approved to Move Forward Rejected Return to Admin

Comments:

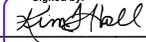
Signature:  Date: March 5, 2026 | 10:32 AM CST

Signed by: Chuck Shikle
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3. Council President

Approved for Council Agenda Rejected Return to Committee

Comments:

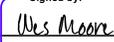
Signature:  Date: March 5, 2026 | 2:17 PM CST

Signed by: Kim Hall
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4. Administration – City Clerk’s Office

Added to Council Agenda Date of Meeting: 03/09/2026

Comments:

Signature:  Date: 03/05/2026

Signed by: Wes Moore
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