

ORDINANCE NO. 180749

An ordinance amending Ordinance No. 179027, commonly referred to as the Medical Marijuana Dispensaries Interim Control Ordinance.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. The first unnumbered paragraph of Section 2 of Ordinance No. 179027 is amended to read:

Notwithstanding any provisions of the LAMC to the contrary, for the period from the effective date of this ordinance until March 15, 2010, or until a permanent ordinance is adopted which establishes citywide regulations regarding Medical Marijuana Dispensaries, whichever occurs first:

Sec. 2. Section 4 of Ordinance No. 179027 is deleted.

Sec. 3. Section 5 of Ordinance No. 179027 is amended to read:

Sec. 5. ENFORCEMENT. The enforcement provisions set forth in LAMC Section 11.00 (l) and (m) shall apply to any violation of the provisions of this ordinance.

Sec. 4. **URGENCY CLAUSE.** The City Council finds and declares that this ordinance is required for the immediate preservation of the public peace, health and safety for the following reasons. Ordinance No. 179027 prohibited the establishment of new Medical Marijuana Dispensaries unless a hardship exemption was adopted by the City Council. During the pendency of Ordinance No. 179027 several hundred Medical Marijuana Dispensaries filed requests for hardship exemptions with the City Clerk's Office. The effect of all of these requests for hardship exemption is to encourage the unregulated proliferation of Medical Marijuana Dispensaries. The recommendations of a permanent ordinance reflecting the spirit and intent of the Compassionate Use Act could be undermined if new dispensaries are allowed. The number of dispensaries operating within the City is escalating. The Los Angeles Police Department has received complaints from neighbors, business owners, and concerned citizens regarding the negative impacts of dispensaries, including flyers, leaflets and stickers advertising dispensaries being placed on school grounds; smoking marijuana outdoors within 1,000 feet from schools; operating near sensitive uses; and constant activity around dispensaries at all hours. Citizens have raised concerns that children will have access to marijuana for recreational use, and that there will be an increase in crime particularly in areas in close proximity to residences, schools, places of worship and other sensitive uses, as well as concerns regarding a lack of regulations for the hours of operation. Without regulations for the location of a dispensary and hours of operation, the result has been the establishment of dispensaries in close proximity to sensitive uses operating at all hours. This ordinance will delete the hardship exemption provision

of Ordinance No. 179027 in order to prevent unregulated proliferation of new dispensaries and provide the City time to develop regulations relative to distances from sensitive uses, hours of operation, compatibility to surrounding uses, and other related land use issues.

Sec. 5. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, by a vote of **not less than three-fourths** of all of its members, at its meeting of **JUN 19 2009**

JUNE LAGMAY, City Clerk

By  Deputy

Approved JUN 22 2009


Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

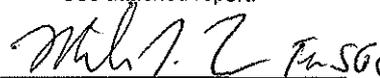
By 
JERI L. BURGE
Assistant City Attorney

Date June 15, 2009

Pursuant to Charter Section 559, I **disapprove** this ordinance on behalf of the City Planning Commission and recommend that it **not** be adopted

June 12, 2009

See attached report.


S. Gail Goldberg
Director of Planning

File No. CF No. 09-0964