

## **ORDINANCE NO. 185628**

An ordinance amending various sections of the Rules and Regulations contained in Ordinance No. 185344, which were established in support of Article 4 of Chapter X of the Los Angeles Municipal Code to regulate commercial cannabis activities in the City of Los Angeles.

### **THE PEOPLE OF THE STATE OF CALIFORNIA DO ORDAIN AS FOLLOWS:**

Section 1. Subdivision (j) of Paragraph 3 of Subsection A of Regulation No. 3 of Ordinance No. 185344 is amended to read as follows:

(j) Evidence that the Applicant has the legal right to occupy and use the Business Premises and complies with the requirements of the DCR. If the Applicant is not the landowner of the property upon which the Business Premises is located, the Applicant shall provide a landowner's affidavit, on a form provided by the DCR, that conclusively establishes that the Applicant has the right to occupy the property and acknowledging that the Applicant may use the property for the Commercial Cannabis Activity for which the Applicant is seeking a License. It shall also state the landowner has not entered into any agreement or offered to lease the property to any other Applicant or potential Applicant. If the landowner of the property is incapacitated, the Applicant may provide this affidavit by a duly-authorized agent of the landowner. An Applicant shall also provide a copy of the lease agreement, if applicable. If the Applicant is the landowner of the property on which the Business Premises is located, the Applicant shall provide to the DCR a copy of the title or deed to the property. The Applicant shall provide evidence that the proposed location meets all City of Los Angeles land use and sensitive use requirements under Article 5 of Chapter X of the LAMC. DCR may process an application of a Tier 1 or Tier 2 Social Equity Applicant who has not yet provided evidence that the Applicant has the legal right to occupy and use a Business Premises and complies with the requirements of the DCR, but such evidence must be provided before issuance of a License.

Sec. 2. Paragraph 11 of Subsection A of Regulation No. 3 of Ordinance No. 185344 is deleted in its entirety and Paragraphs 12 through 16 of Subsection A of Regulation No. 3 are renumbered as 11 through 15.

Sec. 3. A new Paragraph 16 of Subsection A of Regulation No. 3 of Ordinance No. 185344 is added to read as follows:

16. If an Applicant receives Temporary Approval, the Applicant shall adhere to all applicable rules and regulations as would be required if the Applicant held a non-temporary License of the same type.

Sec. 4. A new Paragraph 17 of Subsection E of Regulation No. 10 of Ordinance No. 185344 is added to read as follows:

17. All vehicles transporting cannabis goods for delivery shall carry a California Motor Carrier Permit as required under Section 34620 of Chapter 2, Division 14.85 of the California Vehicle Code. (Violation Type – Minor)

Sec. 5. **URGENCY CLAUSE.** The City finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety for the following reasons: As documented by, among other City departments, the City Attorney and the Los Angeles Police Department, unauthorized cannabis activity in the City continues to proliferate, with the attendant crime and negative secondary impacts that pose a current and immediate threat to the public welfare. In addition, most unauthorized cannabis businesses cultivate, manufacture, and sell cannabis that has not been tested in accordance with State standards, which also creates a current and immediate threat to the public welfare. The Department of Cannabis Regulation plays a key role in reducing the threats posed by unauthorized cannabis activity by, in part, issuing licenses to cannabis business that require those businesses to operate under strict regulations that are primarily intended to protect the public welfare. Although the Department of Cannabis Regulation continues its extensive efforts to license cannabis business activity, recent amendments to State cannabis regulations and frequent changes in practices in the cannabis industry require that the amendments to the implementing Rules and Regulations for the Cannabis Procedures ordinance as reflected in this ordinance must become effective as soon as possible. In particular, the Department of Cannabis Regulation immediately requires greater authority to regulate cannabis businesses during the licensing process to protect the customers who patronize those businesses and to regulate the delivery of cannabis that occurs on City roads. For all of these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

Sec. 6. 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.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By

  
ALEXANDER FREEDMAN  
Deputy City Attorney

Date

6/15/18

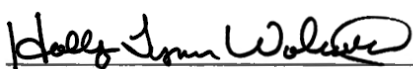
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I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR





Ordinance Passed 06/27/2018

Approved 06/27/2018

Published Date: 07/02/2018

Ordinance Effective Date: 07/02/2018

Council File No.: 14-0366-S5