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NEWS RELEASE

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FOR IMMEDIATE RELEASE

Committee Supports Huizar's Motion to Strike Loophole from Medical Marijuana Interim Control Ordinance

Councilmember Huizar seeks to strike hardship exemption from interim control ordinance that has allowed nearly 500 facilities to open beyond the 2007 cut-off date – Councilmember repeats call to hear current hardship exemption cases

LOS ANGELES (**June 3, 2009**) – The City's Planning & Land Use Management committee voted Tuesday to quickly move forward with a plan by Councilmember Huizar to strike the hardship exemption from the City's Medical Marijuana Interim Control Ordinance, which has resulted in as much as 500 medical marijuana dispensaries opening up 18 months after a dispensary moratorium was enacted.

Councilmember also repeated his call to have current hardship exemption cases heard before PLUM as soon as possible.

"While I support the spirit of Proposition 215, the hardship exemption loophole has created a crisis that overburdens communities and harms those facilities that abide by the rules," said Councilmember Huizar. "We must do everything in our power to put an end to this."

Tuesday's action comes after Councilmember Huizar, who sits on the PLUM committee, met with staff and Eagle Rock residents and learned that out of about a dozen medical marijuana facilities operating in the Eagle Rock community, 75 percent had applied for hardship exemptions. Huizar soon discovered that medical marijuana facilities all over the City that opened after the Nov. 13, 2007 cut-off date and filed hardship exemptions were not being taken to court after receiving orders to comply from Building and Safety.

The Councilmember was told by the City Attorney taking the hardship exemption cases to court would be futile since the court would find that other legal options were available to the City, including bringing the hardship exemptions before PLUM, as well as the City's impending permanent ordinance.

(more)

Huizar to Remove Medical Marijuana Loophole

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The City now has potentially about two-thirds more medical marijuana dispensaries that have opened up than it did before the moratorium went into effect.

“That is absolutely unacceptable,” Councilmember Huizar said. “We must remove the hardship exemption immediately so we can take control of an out of control situation.”

Councilmember Huizar is also concerned that many of the dispensaries are located near schools, parks, places of worship and other areas that children and families gather. In El Sereno, a medical marijuana dispensary seeking a hardship exemption opened across the street from an Elementary school. At an earlier PLUM meeting, Huizar asked the City Attorney to include language in the permanent medical marijuana ordinance that would protect against such instances, as well as against clustering, where particular communities have a high number of facilities.

While a permanent ordinance must be enacted by September, Councilmember Huizar believes the City has waited long enough and that immediate action is needed to address the 500 or so hardship exemption cases currently listed with the City.

“If a permanent ordinance is not adopted soon, I respectfully ask that we set up special PLUM meetings to bring forth the hardship exemptions currently on the books and move them through,” said Councilmember Huizar. “From the Northeast to the Valley, from Hollywood to the Westside, the proliferation of unchecked medical marijuana facilities is adversely affecting the quality of life of residents throughout our City. We must act now.”

The City Council is expected to hear PLUM’s recommendation Tuesday, June 9.

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