

PLANNING & LAND USE MANAGEMENT

In 1996, California passed the Compassionate Use Act, which legalized the use of marijuana for medical purposes. In essence, this statute allows persons to grow or possess marijuana based on the recommendation of a licensed physician that a person's health would benefit from the use of marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine or other illnesses for which marijuana provides relief. Physicians can make oral or written recommendations, and prescriptions or record-keeping is not required.

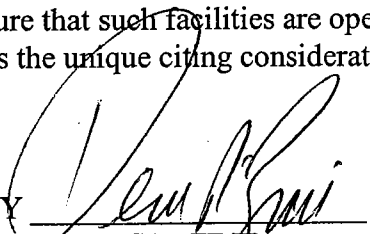
The statute does not include provisions which regulate the proper use and dispensing of medical marijuana when recommended by physicians. Lack of guidelines or rules regarding who can operate marijuana dispensaries, the permitting and inspection of such dispensaries, and methods of ensuring legal operation of such facilities has created confusion and has limited the ability of law enforcement to prosecute cannabis club operators that have been linked to criminal activity. This unintended consequence of the Compassionate Use Act both negatively impacts legally and responsibly operated medical marijuana dispensaries and neighborhoods where illegal cannabis clubs are protected.

Consequently, a growing number of cities, including San Francisco, Modesto, Ontario, Huntington Beach and West Hollywood, have implemented a temporary ban on dispensaries, clubs and cooperatives that distribute marijuana for medical purposes, until enforceable guidelines, requirements, and zoning requirements for these establishments are developed.

The City of Los Angeles should evaluate the impacts of medical marijuana cannabis clubs, dispensaries, and other establishments to its residents, neighborhoods, and legally operated businesses. Further, appropriate actions necessary to ensure that such facilities are operated in a legal manner, that City zoning appropriately addresses the unique citing considerations for such facilities, and that concerns identified through the evaluation are addressed should be recommended for City implementation.

I THEREFORE MOVE, that the City Council instruct the Los Angeles Police Department, with the assistance of the City Attorney and other City departments as appropriate, to report to the Public Safety Committee within 60-days regarding facilities that distribute medical marijuana located within the City of Los Angeles, complaints received regarding such facilities, criminal activity concerns, and recommended actions necessary to ensure that such facilities are operated in a legal manner and that City zoning appropriately addresses the unique citing considerations for such facilities.

PRESENTED BY



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Councilmember, 3rd District

SECONDED BY



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