

## MOTION

As the number of medical marijuana dispensaries continues to proliferate, so does the number of citizen complaints and the risk they pose to our communities. This is a problem that Law enforcement agencies across the state have identified since marijuana dispensaries are hubs for illegal activity that abuse medical marijuana laws and operate devoid of proper regulation.

Both Proposition 215 and SB 420 do not legalize dispensaries that are often "for profit" and operate under the definition of a "primary caregiver." Prop 215 has created confusion among the general public and law enforcement agencies as to what is legal because counties and cities have different regulations in place.

As highlighted in a number of recent cases, marijuana dispensaries often operate for profit and are a magnet for crime. In 2005, a dispensary was found to be operating as a wholesale distributor where young people would purchase marijuana then resell it. A number of dispensaries have also been involved in armed robberies and possess illegal firearms.

Illegal marijuana dispensaries have been known to operate and advertise in, and/or, close to schools, unlawfully sell marijuana for profit that is later resold in communities, lack the medical expertise to be able to properly dispense marijuana, and routinely sell marijuana to individuals without any legal medical documentation.

On May 3, 2005, a Motion (Zine-Reyes) (C.F. 05-0872) was introduced to establish regulations. Until the City of Los Angeles and Los Angeles County establish viable regulations, we must institute an immediate moratorium on illegal medical marijuana dispensaries.

I THEREFORE MOVE that the City Council instruct the Planning Department, with the assistance of the City Attorney, the Los Angeles Police Department, and the Department of Building and Safety, to prepare an Interim Control Ordinance (ICO) for the term of two (2) six-month periods that prohibits the opening of any new medical marijuana dispensary.

I FURTHER MOVE that the Interim Control Ordinance not be intended to apply to medical marijuana dispensary that are legally existing as of the effective date of the ordinance. For this purpose, a legally existing medical marijuana dispensary is a retail establishment that is open for business in compliance with all applicable laws and regulations, including but not limited to land use regulations, has obtained all necessary licenses and permits and is conducted in a building or portion thereof approved for retail occupancy by the effective date of the ordinance. Additionally, the dispensing of edible products must have the approval of the Health Department of the County of Los Angeles, the Department of Building and Safety of the City of Los Angeles and any other agency regulating the consumption of food by the effective date of the ordinance.

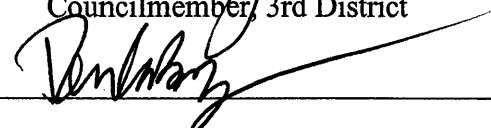
I FURTHER MOVE that the ICO include an Urgency Clause making it effective upon publication.

PRESENTED BY

  
DENNIS P. ZINE

Councilmember, 3rd District

SECONDED BY



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