

AUG 15 2008

WHEREAS, on August 1, 2007, the Council adopted an Interim Control Ordinance (ICO), temporarily prohibiting the opening of any new Medical Marijuana Dispensaries;

WHEREAS, the Medical Marijuana Interim Control Ordinance (ICO) No.179027 (CF 05-0872-S1) became effective on September 14, 2007;

WHEREAS, the ICO prohibits any person or entity to establish a Medical Marijuana Dispensary, and prohibits any person or entity to operate a Medical Marijuana Dispensary, and it permits two six month extensions by Council Resolution, or until the adoption of the appropriate land use regulatory controls have been prepared by the Planning Department, adopted by the Council and become effective, whichever occurs first;

WHEREAS, the ICO has been enacted for the immediate preservation of the public peace, health and safety by prohibiting new medical marijuana dispensaries and prevent unregulated proliferation, pending adoption of a permanent ordinance;

WHEREAS, the ICO indicates that the number of dispensaries operating within the City is escalating, and that 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;

WHEREAS, the ICO prevents unregulated proliferation of new dispensaries and provides 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;

WHEREAS, the ICO further indicates that Proposition 215 (*The Compassionate Use Act*) did not legalize dispensaries that are often "for profit" and the spirit and intent of the Compassionate Use Act has been exploited and abused for both profit and recreational drug abuse by many of the medical marijuana dispensaries in the City, and absent stringent regulations and enforcement actions, medical marijuana dispensaries have flourished throughout the City;

WHEREAS, the Medical Marijuana Interim Control Ordinance (ICO) No.179027 (CF 05-0872-S1) became effective on September 14, 2007, and will expire on September 14, 2008 unless this first six-month extension is adopted;

NOW, THEREFORE, BE IT RESOLVED, that by the adoption of this Resolution, the Council hereby extends the provisions of Ordinance No. 179027 imposing temporary interim regulations prohibiting any person or entity to establish a Medical Marijuana Dispensary, and prohibiting any person or entity to operate a Medical Marijuana Dispensary, for a 6-month period ending on March 14, 2009, inasmuch as the appropriate City agencies and officials are exercising due diligence and actively working towards the adoption of the appropriate land use regulatory controls.

AUG 15 2008

PRESENTED BY

DENNIS P. ZINE
Councilman, 3rd District

SECONDED BY

RME

08-0311-S1