ORDINANCE NO. ORD-20-0042

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OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attomey 411 West Ocean Boulevard, 9th Floor Long Beach, CA 90802-4511 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SECTIONS 5.90.200 AND 5.92.915, ALL RELATING TO THE HOURS OF OPERATION FOR MEDICAL AND ADULT-USE MARIJUANA DISPENSARIES

WHEREAS, on September 8, 2020, following a recommendation from the Budget Oversight Committee (BOC), the Long Beach City Council requested the City Attorney to draft an Ordinance amending Long Beach Municipal Code Chapter 5.90 ("Medical Marijuana Businesses") and Chapter 5.92 ("Adult-Use Cannabis Businesses") in order to extend the hours of operation for both medical and adult-use cannabis operations in the City;

NOW, THEREFORE, the City Council of the City of Long Beach ordains as follows:

Section 1. Section 5.90.200 of the Long Beach Municipal Code is amended to read as follows:

5.90.200 Prohibited activity.

It shall be unlawful for any person to cause, permit or engage in the cultivation, possession, distribution, exchange or giving away of Marijuana for medical or non-medical purposes except as provided in this Chapter. It shall be unlawful for any person to cause, permit or engage in any activity related to Medical Marijuana except as provided in this Chapter and pursuant to all other applicable local and state law. It shall be unlawful for any person to knowingly make any false, misleading or inaccurate state mentor

representation in any form, record, filing or documentation required to be maintained, filed or provided to the City of Long Beach under this Chapter. No Medical Marijuana Dispensary shall be open to or provide Medical Marijuana to qualified patients or employees between the hours of 10:00 p.m. and 9:00 a.m. The City Council may increase these hours of operation but may not decrease them. No person under the age of eighteen(18) shall be allowed on the Property, unless that minor is a Qualified Patient and is accompanied by his or her licensed Attending Physician, parent(s) or documented legal guardian. No Medical Marijuana Dispensary, Management Employee or employee shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on the Property or in the parking area of the property. No dried Medical Marijuana shall be stored at the property in structures that are not completely enclosed, in an unlocked vault or safe, in any other unsecured storage structure, or in a safe or vault that is not bolted to the floor of the property. Medical Marijuana may not be inhaled, smoked, eaten, ingested, or otherwise consumed on the Property, or in the parking areas of the Property or in those areas restricted under the provisions of Health and Safety Code § 11362.79.

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Section 2. Section 5.92.915 of the Long Beach Municipal Code is amended to read as follows:

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5.92.915 Hours of operation.

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Dispensaries may only be open to the public between the hours of 8:00 a.m. to 10:00 p.m. up to seven (7) days per week. All deliveries of cannabis

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goods to customers by a Dispensary shall be completed by 10:00 p.m.

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Section 3. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____ October 20____ Zendejas, Pearce, Price, Supernaw, Mungo, Uranga, Richardson, Andrews. City Clerk

Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the

, 2020,

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AFFIDAVIT OF POSTING

STATE OF CALIFORNIA) ss
COUNTY OF LOS ANGELES)
CITY OF LONG BEACH)

Tamela Austin being duly sworn says: That I am employed in the Office of the City Clerk of the City of Long Beach; that on the 22nd day of October, 2020, I posted three true and correct copies of ORD-20-0042 in three conspicuous places in the City of Long Beach, to wit: One of said copies in the lobby of Civic Chambers; one of said copies in the Main Library; and one of said copies on the front counter of the Office of the City Clerk.

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Subscribed and sworn to before me This 22nd day of October 2020.

CITY CLERK (