

From: Carl Kemp <carl@kemp-group.com>
To: CITY COUNCIL/STAFF <carl@kemp-group.com>, <bob.foster@longbeach.gov>, <becki.ames@longbeach.gov>, Robert Shannon <Robert.Shannon@longbeach.gov>, <karen.hester@longbeach.gov>
Cc: Carl Kemp <carl@kemp-group.com>
Date: 12/06/2011 10:19 AM
Subject: LONG BEACH MEDICAL MARIJUANA ORDINANCE REQUESTED AMENDMENTS

Attached the Council's request at the November 1st meeting, please find:

1. Cover letter from the Long Beach Collective Association (LBCA)
2. Drafted amendments to the current ordinance
3. Code of Conduct for the members of the LBCA, which represents the majority of the collectives approved under the current ordinance.

We appreciate your interest and look forward to working with you to amend the current ordinance instead of banning collectives in this City. We welcome any meeting you would like to have with us and hope this will serve as a platform for asking the City Attorney's office to thoughtfully consider amending the ordinance they worked so hard to draft and redraft, at your direction.

Sincerely,
Carl Kemp



December 6, 2011

Hon. Mayor Bob Foster and City Council Members
333 W. Ocean Blvd.
Long Beach, CA 90802

Subject: "Third Option" Amendments to Long Beach Medical Marijuana Ordinance

Dear Mayor and Council Members:

Attached, per your request at the October 30, 2011 meeting of the City Council, please find a redlined version of the Long Beach Medical Marijuana Ordinance, with amendments that offer a "third option". This document, prepared by our team of attorneys, amends the current ordinance in a way in which we believe allows the City of Long Beach to be in compliance with the rulings in the "Pack decision", and allows those collectives that were authorized under the current ordinance to continue to exist.

Additionally, we believe this amended version maintains the City Council's original legislative intent to both provide for patients in need of medical marijuana, while concurrently protecting the community from an over-proliferation of collectives. Throughout the document, we have sought to leave in place those restrictions originally included by the City Council. And where there were "requirements", we have changed the language to read as restrictions, thereby honoring the Council's intent and comporting with Pack.

Also attached for your consideration, is our Code of Conduct, which all of our members, representing the majority of those approved under the ordinance, have agreed to strictly follow. The members of our association have sought legitimacy from the start of this ordinance's creation, and we intend to honor our commitment to the City Council and the Long Beach community at large by self-regulating whenever and wherever possible.

We sincerely appreciate your request to submit this third option. Like you, we are interested in being in compliance with the law. However, since your City Attorney has appealed the Pack decision to the State Supreme Court, the law has yet to be settled, and we therefore see no reason to execute a repeal and ban in a hasty fashion.

Rather, it is our hope that the City Council take a thoughtful look at what we have drafted, consider it a starting point, and ask the City Attorney's office to find ways to implement our suggestions (and their own), such that the legislative intent of the ordinance you took almost two years to complete is maintained.



Thank you for your consideration. We look forward to working with you to maintain a compassionate, safe, and legally compliant Long Beach.

Sincerely,

A handwritten signature in black ink that reads 'Carl A. Kemp'. The signature is written in a cursive style with a large, sweeping 'C' and 'K'.

Carl A. Kemp

ATTACHMENTS

5.87.010 Purpose and Intent

A.

It is the purpose and intent of this chapter to regulate the collective cultivation of medical marijuana in order to ensure the health, safety and welfare of the residents of the City of Long Beach. The regulations in this chapter, in compliance with the State Compassionate Use Act and the State Medical Marijuana Program Act ("state law"), do not interfere with a patient's right to use medical marijuana as authorized under state law, nor do they criminalize the possession or cultivation of medical marijuana by specifically defined classifications of persons, as authorized under state law. Under state law, only qualified patients, persons with identification cards, and primary caregivers may legally cultivate medical marijuana collectively. Medical marijuana collectives shall comply with all provisions of the Long Beach City Municipal Code ("LBMC"), state law, and all other applicable local and state laws. Nothing in this chapter purports to permit activities that are otherwise illegal under federal, state or local law.

5.87.015 - Definitions.

Unless the particular provision or the context otherwise requires, the definitions and provisions contained in this section shall govern the construction, meaning, and application of words and phrases as used in this chapter:

A.

"Attending physician" shall have the same definition as given such term in California Health and Safety Code Section 11362.7, as may be amended, and which defines "attending physician" as an individual who possesses a license in good standing to practice medicine or osteopathy issued by the Medical Board of California or the Osteopathic Medical Board of California and who has taken responsibility for an aspect of the medical care, treatment, diagnosis, counseling, or referral of a patient and who has conducted a medical examination of that patient before recording in the patient's medical record the physician's assessment of whether the patient has a serious medical condition and whether the medical use of marijuana is appropriate.

B.

"Chief of police" as used in this chapter is defined to mean the Chief of the Long Beach Police Department or her/his designee.

- C.** *"Concentrated cannabis"* shall have the same definition as given such term in California Health and Safety Code Section 11006.5, as may be amended, and which defines "concentrated cannabis" as the separated resin, whether crude or purified, obtained from marijuana.
- D.** *"Director of financial management"* as used in this chapter is defined to mean the Director of Financial Management for the City of Long Beach or her/his designee.
- E.** *"Edible medical marijuana"* as used in this chapter is defined to mean any article used for food, drink, confectionery, condiment or chewing gum by human beings whether such article is simple, mixed or compound, which contains physician recommended quantities of medical marijuana, and is produced on-site at a collective permitted pursuant to this chapter within the City of Long Beach.
- F.** *"Identification card"* shall have the same definition as given such term in California Health and Safety Code Section 11362.7, as may be amended, and which defines "identification card" as a document issued by the state department of health services which identifies a person authorized to engage in the medical use of marijuana, and identifies the person's designated primary caregiver, if any.
- G.** *"Management member"* means a medical marijuana collective member with responsibility for the establishment, organization, registration, supervision, or oversight of the operation of a collective, including but not limited to, members who perform the functions of president, vice president, director, operating officer, financial officer, secretary, treasurer, or manager of the collective.
- H.** *"Marijuana"* shall have the same definition as given such term in California Health and Safety Code Section 11018, as may be amended, and which defines "marijuana" as all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted

therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

I.

"Medical marijuana" means marijuana used for medical purposes in accordance with California Health and Safety Code Sections 11362.5, et seq.

J.

"Medical marijuana collective" ("collective") means an incorporated or unincorporated association, composed of four (4) or more qualified patients and their designated primary caregivers who associate at a particular location or property within the boundaries of the City of Long Beach to collectively or cooperatively cultivate marijuana for medical purposes or distribute said medical marijuana to collective members and management members, in accordance with California Health and Safety Code Sections 11362.5, et seq. For purposes of this chapter, the term medical marijuana "cooperative" shall have the same meaning as medical marijuana collective.

K.

"Park" or "Public Park" shall mean publicly owned natural or open areas set aside for active and passive public use for recreational, cultural or community service activities. For purposes of this Chapter only, all beaches in the City, including but not limited to, all ocean facing beaches, Alamitos Bay, Marine Stadium, Colorado Lagoon, and Marina Park, are excluded from the definition of "Park" or "Public Park."

L.

"Primary caregiver" shall have the same definition as given such term in California Health and Safety Code Sections 11362.5 and 11362.7 (as set forth in Appendix A of this chapter), as may be amended, and which define "primary caregiver" as an individual, designated by a qualified patient, who has consistently assumed responsibility for the housing, health, or safety of that qualified patient.

M.

"Property" as used in this chapter means the location or locations within the boundaries of the City of Long Beach at which the medical marijuana collective members and management members associate to collectively or cooperatively cultivate or distribute medical marijuana exclusively for the collective members and management members.

N.

"Qualified patient" means a person who is entitled to the protections of Health and Safety Code Section 11362.5 for

patients who obtain and use marijuana for medical purposes upon the recommendation of an attending physician, whether or not that person applied for and received a valid identification card issued pursuant to state law.

O.

"State law" means the state regulations set forth in the Compassionate Use Act and the Medical Marijuana Program Act, codified in California Health and Safety Code Sections 11362.5, et seq.

5.87.020 - Medical marijuana collective—Registration required.

- A. No medical marijuana collective which was not chosen in the September 20, 2011 lottery process carried out by the director of financial management may register in the initial registration process. The director of financial management may promulgate reasonable restrictions upon the registration of medical marijuana collectives in later registration processes, however, no subsequent registering collective may register when such registration would cause the registering collective to be within a one thousand foot (1,000') radius of a previously registered collective
- B. No medical marijuana collective, management member or member shall carry on, maintain or conduct any medical marijuana collective related operations in the city without first completing a medical marijuana collective registration form with the department of financial management.

5.87.030 - Medical marijuana collective—Registration process.

Any medical marijuana collective desiring to operate within the City of Long Beach shall, prior to initiating operations, complete and file a registration form supplied by the department of financial management, and shall submit with the completed registration form payment of an annual nonrefundable processing fee, as established by the city council by resolution. The medical marijuana collective registration process is established to provide an enforcement process for each medical marijuana collective operation within the city.

A.

Filing. The medical marijuana collective shall provide the following information:

1. The address of the property or properties where the proposed medical marijuana collective will operate.
2. A site plan describing the property with fully dimensioned interior and exterior floor plans including electrical, mechanical, plumbing, and disabled access compliance pursuant to Title 24 of the State of California Code of Regulations and the federally mandated Americans with Disabilities Act.
3. Exterior photographs of the entrance(s), exit(s), street frontage(s), parking, front, rear and side(s) of the proposed property.
4. Photographs depicting the entire interior of the proposed property.
5. If the property is being rented or leased or is being purchased under contract, a copy of such lease or contract.
6. If the property is being rented or leased, written proof that the property owner, and landlord if applicable, were given notice that the property will be used as a medical marijuana collective, and that the property owner, and landlord if applicable, agree(s) to said operations.
7. The name, address, telephone number, title and function(s) of each management member.
8. For each management member, a fully legible copy of one (1) valid government issued form of photo identification, such as a state driver's license or identification card. Acceptable forms of government issued identification include, but are not limited to: Drivers licenses or photo identity cards issued by state department of motor vehicles (or equivalent) that meet REAL ID benchmarks, a passport issued by the United States or by a foreign government, U.S. military ID cards (active duty or retired military and their dependents), or a permanent resident card.
- 9.

Written confirmation as to whether the medical marijuana collective previously operated in this or any other county, city or state and whether the collective applicant has ever had its medical marijuana operation revoked or suspended and the reason(s) therefore.

10. If the medical marijuana collective is a corporation, a certified copy of the collective's secretary of state articles of incorporation, certificate(s) of amendment, statement(s) of information and a copy of the collective's bylaws.
11. If the medical marijuana collective is an unincorporated association, a copy of the articles of association.
12. The name and address of the applicant's current agent for service of process.
13. A copy of the medical marijuana collective operating conditions, listed in Section 5.87.040, containing a statement dated and signed by each management member, under penalty of perjury, that they read, understand and shall ensure compliance with the aforementioned operating conditions.
14. A statement dated and signed by each management member, under penalty of perjury, that the management member has personal knowledge of the information contained in the registration form, that the information contained therein is true and correct, and that the registration form has been completed under the supervision of the management member(s).
15. Whether edible medical marijuana will be prepared at the proposed property.
16. The property address where any and all medical marijuana will be collectively cultivated by the collective members and management members within the City of Long Beach.
17. The property address where any and all collectively cultivated medical marijuana will be distributed to the collective members and management members.

B. No medical marijuana collective shall be allowed to operate within the City of Long Beach without a true, complete and accurate registration form on file with the director of financial management.

C. On receipt of the completed medical marijuana collective registration form, the director of financial management shall refer the registration form to all concerned city departments, including, but not limited to, police, fire, health, development services and code enforcement for investigation and inspection. Such departments shall file a report with the director of financial management setting forth each violation of the Municipal Code discovered in their respective investigation and inspection.

D. The director of financial management shall notify the medical marijuana collective of all violations in writing and the medical marijuana collective shall have a period of sixty (60) days within receipt of any notice of violation to correct all such violations. The failure of any medical marijuana collective to correct all violations in such sixty (60) day period shall be a violation of this ordinance.

5.87.040 - Medical marijuana collective operating conditions.

The director of financial management shall be responsible for assuring that any medical marijuana collective be and remain in compliance with all of the following conditions:

- A.** The property is not located in an area zoned in the city for exclusive residential use. Medical marijuana collectives are not permitted to operate in exclusive residential zones as established pursuant to Title 21 of this Code.
- B.** The medical marijuana collective is not located within a one thousand five hundred (1,500) foot radius of a public or private high school or within a one thousand-foot radius of a public or private kindergarten, elementary, middle or junior high school. The distances specified in this subdivision shall be determined by the horizontal distance measured in a straight line from the property line of the school to the closest property line of the lot on which the medical marijuana collective is located, without regard to intervening structures.
- C.** The medical marijuana collective is not located within a one

thousand-foot radius of any other medical marijuana collective. The distance specified in this subdivision shall be determined by the horizontal distance measured in a straight line from the property line of any other medical marijuana collective, to the closest property line of the lot on which the permitted medical marijuana collective is located, without regard to intervening structures.

- D.** Exterior building and parking area lighting at the property are in compliance with all applicable provisions of this Code.
- E.** All exterior or interior signs visible from the exterior of the property shall not be lighted.
- F.** No windows or roof hatches at the property shall be left unsecured so as to allow unauthorized entry, and shall be in compliance with all applicable building code provisions.
- G.** The property provides sufficient sound absorbing insulation so that noise generated inside the premises is not audible anywhere on the adjacent property or public rights-of-way, or within any other building or other separate unit within the same building as the medical marijuana collective.
- H.** No odor generated inside the property shall be detected outside the property, anywhere on adjacent property or public rights-of-way, or within any other unit located within the same building as the medical marijuana collective.
- I.** No medical marijuana collective may manufacture edible medical marijuana for consumption by anyone other than qualified patient members and qualified patient management members of the collective, and all such manufacture shall be in compliance with all applicable state and local laws.
- J.** No medical marijuana collective shall fail to meet all applicable state and local laws to ensure that the operations of the collective are consistent with the protection of the health, safety and welfare of the community, qualified patients and their primary caregivers, and will not adversely affect surrounding uses.
- K.** No collective shall operate for profit. No cash and in-kind contributions, reimbursements or reasonable compensation provided by management members and members towards the collective's actual expenses of the growth, cultivation,

and provision of medical marijuana shall be allowed other than as provided in strict compliance with state law.

- L.** No cultivation of medical marijuana shall be allowed unless undertaken by the medical marijuana collective members and management members.
- M.** No cultivation of medical marijuana by the medical marijuana collective members and management members shall occur outside of the boundaries of the City of Long Beach and only at the property identified on the medical marijuana registration form.
- N.** No distribution of the medical marijuana collectively cultivated by the medical marijuana collective members and management members to collective members and management members shall occur outside of the boundaries of the City of Long Beach and only at the property identified on the medical marijuana permit application.
- O.** If the cultivation of medical marijuana by the medical marijuana collective located within the City of Long Beach is to take place at a location other than the location where the medical marijuana is distributed to medical marijuana collective members and management members, then the location of cultivation shall likewise fully comply with the provisions of Section 5.87.040 and all of its subsections.
- P.** In order to assure compliance with the requirements of M & O above every medical marijuana collective shall maintain, on-site at the property, cultivation records, signed under penalty of perjury by each management member, identifying the location within the City of Long Beach at which the medical marijuana was cultivated, and the total number of said plants cultivated at each location.
- Q.** No medical marijuana distributed by the collective shall contain harmful pesticides or other contaminants regulated by local, state or federal regulatory or statutory standards; and
- R.** There shall be no medical marijuana provided to collective members unless it is properly labeled in strict compliance with state and local laws.

5.87.070 - Inspection authority.

City representatives may enter and inspect the property of every medical marijuana collective between the hours of nine o'clock (9:00) a.m. and seven o'clock (7:00) p.m., or at any reasonable time to ensure compliance and enforcement of the provisions of this chapter, except that the inspection and copying of private medical records shall be made available to the police department only pursuant to a properly executed search warrant, subpoena, or court order. It is unlawful for any property owner, landlord, lessee, medical marijuana collective member or management member or any other person having any responsibility over the operation of the medical marijuana collective to refuse to allow, impede, obstruct or interfere with an inspection.

5.87.080 - Existing medical marijuana operations.

Any existing medical marijuana collective, dispensary, operator, establishment, or provider that does not comply with the requirements of this chapter must immediately cease operation until such time, if any, when it complies fully with the requirements of this chapter. No medical marijuana collective, dispensary, operator, establishment, or provider that existed prior to the enactment of this chapter shall be deemed to be a legally established use or a legal nonconforming use under the provisions of this chapter or the Code.

5.87.090 - Prohibited activity.

- A.** It is unlawful for any person to cause, permit or engage in the cultivation, possession, distribution, exchange or giving away of marijuana for medical or nonmedical purposes except as provided in this chapter, and pursuant to any and all other applicable local and state law.
- B.** It is unlawful for any person to cause, permit or engage in any activity related to medical marijuana except as provided in this chapter and in Health and Safety Code Sections 11362.5 et seq., and pursuant to any and all other applicable local and state law.
- C.** It is unlawful for any person to knowingly make any false, misleading or inaccurate statement or representation in any form, record, filing or documentation required to be maintained, filed or provided to the city under this chapter.
- D.** No medical marijuana collective, management member or member shall cause or permit the sale, distribution or exchange of medical

marijuana or of any edible medical marijuana product to any noncollective management member or member.

- E.** No medical marijuana collective, management member or member shall allow or permit the commercial sale of any product, good or service, including, but not limited to, drug paraphernalia identified in Health and Safety Code Section 11364, on or at the medical marijuana collective, in the parking area of the property. An exception shall be made for persons who are not collective members or management members and who possess a valid city issued business license which authorizes the "place to place" sale of soil and nutrients to the collective, management members or members for the collective cultivation of medical marijuana by management members and members of the collective.
- F.** No cultivation of medical marijuana at the property shall be visible with the naked eye from any public or other private property, nor shall cultivated medical marijuana or dried medical marijuana be visible from the building exterior. No cultivation shall occur at the property unless the area devoted to the cultivation is secured from public access by means of a locked gate and any other security measures necessary to prevent unauthorized entry.
- G.** No manufacture of concentrated cannabis in violation of California Health and Safety Code Section 11379.6, is allowed.
- H.** No medical marijuana collective shall be open to or provide medical marijuana to its members or management members between the hours of seven o'clock (7:00) p.m. and nine o'clock (9:00) a.m.
- I.** No person under the age of eighteen (18) shall be allowed at 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.
- J.** No medical marijuana collective shall possess medical marijuana that was not collectively cultivated by its management members or members either at the property or at its predecessor location fully permitted in accordance with this chapter.
- K.** No medical marijuana collective, management member or member shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on the property or in the parking area of the property.
- L.** 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.

M.

Medical marijuana may not be inhaled, smoked, eaten, ingested, or otherwise consumed on the property, in the parking areas of the property, or in those areas restricted under the provisions of California Health and Safety Code Section 11362.79, which include:

1. Any place where smoking is prohibited by law;
2. Within one thousand (1,000) feet of the grounds of a school, recreation center, or youth center;
3. While on a school bus;
4. While in a motor vehicle that is being operated; or
5. While operating a boat.

N.

Medical marijuana collective membership and management membership, established pursuant to this chapter, shall be limited to one (1) medical marijuana collective registered in accordance with this chapter.

O.

No person who has been convicted within the previous ten (10) years of a felony or a crime of moral turpitude, or who is currently on parole or probation for the sale or distribution of a controlled substance, shall be engaged directly or indirectly in the management of the medical marijuana collective, nor further, shall manage or handle the receipts and expenses of the collective.

5.87.100 - Violation and enforcement.

A.

Any person violating any provision of this chapter or knowingly or intentionally misrepresenting any material fact in the registration form herein provided for, shall be deemed guilty of a misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than twelve (12) months, or by both such fine and imprisonment.

B.

As a nuisance per se, any violation of this chapter shall be subject to injunctive relief, revocation of the certificate of occupancy for the property, disgorgement and payment to the city of any and all

monies unlawfully obtained, costs of abatement, costs of investigation, attorney fees, and any other relief or remedy available at law or equity. The city may also pursue any and all remedies and actions available and applicable under local and state law for any violations committed by the medical marijuana collective, its management members, members or any person related or associated with the collective.

C.

Any violation of the terms and conditions of this chapter, or of applicable local or state regulations and laws not remedied as provided for in this chapter shall be deemed a misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than twelve (12) months, or by both such fine and imprisonment.

5.87.120 - Operative date.

A.

This chapter will become effective one hundred twenty (120) days following its passage and adoption. The department of financial management will accept completed medical marijuana collective registration forms one hundred twenty (120) days prior to the effective date of this chapter.

B.

Each medical marijuana collective shall have an additional one hundred twenty (120) days from the operative date of this chapter to comply with the medical marijuana cultivation requirements set forth in Subsection 5.87.040M., and Subsection 5.87.090O., of this chapter.

5.87.130 - Severability.

If any provision of this chapter, or the application thereof to any person or circumstance, is held invalid, that invalidity shall not affect any other provision or application of this chapter that can be given effect without the invalid provision or application; and to this end, the provisions or applications of this chapter are severable.

5.87.135-Designee

The City Manager or designee is hereby authorized to develop procedures necessary to implement this Ordinance in a fair and reasonable manner.

5.87.140 - Review of regulations.

On or before the first anniversary of the effective date of this chapter, the city council shall review the effectiveness of these regulations, and shall enact modifications, if necessary.



Code of Conduct

Long Beach Collective Association members shall at all times:

1. Comply with all California Health and Safety Code sections that regulate Medical Marijuana activities.
2. Maintain and operate a Point of Sale (POS) system which shall accurately track inventory and member transactions.
3. Collect and promptly pay all California State Board of Equalization use taxes.
4. Promptly pay all Association Dues and assessments. Members who are delinquent will lose their voting privileges.
5. Cooperate with the Long Beach Police Department and Finance Department and voluntarily report any activity of any member - patient or member which is a clear violation of the California Health and Safety Code and the Long Beach Municipal Code.
6. Promptly report to the association any member-patient whose activities have caused that member-patient to lose membership privileges and to refuse membership privileges to any patient-member who has lost such membership privileges at another member collective.
7. Be a good neighbor and voluntarily give back to the Long Beach Community via a 2% of gross revenues contribution to Long Beach Charities.
8. Provide licensed security personnel to assure every member-patient has safe access to their medication.
9. Insure that No member Collective shall cause or permit the sale, distribution or exchange of Medical Marijuana or of any Edible Medical Marijuana product to any non Collective member.
10. No member Collective shall allow or permit the commercial sale of any product, good or service, including but not limited to drug paraphernalia identified in Health and Safety Code Section 11364, on or at the Medical Marijuana Collective, in the parking area of the Collective's Property. An exception shall be made for persons who are not Collective members or Management Members and who possess a valid City issued business license which authorizes the "place to place" sale of soil and nutrients to the Collective, Management Members or members for the collective cultivation of Medical Marijuana by Management Members and members of the Collective.
11. No cultivation of Medical Marijuana at the Collective's Property shall be visible with the naked eye from any public or other private property, nor shall cultivated Medical Marijuana or dried Medical Marijuana be visible from the building exterior. No cultivation shall occur at the Collective's Property unless the area devoted to the cultivation is secured from public access by

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means of a locked gate and any other security measures necessary to prevent unauthorized entry.

12. No manufacture of Concentrated Cannabis in violation of California Health and Safety Code Section 11379.6 is allowed.

13. No Medical Marijuana Collective shall be open to or provide Medical Marijuana to its members or Management Members between the hours of seven o'clock (7:00) P.M. and nine o'clock (9:00) A.M.

14. No person under the age of eighteen (18) shall be allowed at the Collective's Property, unless that minor is a Qualified Patient and is accompanied by his or her licensed Attending Physician, parent(s) or documented legal guardian.

15. No member Collective shall possess Medical Marijuana that was not collectively cultivated by its Management Members or members at the Property location registered with the City of Long Beach.

16. No member Collective shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on the Property or in the parking area of the Collective's Property.

17. No dried Medical Marijuana shall be stored at the Collective's 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.

18. Medical Marijuana may not be inhaled, smoked, eaten, ingested, or otherwise consumed on the Property, in the parking areas of the Collective's Property, or in those areas restricted under the provisions of California Health and Safety Code Section 11362.79, which include:

- a. Any place where smoking is prohibited by law;
- b. Within one thousand feet (1,000') of the grounds of a school, recreation center, or youth center;
- c. While on a school bus;
- d. While in a motor vehicle that is being operated; or
- e. While operating a boat.

19. No person who has been convicted within the previous ten(10) years of a felony or a crime of moral turpitude, or who is currently on parole or probation for the sale or distribution of a controlled substance, shall be engaged directly or indirectly in the management of the member Collective nor, further, shall manage or handle the receipts and expenses of the member Collective.

20. The Collective's property shall be monitored at all times by closed-circuit television for security purposes. The camera and recording system must be of adequate quality, color rendition and resolution to allow the ready identification of an individual on or adjacent to the property. The recordings shall be maintained at the property for a period of not less than thirty (30) days.



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21. The Collective's property shall have a centrally-monitored fire and burglar alarm system.

22. A sign shall be posted in a conspicuous location inside the Collective's property advising:

1. The diversion of marijuana for nonmedical purposes is a violation of state law.
2. The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery.
3. Loitering at the location of a medical marijuana collective for an illegal purpose is prohibited by California Penal Code Section 647(h).
4. This medical marijuana collective is registered in accordance with the laws of the City of Long Beach.
5. The sale of marijuana and the diversion of marijuana for nonmedical purposes are violations of state law.

23. Maintain the following accurate and truthful records on the Collective's property:

- a. The full name, address and telephone number(s) of the owner, landlord and/or lessee of the Collective's property.
- b. The full name, address and telephone number(s) and a fully legible copy of a government issued form of identification of each collective member engaged in the management of the collective and a description of the exact nature of the participation in the management of the collective. Acceptable forms of government issued identification include, but are not limited to: Drivers licenses or photo identity cards issued by state department of motor vehicles (or equivalent) that meets REAL ID benchmarks, a passport issued by the United States or by a foreign government, U.S. military ID cards (active duty or retired military and their dependents), or a permanent resident card.
- c. The full name, address and telephone number(s) of each collective member and management member who participates in the collective cultivation of medical marijuana.
- d. The full name, date of birth, residential address, and telephone number(s) of each collective member and management member; the date each member and management member joined the collective; the exact nature of each member's and management member's participation in the collective; and the status of each member and management member as a qualified patient or primary caregiver.
- e. A written accounting of all cash and in-kind contributions, reimbursements, and reasonable compensation provided by the collective management members and members to the collective, and all expenditures and costs incurred by the collective.



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- f. An inventory record documenting the dates and amounts of medical marijuana cultivated at the property, and the daily amounts of medical marijuana stored on the property.
- g. Proof of a valid medical marijuana collective registration submitted to the department of financial management in conformance with the laws of the City of Long Beach.