



## Legislation Details (With Text)

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**File #:** 12-0575      **Version:** 1      **Name:** CD-8,2,9 - medical marijuana  
**Type:** Agenda Item      **Status:** Failed  
**File created:** 6/29/2012      **In control:** City Council  
**On agenda:** 7/3/2012      **Final action:** 7/3/2012

**Title:** Recommendation to: 1) request City Attorney to draft an ordinance amending the Long Beach Municipal Code (Chapter 5.89) to extend the exemption for those collectives previously exempt until the California Supreme Court rules on Pack v. Long Beach, or unless said collectives are determined to be non-compliant; and 2) request City Manager to direct the police department to work with all appropriate local and state agencies to shut down and prosecute all non-exempt collectives.

**Sponsors:** COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT, COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT, COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

**Indexes:** Ordinance request

**Code sections:**

**Attachments:** 1. 070312-NB-32sr&att.pdf

Date	Ver.	Action By	Action	Result
7/3/2012	1	City Council	approve recommendation	Fail

Recommendation to: 1) request City Attorney to draft an ordinance amending the Long Beach Municipal Code (Chapter 5.89) to extend the exemption for those collectives previously exempt until the California Supreme Court rules on Pack v. Long Beach, or unless said collectives are determined to be non-compliant; and 2) request City Manager to direct the police department to work with all appropriate local and state agencies to shut down and prosecute all non-exempt collectives.

On February 14, 2012, the city council voted to ban all medical marijuana collectives in the City of Long Beach. After much debate and discussion by the City Council, staff and public, a temporary exemption was granted to “those applicants of certain dispensaries or cultivation sites that were successful participants in a lottery conducted by the City on September 20, 2010.”

Included in the discussion of the exemptions were three explicit legislative intentions: a) Not to have a total ban that would unduly harm and interfere with patient’s rights to safe access, b) offer an extension of the exemption for those qualified collectives that proved to be good neighbors in compliance with the spirit and intent of the previous ordinance , and c) wait until clarity was offered from the State Supreme Court concerning the Pack v. Long Beach case.

The fiscal impact of this item is unknown at this time.

Approve recommendation.

COUNCILWOMAN RAE GABELICH  
EIGHTH DISTRICT

VICE MAYOR SUJA LOWENTHAL

SECOND DISTRICT

COUNCILMEMBER STEVEN NEAL  
NINTH DISTRICT

APPROVED:

PATRICK H. WEST  
CITY MANAGER