



**CANNABIS PROGRAM
MONTEREY COUNTY**

<http://www.co.monterey.ca.us/CannabisProgram>
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Commercial Cannabis Business Closure Checklist

This list is to be used as a guide. Requirements that are not listed may be requested of the owners and/or operators. This list is not intended to be all inclusive.

Business Information	
Assessor Parcel Number (APN)	
Cannabis Business Permit (CBP)	
Land Use Entitlement (PLN)	
Business Name	
Business Owner	
Property Owner, if different	
Business Address	

Cannabis Program (Program)			
Yes	No	N/A	Checklist Item
Chapter 7.90			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Failure to comply with one or more of the terms and conditions of the commercial cannabis permit.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The canopy area of cannabis located at any premises shall not exceed the maximum canopy limits set by state law and the limits set forth in the commercial cannabis permit. The maximum canopy square footage specified in the commercial cannabis permit is the basis of the County's commercial cannabis business tax pursuant to Chapter 7.100 of the Monterey County Code.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A permittee shall not change or alter the premises in a manner which materially or substantially alters the premises, the usage of the premises, or the mode or character of the business operation conducted from the premises, from the site plan contained in the diagram on file with the application, unless and until written approval by the Appropriate Authority has been obtained. For purposes of this section, material or substantial physical changes of the premises, or in the usage of the premises, shall include, but not be limited to, a substantial increase or decrease in the total area of the licensed premises previously diagrammed, or any other physical modification resulting in substantial change in the mode or character of business operation.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No cannabis shall be smoked, ingested, or otherwise consumed on the premises.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No person under the age of twenty-one (21) shall be employed or otherwise engaged in the operation of a commercial cannabis activity.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No person under the age of twenty-one (21) shall be allowed on the premises, unless the permittee is a retail facility and sells medicinal cannabis, in which case persons who are at least eighteen (18) years of age and hold a valid physician's recommendation for medicinal cannabis shall be allowed on the premises.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There shall not be a physician located in or around any commercial cannabis operation at any time for the purpose of evaluating patients for the issuance of a medical marijuana recommendation or card.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Each permittee shall conspicuously display its state and County permits and licenses required to operate at entrance of the premises. Each commercial cannabis operation that engages in delivery or transportation shall carry a copy of the permits and licenses in all vehicles that deliver or transport cannabis or cannabis products.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Odor prevention devices and techniques, such as a ventilation system with a carbon filter, shall be incorporated to ensure that odors from cannabis offsite are minimized to every extent feasible. Odor prevention devices shall be maintained in good working order during the life of the operation.

Cannabis Program (Program)			
Yes	No	N/A	Checklist Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No permittee may hold a license from the State Department of Alcoholic Beverage Control to sell alcoholic beverages, nor may the commercial cannabis operation include a business that sells alcoholic beverages. No alcohol may be stored, sold, dispensed, or consumed on the premises.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A permittee shall not sell any tobacco or nicotine products on or at any premises permitted under this Chapter. No tobacco or nicotine products may be stored, dispensed, or consumed in the area licensed and permitted for commercial cannabis activities. Tobacco or nicotine products may be stored on the premises in areas not licensed and permitted for commercial cannabis activities, and consumed in a specifically designated smoking area(s).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No cannabis or cannabis products, or graphics depicting cannabis or cannabis products shall be visible from the exterior of the premises.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All cannabis and cannabis products shall be stored in a secured and locked safe room, safe or vault, and in a manner to prevent diversion, theft, and loss, except for limited amounts of cannabis used for display purposes, samples, or immediate sale.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Each permittee shall keep accurate records of its commercial cannabis activities pursuant to the requirements of Sections 26160 and 26162 of the California Business and Professions Code, as they may be amended.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Each permittee shall be responsible and liable for safety and security in and around the commercial cannabis operation, and shall provide adequate security on the premises, including lighting and alarms, to ensure the safety of persons and to protect the premises from theft and other crimes. Each permittee shall install and maintain in proper working order, a video surveillance system capable of capturing and maintaining surveillance recordings of all points of entry and exit on the premises. Each permittee shall maintain such surveillance recordings for a period of at least ninety (90) days and shall make such surveillance recordings available to the County upon demand.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Each permittee shall notify the County immediately after discovering any of the following: diversion, theft, loss, or any criminal activity involving the commercial cannabis operation; significant discrepancies identified during inventory; or any other breach of security.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Each permittee shall provide the Appropriate Authority with a twenty-four (24) hour or nighttime contact telephone number for County use, and provide a name, telephone number, and e-mail address of a community relations contact to whom the public can provide notice of problems associated with the commercial cannabis operation. The permittee shall make a good faith effort to resolve problems without the need for intervention by the County.

Cannabis Program (Program)			
Yes	No	N/A	Checklist Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any new owners, managers, employees, or persons having a twenty percent (20%) or more financial interest must submit their information to the Appropriate Authority pursuant to Section 7.90.050 and 7.90.070 of this Chapter.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All owners, managers, employees, or other persons otherwise engaged in the operation of the commercial cannabis operation shall display a laminated or plastic-coated identification badge issued by the permittee at all times while engaging in commercial cannabis activity. The identification badge shall, at a minimum, include the permittee's "doing business as" name and state license number(s), the individual's full name, an employee number exclusively assigned to that individual for identification purposes, and a color photograph of the individual that clearly shows the full front of the individual's face and that is at least one inch in width and one and one-half inches in height.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No owners, managers, employees, or persons having a twenty percent (20%) or more financial interest in the commercial cannabis operation may have been convicted of a felony or a drug related misdemeanor reclassified by Section 1170.18 of the California Penal Code (Proposition 47) within the past ten (10) years. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A permittee shall keep a roster on the premises that contains the names and dates of birth of all employees, and a verification statement that there are no employees with felony convictions or drug related misdemeanor convictions reclassified by Section 1170.18 of the California Penal Code (Proposition 47) within the past ten (10) years.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A permittee shall not be delinquent in the payment of all applicable state taxes and fees, County taxes and fees, and other local agencies' taxes and fees.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The property owner(s) who own(s) the premises where the commercial cannabis operation is located must, at all times, have all necessary and operative land use entitlements as required by Titles 20 and 21 of the Monterey County Code.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	When applicable, the permittee must legally hold all required State Licenses under the Medicinal and Adult-Use of Cannabis Regulatory and Safety Act (Business & Professions Code § 26000, et seq.), as it may be amended, and under all other applicable state laws.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A permittee shall comply with all applicable federal, state, and local laws, including without limitation, County building, zoning, and health codes.

Cannabis Program (Program)			
Yes	No	N/A	Checklist Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A permittee shall transmit all required information to the California Cannabis Authority as prescribed by the County Treasurer-Tax Collector. The data shall be transmitted by using a secure-access Application Program Interface from a California Cannabis Authority approved licensee-facing software integrator, or through manual submission to the California Cannabis Authority.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A permittee shall file a cessation of business form with the Appropriate Authority within five (5) business days of cessation of existing business operations.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The commercial cannabis permit was granted on the basis of false material information, written or oral, given willfully or negligently by the applicant.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any act or omission by a permittee in contravention of the provisions of this Chapter.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any act or omission by a permittee in contravention of state law, or the Monterey County Code.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any act or omission by a permittee that results in the suspension or revocation of the applicable use permit issued under Titles 20 or 21 of the Monterey County Code for the commercial cannabis activities.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any act or omission by a permittee that results in the denial, revocation or suspension of that permittee's state license.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Failure to pay all applicable taxes and fees required by the state, County, or other local agencies.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Conduct of the commercial cannabis operations in a manner that constitutes a nuisance, where the permittee has failed to comply with reasonable conditions to abate the nuisance.
Good Standing Criteria			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject property and business must be located where commercial cannabis activities are permissible under Monterey County regulations with a land use entitlement permit (e.g. does not require a change in zoning to be permissible). This is limited to properties with existing greenhouses/warehouse that are in the appropriate zoning designation.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject property and business must diligently pursue all necessary Monterey County permits/licenses by making progress every two months. Due diligence means showing significant progress toward completing the permitting process, not just filing an application.

Cannabis Program (Program)			
Yes	No	N/A	Checklist Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject property and business must be current on all applicable taxes. Pursuant to the Board of Supervisor’s decision to extend the conditional waiver of penalties and interest for Fiscal Year 21-22 Q2 – Q4, operators who owe for those quarters will not be removed from Good Standing. Operators should make every effort to submit monthly payments and to pay in full on or before January 31st, 2023 to be eligible for the conditional waiver of penalties and interest. If the taxes owed from FY 21-22 are not paid in full by January 31st, 2023, or the operator becomes delinquent for any quarter in FY 22-23, the operator will no longer be in Good Standing.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject property and business must diligently working to cure an open law enforcement action or code enforcement action.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject property and business must be in compliance with requirements for pesticide use, weights and measures, and not have a pending enforcement action as determined by the Agricultural Commissioner.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject property and business must remain in compliance with State of California law, rules and regulations, and all applicable local laws, rules and regulations.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject property and business must have no outstanding compliance actions, or other unresolved issues with any Monterey County department or with any other local agency (fire districts, Monterey Bay Air Resources District, etc.). When a Correction Notice and/or Notice of Violation is issued, the subject property and business must cure all violations by the deadline provided.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject business must obtain a provisional or annual Business License from the Monterey County Treasurer-Tax Collector except for those that are working diligently to cure an open code enforcement case.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject business must hold a valid annual or provisional license from the State of California.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject business must connect and transmit data to the California Cannabis Authority (CCA), as scheduled by the CCA.
Shutdown Checklist			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If CBP application made with deposit, departmental fees have been reconciled and a refund or invoice has been issued.

Agricultural Commissioner			
Yes	No	N/A	Checklist Item
Shutdown Checklist			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TBD
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TBD
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TBD
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TBD

Environmental Health Bureau			
Yes	No	N/A	Checklist Item
Shutdown Checklist			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pending operational permits have been resolved before operator vacates the premises:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hazardous materials removed.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hazardous waste removed.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water system equipment inspected.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Destruction of well needed.

Department of Cannabis Control

Yes	No	N/A	Checklist Item
Shutdown Checklist			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Program notifies that the operator has ceased operations and that local authorization has been revoked.

Fire Agency

Yes	No	N/A	Checklist Item
Shutdown Checklist			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TBD
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TBD
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TBD
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TBD

Housing and Community Development (HCD)

Yes	No	N/A	Checklist Item
20.67/21.67/20.69/21.69			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the Property Owner has already obtained the land use entitlement:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The entitlement will be considered vested if they have met their conditions
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the Property Owner wishes to continue to pursue the land use entitlement:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There will be a xxx day/month period to identify a new tenant. Property Owner must continue pursuing entitlement
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the Property Owner does not wish to continue to pursue the land use entitlement:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property Owner must remove cannabis plants and product and any signage advertising the business.

Housing and Community Development (HCD)

Yes	No	N/A	Checklist Item
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property Owner must return property to its original use, which may require building permits for construction/demolition. HCD Building may issue a letter to the Property Owner informing them of the remaining issues and providing a timeline to resolve. If issues are not resolved, a Code Enforcement case will be opened on the parcel.

Shutdown Checklist

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Past due fees owed have been paid.
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Treasurer Tax Collector (TTC)

Yes	No	N/A	Checklist Item
Shutdown Checklist			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cessation of Business Form identifying a past or future date the operator plans to cease operations.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If not provided, or if the date is in the future, Cannabis Program inspection will confirm the operator has left the premises.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Final invoice for cannabis business taxes issued, prorated to the date operations were ceased.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lien issued against the business entity in the event of nonpayment.
