

Attachment D

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ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING SECTION 7.02.060 OF THE MONTEREY COUNTY CODE TO INCLUDE ADULT-USE COMMERCIAL CANNABIS BUSINESSES AS A TYPE OF BUSINESS FOR WHICH A BUSINESS LICENSE IS REQUIRED

County Counsel Summary

This ordinance amends Section 7.02.060 of the Monterey County Code to add commercial adult-use cannabis activities as a type of business that must obtain a business license within the unincorporated area of Monterey County. This amendment also makes Section 7.02.060 consistent with recent changes to state law.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Section 7.02.060 of the Monterey County Code is amended to read as follows:

7.02.060 Businesses requiring licenses.

A license shall be procured immediately before the commencement, operation or maintenance of any of the following businesses:

- A. Commercial ~~medical~~ cannabis ~~business~~ activity as defined by Section 7.90.030(H) of the Monterey County Code, as may be amended from time-to-time.
- ~~B. Commercial marijuana activity, as defined by California Business and Professions Code section 26001, as may be amended from time to time, lawfully conducted within the County of Monterey.~~

A license granted pursuant to this Chapter does not permit any occupation or activity of any kind which is prohibited by any other County regulation or by any State statute, law, rule, order or regulation.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED this ____ day of _____, 2017 by the following vote:

AYES:

NOES:

ABSENT:

Mary L. Adams, Chair
Monterey County Board of Supervisors

A T T E S T :

GAIL T. BORKOWSKI
Clerk of the Board of Supervisors

By: _____

APPROVED AS TO FORM:

WENDY S. STRIMLING
Senior Deputy County Counsel