

ORDINANCE NO. 2016-\_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 6.108 OF THE ALAMEDA COUNTY GENERAL CODE TO CONFORM THE MEDICAL MARIJUANA DISPENSARIES ORDINANCE TO THE CALIFORNIA MEDICAL MARIJUANA REGULATORY AND SAFETY ACT AND TO PERMIT AND REGULATE THE DELIVERY OF MEDICAL MARIJUANA IN THE UNINCORPORATED AREA OF ALAMEDA COUNTY

WHEREAS, in 1996, the voters of the State of California approved Proposition 215 (codified as California Health and Safety Code section 11362.5 and titled the "Compassionate Use Act of 1996"); and

WHEREAS, the intent of Proposition 215 was to enable persons who are in need of marijuana for medical purposes to be able to obtain and use it without fear of criminal prosecution under limited, specified circumstances; and

WHEREAS, in 2004, Senate Bill 420 was enacted (codified as California Health and Safety Code section 11362.7 *et seq.* and titled the "Medical Marijuana Program Act") to clarify the scope of the Compassionate Use Act of 1996. The Medical Marijuana Program Act allows counties to adopt and enforce rules and regulations consistent with its provisions; and

WHEREAS, in 2011, Assembly Bill 2650 was enacted (codified as California Health and Safety Code section 11362.768). This law affirms that counties can adopt ordinances that restrict the location and establishment of medical marijuana collectives and cooperatives; and

WHEREAS, in 2015, Assembly Bill 243, Assembly Bill 266 and Senate Bill 643 were enacted (codified as California Business and Professions Code section 19300 *et seq.* and titled the "Medical Marijuana Regulation and Safety Act"). These bills also amended provisions of the Medical Marijuana Program Act related to the cultivation of medical marijuana; and

WHEREAS, the Medical Marijuana Regulation and Safety Act establishes a comprehensive framework to license and regulate commercial medical marijuana cultivation, manufacturing, distribution, transportation, sales, and testing; and

WHEREAS, pursuant to California Business and Professions Code section 19315(a), nothing in the Medical Marijuana Regulation and Safety Act shall be interpreted to supersede or limit existing local authority for law enforcement activity, enforcement of local zoning requirements or local ordinances, or enforcement of local permit or licensing requirements; and

WHEREAS, this Ordinance is enacted, consistent with the Compassionate Use Act of 1996, the Medical Marijuana Program Act, and the Medical Marijuana Regulation and Safety Act to protect the public health, safety, and welfare of Alameda County residents in relation to the distribution and delivery of medical marijuana; and

WHEREAS, in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.* (2013) 56 Cal.4th 729, the California Supreme Court concluded that nothing in the Compassionate Use Act nor the Medical Marijuana Program Act preclude a local jurisdiction from regulating or prohibiting facilities that distribute medical marijuana; and

WHEREAS, although not authorized by the County, it is believed that the illegal delivery of medical marijuana has been occurring in the unincorporated area of Alameda County; and

WHEREAS, permitting the delivery of medical marijuana provides an important service to those who are seriously ill, elderly, and persons with disabilities who are otherwise unable to easily access “brick and mortar” dispensaries; and

WHEREAS, absent appropriate regulation, the delivery of medical marijuana in the unincorporated area of Alameda County poses a potential threat to the public peace, health, and safety; and

WHEREAS, medical marijuana dispensaries have been dispensing food products containing marijuana, commonly referred to as “edibles”, that may constitute a unique health hazard to the public because, unlike other ingestible items, edibles are not presently regulated, inspected, or analyzed for concentration by state or federal government; and

WHEREAS, the County of Alameda intends to proceed with further study and public meetings to consider additional ordinances that most effectively regulate and license all facets of medical marijuana activities, including cultivation and manufacturing; and

WHEREAS, the County of Alameda has a compelling interest in protecting the public health, safety, and welfare of its citizens, residents, visitors and businesses, in preserving the peace and quiet of the neighborhoods within the unincorporated areas of the County by regulating the distribution and delivery of medical marijuana and the production and packaging of edibles; and

WHEREAS, nothing in this Ordinance shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. § 841 or to license any activity that is prohibited under said Act except as mandated by State law; and

WHEREAS, nothing in this Ordinance shall be construed to: (1) allow persons to engage in conduct that endangers others or causes a public nuisance; (2) allow the use of marijuana for non-medical purposes; (3) exempt dispensaries or delivery operations from compliance with zoning and land use regulations, or, (4) allow any activity relating to the cultivation, distribution, or consumption of marijuana that is illegal under state or federal law;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of Alameda, as follows:

SECTION 1. That Chapter 6.108 of the Alameda County General Code be amended to read as follows:

6.108.010 - Purpose and intent.

The purpose and intent of this chapter is to implement state law by providing a means for regulating the operation of medical marijuana dispensaries and the delivery of medical marijuana in a manner that is consistent with state law and which promotes the health, safety and general welfare of the residents and businesses within the unincorporated portions of the county.

(Ord. 2005-52 § 2 (part): Ord. 2005-25 § 2 (part))

6.108.020 - Definitions.

The following words and phrases shall have the following meanings when used in this chapter:

- A. "Applicant" means a person who shall seek a permit under this chapter by filing an application as provided for in this chapter. "Application" means that form provided by the director~~sheriff~~ in accordance with this chapter for the purpose of seeking a permit.
- B. "Bureau" or "BMMR" means the Bureau of Medical Marijuana Regulation within the California Department of Consumer Affairs.
- C. "Cannabis" or "Marijuana" shall have the same definition as in Business and Professions Code section 19300.5(f), which defines "cannabis" as all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from marijuana. "Cannabis" also means marijuana as defined by Section 11018 of the California Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972. "Cannabis" 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. For purposes of this chapter, "cannabis" does not mean "industrial hemp" as defined by Section 81000 of the California Food and Agricultural Code or Section 11018.5 of the California Health and Safety Code.
- D. "Cannabis concentrate" or "Concentrate" means manufactured cannabis that has undergone a process to concentrate the cannabinoid active ingredient, thereby increasing the product's potency. An edible medical cannabis product is not considered food, as defined by Section 109935 of the California Health and Safety Code, or a drug, as defined by Section 109925 of the California Health and Safety Code. "Cannabis concentrate" shall include "tincture".
- E. "Community Development Agency" means the community development agency of the County of Alameda.
- G. "County" means the county of Alameda.

- H. “Cultivate” or “Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.
- I. “Delivery” means the commercial transfer of medical cannabis or medical cannabis products from a dispensary, up to an amount determined by the Bureau of Medical Marijuana Regulation or, until the BMMR establishes an allowed amount, the amount allowed by California Health and Safety Code Section 11362.77, to a primary caregiver or qualified patient as defined in Section 11362.7 of the California Health and Safety Code, or a testing laboratory. “Delivery” also includes the use by a dispensary of any technology platform owned and controlled by the dispensary, or independently licensed by the BMMR that enables qualified patients or primary caregivers to arrange for or facilitate the commercial transfer by a licensed dispensary of medical cannabis or medical cannabis products.
- J. “Delivery Operator” means a person holding a permit under this Chapter to engage in the delivery of medical cannabis or medical cannabis products.
- K. “Director” means the director of the Community Development Agency or his designee.
- L. “Distribution” means the procurement, sale, and transport of medical cannabis and medical cannabis products between entities licensed pursuant to Chapter 3.5 of the California Business and Professions Code.
- M. “Edible cannabis product”, “Edible” or “Edibles” means manufactured cannabis that is intended to be used, in whole or in part, for human consumption, including, but not limited to chewing gum. An edible medical cannabis product is not considered food, as defined by Section 109935 of the California Health and Safety Code or a drug as defined by Section 109925 of the California Health and Safety Code. ~~“State” means the state of California.~~
- ~~NG.~~ “Eligible application” means an application that complies with the requirements of the initial review and is submitted for final selection, as provided for in Section 6.108.110.
- ~~OD.~~ “Identification card” has the same definition as in Section 11362.7 of the California Health and Safety Code, as it may be amended.
- P. “Manufactured cannabis” means raw cannabis that has undergone a process whereby raw agricultural product has been transformed into a concentrate, an edible product, or a topical product.
- Q. ~~E.~~ “Medical cannabis,” “medical cannabis product,” or “cannabis product” means a product containing cannabis, including, but not limited to, concentrates and extractions, intended to be sold for use by medical cannabis patients in California pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the Health and Safety Code. For the purposes of this chapter, “medical cannabis” does not include “industrial hemp” as defined by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code.
- R. “Medical marijuana dispensary”, “cannabis dispensary” or “dispensary” means any facility where medical cannabis, medical cannabismarijuana products, or devices for the use of medical cannabis or medical marijuana products are offered, either individually or in any combination, for retail sale, medical cannabis and medical cannabis products as part of a retail sale is made available and/or distributed under the authority of the California Compassionate Use Act and/or the California Medical Marijuana Regulation and Safety Act and as regulated by this chapter; provided, however, that the following facilities are exempt from the requirement of a permit:

1. A clinic that is licensed under Chapter 1 of Division 2 of the California Health and Safety Code.
2. A health care facility that is licensed under Chapter 2 of Division 2 of the California Health and Safety Code.
3. A residential care facility for persons with chronic life-threatening illness that is licensed under Chapter 3.01 of Division 2 of the California Health and Safety Code.
4. A residential care facility for the elderly that is licensed under Chapter 3.2 of Division 2 of the California Health and Safety Code.
5. A residential hospice or a home health agency that is licensed under Chapter 8 of Division 2 of the California Health and Safety Code.

S. "Nursery" means a licensee that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of medical cannabis.

TF. "Permit" means a permit issued by the county to a medical marijuana dispensary or delivery operator under this chapter. "Permittee" means a person who holds an effective and current permit under this chapter.

UG. "Person" means any human being or an incorporated or unincorporated business entity or association established under the laws of the state.

VH. "Person with an identification card" means an individual who is a qualified patient who has applied for and received a valid identification card pursuant to Article 2.5 ~~has the same definition as in Section 11362.7 of the California Health and Safety Code, as it may be amended. Until such time as the state implements a program for issuance of identification cards under Section 11362.7 of the California Health and Safety Code throughout California, any identification card issued under the authority of the state or a local agency in California shall be deemed to comply with this section.~~

WJ. "Premises" means the building in which a medical marijuana dispensary is operated and, in addition, any accessory structures and appurtenant areas.

X. "Primary caregiver" means the individual, designated by a qualified patient or a person with an identification card, who has consistently assumed responsibility for the housing, health, or safety of that patient or person, and may include those persons identified in subdivision (d) of Section 11362.5 of the California Health and Safety Code, as it may be amended.

Y. "Qualified patient" means a person who is entitled to the protections of Section 11362.5 of the California Health and Safety Code, but who does not have an identification card issued pursuant to Article 2.5 of the California Health and Safety Code.

Z. "School" means an institution of learning for minors, whether public or private, that offers a regular course of instruction and any child or day care facility.

AAJ. "Sheriff" means the sheriff of the county of Alameda and his or her authorized representatives.

BB. "State" means the state of California.

~~K.~~ "Primary caregiver" ~~has the same definition as in Section 11362.5 of the California Health and Safety Code, as it may be amended.~~

~~L. "Qualified patient" has the same definition as in Section 11362.5 of the California Health and Safety Code, as it may be amended.~~

~~M. "School" means an institution of learning for minors, whether public or private, that offers a regular course of instruction and any child or day care facility.~~

(Ord. 2005-52 § 2 (part): Ord. 2005-25 § 2 (part))

6.108.030 – ~~Dispensary p~~Permit required.

- A. It shall be unlawful for any person to conduct, engage in or allow to be conducted or engaged in the operation of a medical marijuana dispensary in the unincorporated portion of Alameda County, unless such medical marijuana dispensary has been granted a legally effective permit issued under this chapter. ~~Notwithstanding the above, the permits issued under this chapter do not provide any protection or immunity for any person from state or federal laws, or from prosecution pursuant to any applicable state or federal laws.~~
- B. The owner, managing partner, officer of a corporation or such other person who shall be primarily responsible for the operation of a proposed medical marijuana dispensary shall apply for a permit under this chapter and, if granted, shall maintain the operation of the medical marijuana dispensary in conformity with the terms of this chapter and of the permit.
- C. The fact that an applicant possesses other types of state or county permits or licenses other than those identified in Section 6.108.020 shall not exempt the applicant from obtaining a permit under this chapter, nor shall the terms and conditions of any other such permit or license modify the requirements of a permit granted under this chapter.
- D. At no time shall the county have in effect more than three permits, consisting of a maximum of one permit(s) in each of the areas shown in Exhibit A at the end of this chapter. No permit shall be issued in any portion of the unincorporated area that is not within one of the areas delineated in Exhibit A.
- E. Notwithstanding subsection D of this section, each medical marijuana dispensary shall also meet all of the following locational standards:
  - 1. No dispensary may be closer than one thousand (1,000) feet from any other dispensary.
  - 2. No dispensary may be closer than one thousand (1,000) feet from any school, public park or playground, drug recovery facility or recreation center.
  - 3. Each dispensary shall be located in a commercial or industrial zone or their equivalent.
- F. The county has the ability to reduce the location requirement as it applies to schools by fifteen (15) percent upon a finding that the dispensary would not endanger the health and safety of students.

(Ord. 2005-52 § 2 (part): Ord. 2005-25 § 2 (part))

6.108.035 – Delivery permit required.

A. It shall be unlawful for any person, including a legally permitted medical marijuana dispensary, to conduct, engage in or allow to be conducted or engaged in the delivery of medical marijuana or medical cannabis products in the unincorporated portion of Alameda County, unless such person has been granted a legally effective delivery permit issued under

this chapter. Notwithstanding the above, the permits issued under this chapter do not provide any protection or immunity for any person from state or federal laws, or from prosecution pursuant to any applicable state or federal laws.

B. The owner, managing partner, officer of a corporation or such other person who shall be primarily responsible for the operation of a proposed medical marijuana delivery operation shall apply for a permit under this chapter and, if granted, shall maintain the operation of the medical marijuana delivery operation in conformity with the terms of this chapter and of the permit.

C. The fact that an applicant possesses other types of state or county permits or licenses shall not exempt the applicant from obtaining a delivery permit under this chapter, nor shall the terms and conditions of any other such permit or license modify the requirements of a permit granted under this chapter.

D. A medical marijuana delivery permit shall be issued only to a “brick and mortar” dispensary holding a valid license or permit to dispense medical marijuana issued by the State of California or by a California city, county, or city and county. Mobile dispensaries that do not have a permanent physical dispensary location (a “brick and mortar” dispensary) are not eligible for a delivery permit. At no time shall the county have in effect more than        delivery permits.

E. A delivery permit shall automatically expire, be suspended or revoked when the permit holder’s dispensary license or permit expires, is suspended or revoked. The expiration, suspension or revocation of a delivery permit will not automatically affect the status of the delivery permit holder’s dispensary license.

F. Each delivery permit shall allow for the operation of no more than        (     ) delivery vehicles.

6.108.040 - Term of permits and renewals.

A. Each dispensary permit shall expire two years after the date of its issuance. The term of each delivery permit shall run concurrent with the term of the delivery permit holder’s dispensary permit, but in no event longer than two years after the date of its issuance. Any permit may be renewed by the directorsheriff for successive two-year periods upon the submission of an application by the permittee. At the time of consideration of a renewal application, the county shall consider compliance with conditions in the prior term—and, in addition, the HCSA may review and revise the mission statement of the dispensary in accordance with the requirements of Sections 6.108.090 and 6.108.100.

~~B. Notwithstanding subsection A of this section, any permit shall expire upon the effective date of an ordinance that provides for the operation of a medical marijuana dispensary by the county, whether as a county facility or under contract with the county.~~

~~C.—~~Any application for renewal shall be filed at least forty-five (45) days before expiration of the permit.

~~CD.~~ Any application for renewal shall be rejected if:

1. The application is filed less than forty-five (45) days before its expiration.

2. The permit is suspended or revoked at the time of the application; provided, however, that an application for renewal may be filed within ten days after the granting of a permittee's appeal of the suspension or revocation of a permit.
3. The dispensary authorized by the dispensary permit has not been in regular operation in the four months prior to the renewal application.
4. The dispensary fails to conform to the criteria set forth in Section 6.108.100 or, for a delivery permit, the dispensary fails to conform to the criteria set forth in Section 6.108.125.

(Ord. 2005-25 § 2 (part))

6.108.050 ~~—~~ Dispensary aApplication, renewal and revocation procedures.

- A. When one or more dispensary permits authorized by Section 6.108.030 is available for award, ~~t~~The directorsheriff shall initiate an ~~application~~ process ~~upon receipt of an application to solicit applications~~ for the establishment of a dispensary within an area where a dispensary could be established based upon the provisions of subsection D of Section 6.108.030.
- B. Each application for the establishment of a dispensary or renewal of an existing dispensary permit shall be filed with the directorsheriff and the directorsheriff shall be responsible for administering the application solicitation process as set forth in this chapter.
- C. The directorboard of supervisors shall, ~~by resolution,~~ adopt such forms and procedures as are necessary to implement this chapter with respect to the initial selection, future selection, renewal, revocation and suspension of permits.
- D. Wherever this chapter requires the county to give notice to an applicant, appellant or permittee, such notice shall be given by the directorsheriff, in writing, and shall be delivered either by personal delivery or by certified U.S. mail, postage prepaid, return receipt requested. In addition, any such notice shall be posted at the address of the dispensary on the date of the mailing of notice.
- E. No person or facility that purports to have distributed or delivered marijuana prior to the enactment of this chapter shall be deemed to have been a legally established dispensary or delivery operation under the provisions of this chapter, and such person or facility shall not be entitled to claim a legal nonconforming status. ~~Other than specifically provided in Section 6.108.080, no preference shall be given to any applicant due to an existing or prior operation of such a facility.~~

(Ord. 2005-25 § 2 (part))

6.108.060 - Contents of dispensary permit application.

- A. Each application for a dispensary permit shall set forth or incorporate by reference the following information in a standard form adopted by the directorboard of supervisors:
  1. Address of the proposed dispensary and the name and address of the owner of the premises.
  2. The full name, date of birth, social security number, present address and telephone number of the applicant.



3. The address to which notice of action on the application is to be mailed.
4. All residential addresses of the applicant for the five years immediately prior to the date of the application.
5. Written proof that the applicant is eighteen (18) years of age or older (i.e., California driver's license, California identification card or birth certificate).
6. The height and weight and the color of eyes and hair of the applicant.
7. Photographs of the applicant for identification purposes to be taken by the sheriff.
8. The names and addresses of all businesses operated by and the employment of the applicant for the five years immediately prior to the date of the application.
9. The address of any dispensaries that had previously been operated by the applicant and a statement of whether the authorization for any such operation had been revoked or suspended and, if so, the reason therefor.
10. The names and telephone numbers of the person or persons to be regularly engaged in the operation of the proposed dispensary, whether an employee, volunteer or contractor. The application shall also identify those persons, including telephone numbers (i.e., emergency contact), having management and supervisory responsibilities for the proposed dispensary. Every person listed as owner, manager, supervisor or employee must submit fingerprints and other necessary information for a background check to the Alameda County sheriff's office, and be photographed for identification purposes. In addition, any new employees, independent contractors, other persons and/or volunteers who will work at the proposed medical marijuana dispensary must submit their information to the sheriff's office within five days prior to their employment.
11. A description of the proposed security arrangements for insuring the safety of persons and protection of the premises from theft.
12. A sketch or diagram showing the interior configuration of the premises, including a statement of the total floor area occupied by the dispensary. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus twelve (12) inches.
13. A description of external appearance of the dispensary, including a precise depiction of any signage.
14. A description of products to be sold or dispensed by the dispensary.
15. The mission statement of the dispensary with respect to meeting the medical needs of patients in its area, as delineated by subsection D of Section 6.108.030.
16. A description of the methods by which the applicant will mitigate any potentially adverse impacts, such as loitering or noise, on surrounding property owners.
17. Authorization for the county, its agents and employees to seek verification of the information contained in the application.
18. Written certification that the applicant has reviewed and understands and accepts the standard conditions that are set forth in Section 6.108.120.
19. Certification, under penalty of perjury, that all the information contained in the application is true and correct.

20. A statement by the applicant that it has the ability to comply with all laws regulating businesses in the state of California and that it shall maintain compliance during the term of the permit.
- B. The filing of an application shall be deemed complete upon the submission of an application in conformance with this section and payment of the application fees required by Section 6.108.070.
- C. An application may be reviewed and copied by any member of the public in accordance with the California Public Records Act.

(Ord. 2005-52 § 2 (part): Ord. 2005-25 § 2 (part))

6.108.065 - Contents of delivery permit application.

A. Each application for a delivery permit shall set forth or incorporate by reference the information required for a dispensary permit in Section 6.108.060 and such other information as the director may require in a standard form adopted by the director:

B. The filing of an application shall be deemed complete upon the submission of an application in conformance with this section and payment of the application fees required by Section 6.108.070.

C. An application may be reviewed and copied by any member of the public in accordance with the California Public Records Act.

6.108.070 - Fees.

- A. Every application or renewal of a dispensary or delivery permit shall be accompanied by a nonrefundable fee, as established by the board of supervisors, in order to reimburse the county for the cost of reviewing and acting upon the application.
- B. In addition, each dispensary and delivery operator shall pay an annual fee, as established by the board of supervisors, for the administration of the permit, including monitoring and enforcing compliance with terms of the permit.
- C. The board of supervisors may enact such other fees as may be necessary to recover the county's costs of inspection and corrective actions in relation to dispensaries and delivery operations.
- ~~D. The board of supervisors may enact fees to be paid to schools located in the three areas where dispensaries are permitted for reimbursement for drug and alcohol treatment and education for students.~~

(Ord. 2005-25 § 2 (part))

~~6.108.080 - Selection of permittees.~~

~~A. Each of the medical marijuana dispensaries that is identified in Exhibit B at the end of this chapter shall be allowed to file an application not later than one hundred twenty-five (125) days after the effective date of this chapter. At the time of filing such application the applicant is to provide notice of such application to all neighboring business and/or residences within one thousand (1,000) feet of the proposed dispensary. All such~~

~~applications shall be acted upon in accordance with the procedures set forth in this chapter. No other application may be considered until all of the medical marijuana dispensaries listed in Exhibit B have either been issued or denied a permit or have otherwise failed to qualify for a permit.~~

- ~~B. For each dispensary that is identified in Exhibit B, no finding shall be made that the dispensary is in violation of this chapter until the earliest of any of the following dates:
 
  - ~~1. Upon one hundred twenty five (125) days following the effective date of this chapter, no application has been filed for the operation of the dispensary.~~
  - ~~2. Upon failure to submit an application by an existing dispensary or denial of an application that was timely filed for operation of the dispensary and rejection of all appeals of the denial by the applicant.~~
  - ~~3. Issuance of an order of suspension or revocation by the county under Section 6.108.160.~~
  - ~~4. Upon the effective date of an ordinance that provides for the operation of a medical marijuana dispensary by the county, whether as a county facility or under contract with the county.~~~~
- ~~C. After conclusion of all actions on all applications filed under subsection A of this section, the sheriff shall accept applications and conduct a selection process in accordance with Section 6.108.030.~~

~~(Ord. 2005-52 § 2 (part); Ord. 2005-25 § 2 (part))~~

6.108.090 - Initial review of application.

- A. The ~~director~~sheriff shall commence review of any application immediately upon its filing and shall complete such review within the time period established in the solicitation process ~~thirty (30) days~~. In conducting this review, the following county agencies shall comment on specific portions of the application:
  1. The sheriff shall be responsible for verifying factual information in the application, including names, addresses and other information on the applicant operator and its employees of the proposed dispensary or delivery operation.
  2. The sheriff shall comment upon the adequacy of security measures that are described in the application.
  3. For a dispensary application, ~~t~~The community development agency shall comment upon the proposed location's compliance with the requirements of subsections D and E of Section 6.108.030 and conditions that are needed to mitigate adverse impacts on surrounding uses.
  4. The health care services agency shall comment upon the services to be provided and the mission statement set forth in the application.
- B. Within ~~thirty~~ten business days after the filing of an application, the ~~director~~sheriff shall reject any application and so notify the applicant, if the application has been improperly completed or if it is incomplete. The applicant may amend and refile the application within ten days after such rejection.
- C. At the conclusion of the initial review, the ~~director~~sheriff shall notify the applicant of the results of the initial review of the application.

(Ord. 2005-25 § 2 (part))

6.108.100 - Action upon completion of initial review.

- A. Upon completion of the initial review, the ~~director~~sheriff shall reject any permit that meets any of the following criteria:
  1. The proposed dispensary or delivery operation does not comply with requirements of this chapter.
  2. The applicant has knowingly made a false statement of material fact or has knowingly omitted a material fact from the application.
  3. The operation of the proposed dispensary at the proposed location is prohibited by any state or local law or regulation.
  4. Any person who is listed on the application pursuant to subsection (A)(10) of Section 6.108.060 or subsection (A)(10) of Section 6.108.065 has been convicted of a felony within the past ten 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.
  5. The applicant or the operator listed in the application is less than eighteen (18) years of age.
  6. The health care services agency has determined that the application for a dispensary has failed to state a health care purpose that fulfills the purposes of Section 11362.5 et seq. of the California Health and Safety Code.
- B. Any application that is not rejected upon completion of the initial review shall be deemed an eligible application and submitted to the final selection process.

(Ord. 2005-25 § 2 (part))

6.108.110 - Final selection of medical marijuana dispensaries or deliverers.

- A. The final selection process shall be comprised of selection of which eligible applications shall be submitted for final selection and the establishment of operating conditions of any permits issued under this chapter. The final selection process shall not exceed thirty (30) days in the absence of an appeal.
- B. The final selection process for dispensaries shall commence with the separation of all eligible applications into the areas that are delineated in subsection D of Section 6.108.030. If an area has a number of eligible applications that is the same as or less than the allowable number of medical marijuana dispensaries for such area, then all applications for that area shall be submitted for establishment of operating conditions as set forth in subsection ~~D~~E of this section. If any area has a number of eligible applications that exceeds the maximum number of dispensaries for such area, the eligible applications to be submitted for final selection shall be designated by drawing or other method that ensures that each eligible application has an equal chance of being selected for the area.
- C. The final selection process for delivery operations shall commence with the separation of all eligible applications into the areas that are delineated in subsection D of Section 6.108.030. If an area has a number of eligible applications that is the same as or less than the allowable number of medical marijuana delivery operations for such area, then all applications for that area shall be submitted for establishment of operating conditions as set

forth in subsection D of this section. If any area has a number of eligible applications that exceeds the maximum number of delivery operations for such area, the eligible applications to be submitted for final selection shall be designated by drawing or other method that ensures that each eligible application has an equal chance of being selected for the area.

- D. The sheriff, the ~~director~~community development agency and the health care services agency shall establish operating conditions, in addition to the standard conditions contained in Section 6.108.120 for dispensaries and Section 6.108.120 for delivery operations, for each eligible application that has been submitted for final review. The operating conditions shall be limited to those that are necessary to carry out the purposes of this chapter and, to mitigate specific and foreseeable adverse impacts on properties in the vicinity ~~and to achieve the mission statement in the application.~~
- E.D. At the conclusion of the final selection, the ~~director~~sheriff shall give notice to the applicant of the operating conditions that would attach to the permit. Within ten days after notice, the applicant shall either:
1. Certify acceptance of the operating conditions and the standard conditions of the permit, and the permit shall thereupon issue immediately.
  2. If the applicant refuses or fails to certify agreement with any operating condition or standard condition, the application shall be denied. The applicant may appeal any condition within ten days after notice of the conditions. Upon either the failure to file a timely appeal or the rejection of the appeal, the application shall be deemed denied.

(Ord. 2005-25 § 2 (part))

6.108.120 - Standard conditions for dispensaries.

- A. Throughout the term of the medical marijuana dispensary permit, each permittee shall not violate this chapter and shall comply with the following standard conditions:
1. It shall be a violation of this chapter for a dispensary to distribute, provide or allow to be provided marijuana to any person except those persons who are primary caregivers or qualified patients who are in possession of an identification card which is in compliance with the regulations established by the California Department of Health or health care services agency. All distribution that does not strictly comply with Section 11362.5 of the California Health and Safety Code and the terms of the permit and this chapter is prohibited. It shall be the responsibility of the permittee to ensure that a good faith effort be made to verify the validity of any identification card provided to the dispensary.
  2. Each dispensary shall maintain records of persons who have received marijuana from the dispensary. These records shall set forth only the identification card number issued pursuant to California Health and Safety Code Section 11362.71 et seq., as a protection of the confidentiality of the cardholders or a copy of such documentation that authorizes such distribution under this chapter.
  3. No dispensary shall be open for business between the hours of 12:00 a.m. and 9:00 a.m. or between the hours of 9:00 p.m. and 11:59 p.m. on any day. Additionally, to avoid conflict with the travel of students to and from the school, no dispensary located within one thousand (1,000) feet of any school shall be open during the one and one-half hour period immediately following the cessation of classes. No activities that are undertaken in the operation of the dispensary shall be conducted outside the interior premises of the dispensary.

4. Unless and until a local and state nursery or cultivation permit has been issued for the dispensary location, mMarijuana may not be grown or cultivated on the premises. It shall be a violation of this chapter if at any time the amount of marijuana on the premises exceeds the lesser of:
  - a. An amount of marijuana equal to eight ounces per qualified patient, primary caregiver and person with an identification card who has received marijuana from the dispensary during the previous thirty (30) calendar days, or
  - b. A total of twenty (20) pounds of marijuana.

A dispensary shall actively regulate and monitor its purchasing limits, such that no qualified patient is permitted to purchase in excess of eight ounces of marijuana in any calendar month.
5. No marijuana shall be smoked, ingested or otherwise consumed on the premises of a dispensary, provided that ingestion by a vaporization device may be authorized in writing by the health care services agency.
6. A dispensary shall ensure that~~label~~ its products are in tamper-evident packages and labeled as required by California Business and Professions Code Section 19347, regulations established by the BMMR, and requirements of the California Department of Food and Agriculture and by stating the name of the dispensary and the weight of cannabis. Any edible cannabis product ~~food products~~ must be contained in a package that is labeled to indicate the ingredients, including the amount of cannabis contained in the package, identify the product, state who is responsible for the product, and such other information as may be required by state or local law.
7. Medical marijuana may be provided by a dispensary in an edible form, provided that the edibles meet all applicable state and county requirements, including but not limited to the provisions in Section 6.108.230.
8. No person who is less than eighteen (18) years of age may be employed or otherwise engaged in the operation of the dispensary. No person under the age of eighteen (18) shall be allowed on the premises. It shall be unlawful for any dispensary to provide medical marijuana to any person under the age of eighteen (18) unless that person is a qualified patient or a primary caregiver with a valid identification card in accordance with California Health and Safety Code section 11362.7.
- ~~98.~~ The entrance to a dispensary shall be posted with a notice that states the restrictions on the presence of persons under the age of eighteen (18) and that smoking, ingesting or consuming marijuana on the premises is prohibited. In addition, each dispensary shall conspicuously display the permit.
- ~~109.~~ No dispensary may hold a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, nor may it include a business that sells alcoholic beverages. No alcohol may be stored, sold, dispensed or used on the premises.
- ~~110.~~ Each permittee shall maintain a current registry of persons, including, but not limited to, employees, contractors and volunteers, who are engaged in the operation of the dispensary. The registry shall be provided to the director and the sheriff at any time upon request. The registry shall include the name, current residential address, telephone number, date of birth and the height, weight and color of eyes and hair of each such person.
- ~~124.~~ No person who has been convicted of a felony within the past ten years may be actively engaged in the operation of any dispensary. A conviction within the meaning of

this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.

- 132. A dispensary shall provide adequate security on the premises, including lighting and alarms, to insure the safety of persons and to protect the premises from theft.
  - 143. The permittee shall provide the ~~director~~sheriff with the name, telephone number and facsimile number of a community relations contact to whom one can provide notice of problems associated with the dispensary. The permittee shall make a good faith effort to resolve problems without the need for intervention by the county.
  - 154. A dispensary shall provide litter removal services twice each day of operation on and in front of the premises and, if necessary, on public sidewalks within one hundred (100) feet of the premises.
  - 165. A dispensary shall comply with county building, zoning and health codes, and shall allow inspections to ensure conformance with such regulations.
  - 176. A dispensary shall not be delinquent in the payment of fees required by this chapter.
  - 187. All activities of the dispensary must take place within the interior of the building and not be visible from the street. A dispensary may not cover or alter the windows or building doors to comply with this requirement.
  - 198. A dispensary must have appropriate restroom facilities that will accommodate both male and female customers.
  - 20. A dispensary shall submit its Cannabis and Cannabis Products for analytical testing at an accredited testing laboratory, as defined in Business and Professions Code section 19300.5(z).
  - 21. A dispensary shall package all marijuana flowers sold on its premises in child resistant packaging.
  - 22. A dispensary shall implement a Track and Trace program with a unique identifier for every product, both for inventory stored in a safe and inventory packaged for sale, pursuant to Section 11362.777 of the California Health and Safety Code and Section 19335 of the California Business and Professions Code.
  - 23. A dispensary shall use devices that meet the standards of the California Department of Food and Agriculture's Division of Measurement Standards for all weighing and measuring devices, including but not limited to scales and scanners; register with Alameda County Sealer of Weights of Measures; allow inspections and sealing of all weighing and measuring devices, including scanners or POS systems; and comply with all other requirements in Division 5 of California Business and Professions Code related to weights and measures, Tittle 4 Division 9 of the California Code of Regulations, and any relevant Alameda County ordinance.
- B. In order to minimize any adverse impacts on surrounding properties or residents, the standard operating conditions that are set forth in this section may be modified upon the issuance of the permit or upon ten days' notice during the term of the permit.
  - C. During the term of each permit, the county shall require the permittee to comply with the standard operating conditions that are set forth in this section or as they may be modified in accordance with subsection B of this section and, in addition, any such operating conditions that may be established pursuant to subsections C and D of Section 6.108.110.

- D. At any time during the operation of a dispensary and without notice, the director or sheriff, acting in conjunction with other appropriate county officials, may enter the premises for the purpose of observing compliance of the dispensary with the conditions of its permit.
- E. Release of the county from liability. The owner and permittee of each dispensary shall release the county, and its agents, officers, elected officials, and employees from any injuries, damages, or liabilities of any kind that result from any arrest or prosecution of dispensary owners, operators, employees, or clients for violation of state or federal laws in a form satisfactory to the director.
- F. County indemnification. The owners and permittee of each dispensary shall indemnify and hold harmless the county and its agents, officers, elected officials, and employees for any claims, damages, or injuries brought by adjacent or nearby property owners or other third parties due to the operations at the dispensary, and for any claims brought by any of their clients for problems, injuries, damages or liabilities of any kind that may arise out of the distribution, delivery and/or on- or off-site use of marijuana provided at the dispensary in a form satisfactory to the director.

(Ord. 2005-52 § 2 (part): Ord. 2005-25 § 2 (part))

6.108.125 - Standard conditions for delivery operations.

A. Throughout the term of the medical marijuana delivery permit, each permit holder shall not violate this chapter and shall comply with the following standard conditions:

1. It shall be a violation of this chapter for a delivery operation to distribute, provide or allow to be provided marijuana to any person except those persons who are primary caregivers or qualified patients who are in possession of an identification card which is in compliance with the regulations established by the California Department of Health or the Alameda County Public Health Department. All deliveries that do not strictly comply with Section 11362.5 of the California Health and Safety Code and the terms of the permit and this chapter are prohibited. It shall be the responsibility of the permit holder to ensure that a good faith effort is made to verify the validity of any identification card provided to the delivery operator.
2. All employees of a dispensary and/or delivery operator delivering medical cannabis or medical cannabis products shall carry a copy of the dispensary's current dispensary license and/or permit and the dispensary's current delivery permit authorizing those services with them during deliveries and the employee's government-issued identification, and shall present that license, permit and identification upon request to state and local law enforcement, employees of regulatory authorities, and other state and local agencies enforcing this chapter.
3. During any delivery, the permittee shall maintain a physical copy of the delivery request and shall make it available upon request of the licensing authority and law enforcement officers. The delivery request documentation shall comply with state and federal law regarding the protection of confidential medical information.
4. The qualified patient or primary caregiver requesting the delivery shall maintain a copy of the delivery request and shall make it available, upon request, to the licensing authority and law enforcement officers.



5. No deliveries shall be made between the hours of 12:00 a.m. and 9:00 a.m. or between the hours of 9:00 p.m. and 11:59 p.m. on any day.
6. No person who is less than eighteen (18) years of age may be employed or otherwise engaged in the delivery of medical marijuana.
7. It shall be unlawful for any delivery operation to provide medical marijuana to any person under the age of eighteen (18) unless that person is a qualified patient or a primary caregiver with a valid identification card in accordance with California Health and Safety Code section 11362.7.
8. Each permittee shall maintain a current registry of persons, including, but not limited to, employees, contractors and volunteers, who are engaged in delivery operations. The registry shall be provided to the director and sheriff at any time upon request. The registry shall include the name, current residential address, telephone number, date of birth and the height, weight and color of eyes and hair of each such person.
9. No person who has been convicted of a felony within the past ten years may be actively engaged in delivery operations. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.
10. Delivery vehicles shall not include signage or markings that identify the vehicle.
11. Delivery operators shall provide adequate security for their delivery personnel and vehicles, to insure the safety of persons and to protect the vehicle operators from theft.

6.108.130 - Appeal from administrative determinations.

- A. An appeal may be filed by an applicant, permittee or the owner or occupant of property within one thousand (1,000) feet of any existing or proposed dispensary.
- B. Any appellant may appeal an administrative determination that is made in relation to any of the following actions:
  1. Finding that an application is incomplete;
  2. Determination that an application does not comply with the requirements of Section 6.108.100;
  3. Establishment or modification of operating conditions;
  4. Denial of permit; or
  5. Suspension or revocation of a permit.
- C. Any appeal shall be filed with the ~~director~~sheriff within ten days after the date of the notice of any such administrative determination.
- D. Within ten days after the filing of an appeal, notice shall be given in accordance with Section 6.108.050. Such notice shall set forth the grounds for the appeal, the method of submitting comments to the county regarding the appeal and the date and location of the hearing of the appeal.
- E. Any appeal that is not timely filed will be deemed ineffective and the administrative determination that is being appealed will become final.

(Ord. 2005-25 § 2 (part))

6.108.140 - Administrative review of appeal.

- A. Within thirty (30) days after the filing of an appeal of an administrative determination, the director~~sheriff~~ shall convene a panel consisting of a representative of the county administrator, community development agency, health care services agency and the sheriff at which the appeal shall be heard in public session. The appellant and any interested parties will be allowed to address the panel regarding the appeal.
- B. Within ten days after conclusion of the hearing of the appeal by the administrative panel, the director~~sheriff~~ shall give notice of the decision of the panel.
- C. Any appellant may file an appeal of the determination of the administrative panel within ten days after the date of the notice of the decision of the administrative panel.

(Ord. 2005-25 § 2 (part))

6.108.150 - Hearing by the board of supervisors.

- A. Within thirty (30) days after the filing of an appeal of the administrative panel's decision, the board of supervisors shall conduct a hearing of the appeal.
- B. At least ten days prior to the hearing of the appeal by the board of supervisors, notice shall be given in accordance with Section 6.108.050. Such notice shall set forth the grounds for the appeal, the method of submitting comments to the county regarding the appeal and the date and location of the hearing of the appeal by the board of supervisors. The board of supervisors may give such additional notice of hearing as it deems appropriate in a particular case.
- C. The board of supervisors may take any appropriate action upon the original administrative action that was appealed pursuant to Section 6.108.130, including granting or denying the appeal or imposing, deleting or modifying operating conditions of the permit. The decision of the board of supervisors shall be final.

(Ord. 2005-25 § 2 (part))

6.108.160 - Suspension and revocation.

- A. The sheriff or the director may initiate the revocation or suspension of a permit when it shall appear that the permittee has committed any of the following actions:
  - 1. Violates the operating or standard conditions of the permit or the requirements of state or local laws.
  - 2. Fails to take reasonable measures to control disturbances, loitering or such other problems on the premises.
- B. No permit shall be revoked or suspended by virtue of this section until a hearing has been held in the same manner as described in Sections 6.108.140 and 6.108.150. Notice of the hearing shall contain a brief statement of the grounds for revoking or suspending the permit and the time and date for the hearing.

- C. The decision of the administrative panel may include suspension, revocation or the modification of the permit by adding conditions that are designed to reduce or remove the problems that caused the proposed revocation or suspension of the permit.
- D. Within ten days after conclusion of the hearing of the appeal by the administrative panel, the sheriff or the director shall give notice of the decision of the panel.
- E. Any appellant may appeal the determination of the administrative panel to the board of supervisors within ten days after the date of the notice of the decision of the administrative panel. The board of supervisors shall act upon the appeal in accordance with Section 6.108.150.

(Ord. 2005-25 § 2 (part))

6.108.170 - Transfer of the permit.

- A. No permittee may transfer a permit without authorization by the county, granted in accordance with this section.
- B. A permittee shall apply for transfer of a dispensary permit by submitting an application that complies with Section 6.108.060. The directorsheriff shall verify information in the application and shall approve the transfer unless it fails to comply with the standards set forth in Section 6.108.100.
- C. A permittee shall apply for transfer of a delivery permit by submitting an application that complies with Section 6.108.065. The director shall verify information in the application and shall approve the transfer unless it fails to comply with the standards set forth in Section 6.108.100.
- D. Before a transfer of a permit may become effective, the transferee shall certify acceptance of the operating conditions and the standard conditions of the permit.

(Ord. 2005-25 § 2 (part))

6.108.180 - Prohibited operations.

The permittee and or his or her agents shall at all times comply with Section 11326.5 et seq. of the California Health and Safety Code and this chapter in the operation of the dispensary and the delivery operations. This includes, but is not limited to, the prohibition of sales, transportation and delivery of medicinal marijuana off the site of the dispensary premises unless the dispensary holds a valid delivery permit.

(Ord. 2005-25 § 2 (part))

6.108.190 - Misdemeanor violation.

Any person violating any of the provisions or failing to comply with Section 6.108.120(A)(2)—~~(6)(7)~~ or ~~(119)~~ or Section 6.108.125(A)(5)-(7) of this chapter shall be guilty of a misdemeanor. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter or the permit is committed, continued or allowed in conjunction with the operation of a dispensary and shall be punishable accordingly.

(Ord. 2005-25 § 2 (part))

6.108.200 - Civil injunction.

In addition to the penalties provided in this chapter, any condition caused or allowed to exist in violation of any of the provisions of this chapter shall be deemed a public nuisance and shall, at the discretion of county, create a cause of action for injunctive relief.

(Ord. 2005-25 § 2 (part))

6.108.210 - Severability.

The provisions of this chapter are hereby declared to be severable. If any provision, clause, word, sentence or paragraph of this chapter or the application thereof to any person, establishment or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

(Ord. 2005-25 § 2 (part))

6.108.220 - Judicial review.

Judicial review of a final decision made under this chapter may be had by filing a petition for a writ of mandate with the Superior Court in accordance with the provisions of Section 1094.5 of the California Code of Civil Procedure. Any such petition or any other action seeking judicial review shall be filed within ninety (90) days after the day the decision becomes final.

(Ord. 2005-25 § 2 (part))

6.108.230 – Preparation, Packaging and Labeling of Edibles. – ~~Six-month review.~~

~~The board of supervisors will conduct a formal review of the ordinance codified in this chapter within six months after its effective date.~~

~~(Ord. 2005-25 § 2 (part))~~

A. Edibles. The sale, distribution and delivery of Edibles shall be limited to non-perishable, non-potentially hazardous products to be consumed.

1. A facility, such as a commercial kitchen, that proposes to prepare, store, dispense, and distribute Edibles must comply with the relevant provisions of all State and local laws regarding the preparation, distribution, labeling and sale of food. No food production will be allowed in the same facility to avoid the unintentional contamination of food with cannabis. Facilities shall be constructed, permitted, operated and inspected in accordance with the applicable building code and applicable food safety requirements by the Alameda County Department of Environmental Health.
2. Individuals involved in the production or distribution of Edibles shall thoroughly wash their hands before commencing production and before handling the finished product. Gloves must be worn when packaging Edibles.
3. To reduce the likelihood of foodborne disease transmission, individuals who are suffering from symptoms associated with acute gastrointestinal illness or are known to

be infected with a communicable disease that is transmissible through foodstuffs are prohibited from preparing Edibles until they are free of that illness or disease, or are incapable of transmitting the illness or disease through foodstuffs. Individuals who have sores or cuts on their hands must use gloves when preparing and handling Edibles.

4. Producers of Edibles must be State certified food handlers. The valid certificate must be onsite at the facility where the Edible is produced and made available during inspections.
5. Hand-washing facilities shall be adequate and convenient and be furnished with 100F hot running water. Hand washing facilities shall be located in the facility in Edible preparation areas and where good sanitary practices require employees to wash their hands and provide effective hand-cleaning (liquid soap) and disposable paper towel or suitable drying devices.

B. Packaging of Edibles.

1. All Edibles shall be individually wrapped at the original point of preparation. Labeling shall be distinctly and clearly legible on the front of the package and must include: (a) a warning if nuts or other known allergens are used; (b) a warning that the item is a medication containing Cannabis and the total weight (in ounces or grams) and amount of Active Ingredients in the package; (c) the date of manufacture; (d) a statement that the contents are not a food product; and (e) information indicating any caloric impact on the consumer. The package label must have a warning clearly legible emphasizing that the product is to be kept away from children.
2. Labels of Edibles that are not tested for contaminants (baked goods) shall include a statement that the Cannabis used in the product was tested for contaminants.
3. Packaging of Edibles shall be opaque, and may not make it appear as if the Edible is a food product. Packaging that makes the product attractive to children or imitates candy is prohibited.
4. Packaging of Edibles shall be tamper-evident and child resistant.

C. Edible Product Log. Producers of Edibles that are not tested for contaminants shall maintain a written or computerized log documenting:

1. The source of the Cannabis used in each batch of product;
2. The contaminant testing date; and
3. The testing facility for the Cannabis.

SECTION 2. The adoption of amendments to Chapter 6.108 of the General Code to conform to the Medical Marijuana Regulation and Safety Act is categorically exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) in that the Board of Supervisors finds and determines that there is nothing in those amendments or their implementation that could foreseeably have any significant effect on the environment. The adoption of amendments to Chapter 6.108 of the General Code to permit and regulate the delivery of medical marijuana in the unincorporated area of Alameda County is

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SECTION 3. This ordinance shall take effect and be in force thirty (30) days from and after the date of passage and before the expiration of fifteen (15) days after its passage it shall

be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, by the following called vote:

AYES:

NOES:

EXCUSED:

\_\_\_\_\_  
\_\_\_\_\_  
President of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors,

By: \_\_\_\_\_  
\_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

DONNA R. ZIEGLER, COUNTY COUNSEL

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Exhibit ~~A~~a Medical Marijuana Dispensary Areas

~~intentionally~~Intentionally omitted in this draft for sake of brevity only; new maps to be provided

Exhibit B  
Existing Medical Marijuana Dispensaries

- ~~1. The Health Center (THC), 15998 E. 14th Street, San Leandro, California~~
- ~~2. Alameda County Resource Center (ACRC), 16250 E. 14th Street, Suite B, San Leandro, California~~
- ~~3. We Are Hemp, 913 E. Lewelling Boulevard, Hayward, California~~
- ~~2.4. Compassionate Caregivers, 16045 E. 14th Street, San Leandro, California~~
- ~~5. A Natural Source, 16360 Foothill Blvd., San Leandro, California~~
- ~~6. Compassionate Collective of Alameda County (CCAC), 21222 Mission Boulevard, Hayward, California~~
- ~~7. Garden of Eden, 21227 Foothill Boulevard, Hayward, California~~