

HAYWARD CITY COUNCIL

RESOLUTION NO 17-

Introduced by Council Member _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD IMPOSING A
LIMIT ON CANNABIS RETAIL DISPENSARY PERMITS

WHEREAS, on November 8, 2016, the voters of the state adopted Proposition 64, the Adult Use of Marijuana Act (AUMA), which legalized adult cannabis use, possession and cultivation for non-medicinal purposes and created a regulatory framework for non-medicinal cannabis businesses; and

WHEREAS, on November 8, 2016, the voters of the City of Hayward approved Measure EE authorizing the City Council to enact an ordinance imposing a general tax of up to 15% of gross sales of medicinal cannabis and adult use cannabis; and

WHEREAS, Prop. 64 authorizes local jurisdictions to adopt and enforce local ordinances to regulate cannabis businesses licensed pursuant to state law, including local zoning and land use requirements, business license requirements, and requirements related to reducing exposure to second hand smoke, or to completely prohibit the establishment or operation of one or more types of businesses licensed pursuant to state law; and

WHEREAS, the City Council has adopted a series of ordinances that create a comprehensive local regulatory framework for medicinal and adult-use cannabis businesses; and

WHEREAS, the local regulations allow the City Council to impose limits on the number of commercial cannabis permits to be issued by the City; and

WHEREAS, the City Council has determined that imposing a limit on the number of permits to be issued to cannabis retail dispensaries promotes and protects the public health, safety, and welfare of the citizens of the City of Hayward.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that no more than three (3) permits shall be issued for cannabis retail dispensaries in the City of Hayward.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2017

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward