ORDINANCE NO. _____ (N.S.)

AN ORDINANCE EXTENDING A MORATORIUM ON THE ESTABLISHMENT OF MARIJUANA DISPENSARIES, AND DECLARING THE URGENCY THEREOF, TO TAKE EFFECT IMMEDIATELY

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Findings. The Board finds and declares as follows:

a. On August 5, 2009 (6), this Board adopted its Ordinance No. 10001 (N.S.), "AN ORDINANCE EXTENDING A MORATORIUM ON THE ESTABLISHMENT OF MARIJUANA DISPENSARIES, AND DECLARING THE URGENCY THEREOF, TO TAKE EFFECT IMMEDIATELY." In said Ordinance No. 10001, this Board declared its findings concerning the potential negative effects that marijuana dispensaries may have on communities, and directed the Chief Administrative Officer to develop proposed regulations which the Board will consider adopting, to regulate marijuana dispensaries so as to prevent such harmful effects on County of San Diego unincorporated areas.

b. Pursuant to Government Code Section 65858, Ordinance No. 10001 (N.S.) will be in effect for 45 days from adoption. Section 65858 authorizes this Board, following notice and public hearing and by four-fifths vote, to extend that Ordinance for 10 months and 15 days. County staff has issued its report to this Board on the actions being taken to develop appropriate regulations of marijuana dispensaries, to alleviate the conditions which led to the adoption of the moratorium ordinance. Staff has indicated that more time is needed in order to develop those regulations, follow required enactment procedures, and bring the regulations to this Board for consideration.

c. The Board reaffirms the findings made in Ordinance No. 10001 (N.S.) and determines that it is necessary to extend that Ordinance for 10 months and 15 days in order to enable the preparation and processing of appropriate regulations of marijuana dispensaries.

Section 2. Extension of Ordinance No. 10001 (N.S.)

Ordinance No. 10001 (N.S.), "AN ORDINANCE EXTENDING A MORATORIUM ON THE ESTABLISHMENT OF MARIJUANA DISPENSARIES, AND DECLARING THE URGENCY THEREOF, TO TAKE EFFECT IMMEDIATELY", Sections 1 through 4, are hereby extended in full force and effect for 10 months and 15 days from the previous expiration date of that Ordinance.

Section 3. Report. The Chief Administrative Officer is directed to issue a written report describing the measures taken by the County to alleviate the conditions which have led to the adoption of this ordinance, at least 10 days prior to the expiration of this ordinance.

Section 4. Urgency, Duration and Publication. This ordinance is adopted by the Board of Supervisors pursuant to Government Code Section 65858 by a four-fifths or greater vote, as an urgency measure to protect the public health, safety and welfare, and shall take effect immediately. The reasons for such urgency are set forth in Section 1 above. This ordinance shall expire and be of no further force or effect 10 months and 15 days after its adoption, unless it is further extended pursuant to Section 65858. Before the expiration of 15 days after the adoption of this ordinance, a summary hereof shall be published once, with the names of the members of this Board voting for and against the same in the _____, a newspaper of general circulation published in the County of San Diego.