



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 18 - 0349  
NOV 20 2018

**REPORT RE:**

**REVISED DRAFT ORDINANCES AMENDING SECTION 45.19.7.2 OF ARTICLE 5.2,  
CHAPTER IV OF THE LOS ANGELES MUNICIPAL CODE AND SECTIONS 104.03  
THROUGH 104.08, 104.10, 104.11, 104.13, 104.14 AND 104.20 OF ARTICLE 4,  
CHAPTER X OF THE LOS ANGELES MUNICIPAL CODE PERTAINING TO THE  
REGULATION OF COMMERCIAL CANNABIS ACTIVITY**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 14-0366-S5

Honorable Members:

On November 9, 2018, this Office transmitted for your consideration draft ordinances to amend various sections of the Los Angeles Municipal Code (LAMC) relating to the regulation of commercial cannabis activity. One of the draft ordinances would amend LAMC Section 45.19.7.2 to limit the relocation of Existing Medical Marijuana Dispensaries (EMMD). This Office has prepared and now transmits for your consideration a revised draft ordinance, approved as to form and legality, to amend Section 45.19.7.2 to provide the following:

- An Existing Medical Marijuana Dispensary (EMMD) that requested an amended BTRC prior to October 19, 2018, shall not be prohibited from operating at a new location approved by the Department of Cannabis Regulation (DCR).
- An EMMD that requested an amended BTRC between October 19, 2018, and November 30, 2018, shall not be prohibited from operating at a new location

approved by DCR on the condition that DCR shall not approve the request without first seeking and considering a recommendation from the City Councilmember in whose district the EMMD is requesting to relocate.

- An EMMD that does not request an amended BTRC by November 30, 2018, may continue to operate only at the location on its current BTRC until such time that the EMMD receives a final response to its application for a City license for commercial cannabis activity being conducted at that location.

This Office also transmitted on November 9, 2018, a draft ordinance to amend the City's cannabis licensing procedures in Article 4, Chapter X of the Los Angeles Municipal Code, including to require licensed cannabis storefront retailers to display an emblem placard provided by DCR. The draft ordinance did not include a provision prohibiting the unauthorized use of an emblem placard, so this Office has prepared and now transmits for your consideration a revised draft ordinance, approved as to form and legality, to establish prohibited uses of an emblem placard.

#### Council Rule 38 Referral

Copies of the revised draft ordinances were sent, pursuant to Council Rule 38, to the Department of Cannabis Regulation with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Alexander Freedman at (213) 978-7476. He or another member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON  
Chief Assistant City Attorney

DM:AF:pj  
Transmittal