

“Special permit” means any special permit issued by the city pursuant to Title 17 of this code related to the operation of a medical marijuana dispensary.

5.150.030 Medical marijuana dispensary permit required to operate.

- A. No person shall operate a medical marijuana dispensary unless the dispensary has a valid medical marijuana dispensary permit issued pursuant to this chapter.
- B. Neither the obtaining of a dispensary permit nor compliance with the operating standards provided in this chapter shall excuse any violation of this code or state law.

5.150.040 Registered medical marijuana dispensaries.

- A. For purposes of this section a “registered medical marijuana dispensary” means a dispensary: (1) that was properly registered with the city manager pursuant to Ordinance No. 2009-033; ~~and (2) that is operating and has operated continuously at the location for which a dispensary permit is requested since at least October 26, 2010;~~ and (3~~2~~) that is organized and operates as a cooperative or collective within the meaning of this chapter; and (4~~3~~) the owner and operator of which has not been cited or convicted of maintaining a public nuisance or of a public safety violation of state or local law relating to the operation of a medical marijuana dispensary by the city or any governmental law enforcement agency.
- B. An application for a dispensary permit may only be filed by a registered medical marijuana dispensary.
- C. The applicant for the dispensary permit must be the same owner(s) or principal(s) named on the medical marijuana dispensary’s registration as of July 27, 2010, and must be a management member of the registered medical marijuana dispensary. ~~The application must be for the registered dispensary’s location established as of October 26, 2010.~~
- D. Notwithstanding the provisions of Section 5.150.030, a person may continue to operate a registered medical marijuana dispensary without a dispensary permit until February 7, 2011. If an application for a dispensary permit is properly filed, a person may continue to operate that dispensary without a dispensary permit until January 9, 2012, and while the application’s approval is pending.
- E. The authorization to continue to operate a dispensary pursuant to subsection D of this section shall not entitle the applicant to an approval of their dispensary permit application, a determination that the dispensary is a legally established use under the provisions of this code, or legal nonconforming status.