

## RESOLUTION NO. 2017-50

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY ESTABLISHING MEDICAL CANNABIS CULTIVATION, MANUFACTURING, DISTRIBUTION, AND TESTING LABORATORY BUSINESS PERMIT FEES

**WHEREAS**, the City Council adopted Ordinance No. 2017-10 which amended Chapter 9.22 of the Municipal Code entitled "Medical Cannabis Dispensaries and other Cannabis Businesses and Activity," which provides for the establishment, permitting, and regulation of medical cannabis cultivation, manufacturing, distributing, transporting, and testing laboratories within the City provided business operators receive a permit from the City and comply with all other state and local legal requirements; and

**WHEREAS**, subsequent to the adoption of Ordinance 2017-10, staff learned of the passage of the Medicinal and Adult-Use Cannabis Regulation and Safety Act (the "MAUCRSA"), effective June 27, 2017. Included among the changes adopted by the MAUCRSA was the elimination of the state licensing category of transporters/transportation businesses. The City's cannabis businesses listed in Ordinance No. 2017-10 were developed to mirror the state approved cannabis businesses categories, therefore, the City will not permit medical cannabis transporting businesses as a separate category of business. Accordingly, no fee is authorized by this resolution for the processing of a medical cannabis transporting business; and

**WHEREAS**, Section 9.22.050 of the newly adopted Chapter 9.22 requires the City Council to adopt fee schedule for the processing of medical cannabis business permits;

**WHEREAS**, the City of Nevada City desires to seek full cost recovery for staff and related costs and expenses via applicant-paid fees; and

**WHEREAS**, the proposed fee resolution was duly noticed as a public hearing on July 29, 2017, as required by state law.

#### **NOW, THEREFORE, BE IT RESOLVED**

Section 1. The City Council establishes Medical Cannabis Business Permit Fees (for non-dispensary businesses) in the amount of \$1,550.00 for a single cannabis business type, and 50% of that fee (\$775.00) for every subsequent business type requested by the same applicant(s) in a single application.

Section 2. Applicants are also responsible for the following fees in addition to the application fee described in Section 1:

1. Each principal of an applicant's business must pay up to \$300 for a state background check fee if the application is submitted before the City receives FBI clearance to receive federal background check results;

2. Each principal of an applicant's businesses must pay a \$72 Live Scan fee;

3. Applicants must pay up to \$2,461.33 for the preparation of a Zoning Verification Letter for each location proposed; and

4. Applicants must also pay for the cost of the preparation of the radius map to notice property owners within 300 feet of the proposed business location, \$100 for the preparation of the notice, and \$15 per notice for mailing costs.

**PASSED AND ADOPTED** at the regular meeting of the City Council of the City of Nevada City on the 9<sup>th</sup> day of August, 2017, by the following vote:

**AYES: STRAWSER, PARKER, MOBERG, SENUM, PHELPS**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

  
**Duane Strawser, Mayor**

**ATTEST:**   
**Niel Locke, City Clerk**