

1                   **BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**  
2   **ORDINANCE NO. \_\_\_\_\_**

3  
4                   **AN ORDINANCE AMENDING CHAPTER 21 OF THE ORDINANCE CODE OF THE**  
5                   **COUNTY OF LAKE ADDING ARTICLE 72: REGULATIONS FOR THE DISPENSING OF**  
6   **MEDICAL MARIJUANA**

7                   **THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE ORDAINS AS FOLLOWS:**

8  
9                   **Section 1:**     Article 72 is hereby added to the Chapter 21 of the Lake County Code and it shall read  
10   as follows:

11  
12                   **“SEC.21-72 REGULATIONS FOR THE DISPENSING OF MEDICAL MARIJUANA**

13  
14                   **72.1 Purpose:** The purpose of this Article is to establish the regulations, standards and circumstances  
15   for a limited number of collective or cooperative medical marijuana dispensaries to operate in the  
16   unincorporated area of the County of Lake. This ordinance is not intended to restrict access to  
17   qualifying patients, but rather is intended to ensure that such facilities are located and operated in  
18   a manner that protects the public health, safety, and general welfare and that is in conformance  
19   with the provisions of the Compassionate Use Act of 1996, and the Medical Marijuana Program  
20   (California Health and Safety Code Section 11362.5 through 11362.83).

21  
22                   **72.2 Intent:** It is the intent of the Board of Supervisors that the provisions of this Article shall not be  
23   construed to protect Medical Marijuana Dispensary owners, permittees, operators and  
24   employees, or the members of collectives and/or cooperatives associated with Medical Marijuana  
25   Dispensaries from prosecution pursuant to any laws that may prohibit the cultivation, sale,  
26   distribution or possession of controlled substances including, but not limited to US Federal  
27   Laws. It is also the intent of the Board of Supervisors that nothing in this Article shall be  
28   construed to allow persons to engage in conduct that endangers others or causes a public  
   nuisance or to allow the use of marijuana for non-medical purposes.

1 **72.3 Applicability:** The provisions of this Article shall be applicable to all persons and  
2 businesses described herein whether the activities described herein were established before or  
3 after the effective date of this Article.  
4

5 **72.4 Definitions:**

6 (a) Medical Marijuana Dispensary, or Dispensary: A storefront premises used by a  
7 cooperative organization, or collective of two (2) or more qualified patients or primary  
8 caregivers where the primary purpose is the distribution of medical marijuana that has  
9 been recommended by a licensed physician to a qualified patient, in strict accordance  
10 with State Health and Safety Code Sections 11362.5 et seq and 11362.83, inclusive,  
11 commonly referred to as the Compassionate Use Act, and that houses the organization's  
12 records, including those records required to be made available to the Lake County Sheriff  
13 upon request.  
14

15 A Medical Marijuana Dispensary does not include the distribution of medical  
16 marijuana to qualified patients by their designated primary caregivers in the  
17 following locations and facilities, as long as the location is otherwise regulated by  
18 the Lake County Code and/or applicable law and as long as the use complies with the  
19 Lake County Code and/or applicable law, including, but not limited to, The  
20 Compassionate Use Act and The Medical Marijuana Program:

- 21 1. A clinic licensed pursuant to Chapter I (commencing with Section 1200) of  
22 Division 2 of the California Health and Safety Code.
- 23 2. A health care facility licensed pursuant to Chapter 2 (commencing with Section  
24 1250) of Division 2 of the California Health and Safety Code.
- 25 3. A residential care facility for persons with chronic life-threatening illness  
26 licensed pursuant to Chapter 3.01 (commencing with Section 1568.01) of  
27 Division 2 of the California Health and Safety Code.  
28

1 4. A residential care facility for the elderly licensed pursuant to Chapter 3.2  
2 (commencing with Section 1569) of Division 2 of the California Health and Safety  
3 Code.

4 5. A hospice or a home health agency licensed pursuant to Chapter 8 (commencing  
5 with Section 1725) of Division 2 of the California Health and Safety Code  
6 Section.

7  
8 (b) Primary Caregiver: Shall have the same definition as California Health and Safety  
9 Code Section 11362.7 (d).

10  
11 (c) Qualified Patient: Shall have the same definition as California Health and Safety Code  
12 Section 11362.7 (f).

13  
14 (d) Drug Paraphernalia: Shall have the same definition as California Health and Safety  
15 Code Section 11364.5 (d)

16  
17 (e) Premises: Includes the actual building, as well as accessory structures, parking areas  
18 and other on-site improvements.

19  
20 **72.5 Collective or Cooperative Medical Marijuana Dispensaries are permitted subject to**  
21 **approval of a Minor Use Permit, and subject to the following location and minimum**  
22 **application requirements:**

23  
24 (a) **Location of Dispensaries:**

25 Dispensaries may only be considered for location within one of the areas delineated on  
26 the approved Dispensary Location Maps set forth in Section 72.15 of this Article, at a  
27 ratio of one dispensary per mapped area.  
28

1           **(b) Limitations on Number and Size of Dispensaries:**

- 2           1.       A maximum of five (5) dispensaries may be authorized to operate under permit  
3                       within the unincorporated County at any given time, subject to the provisions of  
4                       this Article.  
5           2.       A medical marijuana dispensary shall not exceed a use area of more than 2,500  
6                       square feet.

7  
8           **(c) Initial Filing Period:** Medical marijuana dispensaries located within the “C3”, “C2” and  
9                       “CH” zoning districts that have been operating continuously since September 15, 2009  
10                      shall be given priority for permit processing to obtain permit approval and to establish an  
11                      alternative location as needed. Said dispensaries shall file complete applications for  
12                      minor use permits within 120 days of the effective date of this Article and shall relocate  
13                      to the new permitted site within 60 days of minor use permit approval. Applications  
14                      shall be processed in the order that they are received and deemed complete. Applications  
15                      for any new, proposed dispensary not already in operation as described above shall not be  
16                      accepted during the initial 120 day filing period.

17  
18           **(d)** Enforcement action shall be taken against any dispensary that fails to meet the minimum  
19                      application requirements specified in this Article or fail to obtain approval of a minor use  
20                      permit and/or relocate to an approved site within the time specified in Section 72.5(c).

21  
22           **(e)** The application for a medical marijuana dispensary shall include a statement and/or  
23                      information to establish the need for the dispensary to serve qualified patients in the area,  
24                      such as the number of qualifying patients who are members of the collective or  
25                      cooperative seeking to establish a dispensary.

26  
27           **(f)** A medical marijuana dispensary shall not be established within 1,000 feet of any public  
28                      or private elementary, middle or high school.

1 (g) A medical marijuana dispensary shall not be established on any parcel containing a  
2 dwelling unit used as a residence, unless it is occupied by the owner or manager of the  
3 Dispensary.

4  
5 (h) Prior to the minor use permit application being deemed complete for processing, the  
6 owner and/or operator of the proposed medical marijuana dispensary and any employees  
7 must pass a criminal history background investigation performed by the Lake County  
8 Sheriff, at the applicant's expense, and must provide personal affidavits. Any applicant,  
9 his or her agent or employees, or any person exercising managerial authority of a  
10 dispensary on behalf of the applicant shall not have been convicted of a felony, or of a  
11 misdemeanor involving moral turpitude, or engaged in misconduct related to the  
12 qualifications, functions or duties of a permittee. A conviction within the meaning of this  
13 section means a plea or verdict of guilty or a conviction following a plea of nolo  
14 contendere.

15  
16 (i) Applications for medical marijuana dispensary use permits shall include an  
17 Operation Plan that specifies the following:

- 18 1. Written project description that includes detailed information including the full  
19 name and address of the operator, the property owner's name and address, intended  
20 business hours and signage.
- 21 2. A description of how the dispensary operations will be conducted, including  
22 the hours and days of operation proposed.
- 23 3. The number of members within the collective or cooperative associated with  
24 the dispensary, and the number of employees that will operate the dispensary.
- 25 4. A detailed site plan, drawn to scale, that shows building location, parking area,  
26 and proposed sign location.
- 27 5. A detailed floor plan, drawn to scale. A dispensary shall have a lobby waiting area  
28 at the entrance to receive patients, and a separate and secure designated area for

1 dispensing medical cannabis to qualified patients or designated caregivers. The  
2 primary entrance shall be located and maintained clear of barriers, landscaping and  
3 similar obstructions so that it is clearly visible from public streets, sidewalks or site  
4 driveways.

- 5 6. The on-site security systems and methods proposed, including measures for safe  
6 storage of medical marijuana, security lighting, and other security measures  
7 proposed to be used.
- 8 7. Information concerning source locations of medical marijuana to be distributed  
9 through the proposed collective or cooperative dispensary.
- 10 8. Proof of eligibility as a collective or cooperative, such as articles of incorporation,  
11 not for profit status, financial and general membership information.
- 12 9. Written evidence of ownership or authorization for use of the proposed site.

13  
14 **72.6 General Performance and Operational Standards for Collective or Cooperative**  
15 **Dispensaries:**

16  
17 (a) Annual compliance monitoring shall be conducted by the Lake County Sheriff's Office at  
18 the permit holder's expense. Prior to operation of the dispensary, the permit holder shall  
19 enter into a "Compliance Monitoring Inspection Agreement" with the Sheriff's Office  
20 and shall pay for an initial inspection of the premises. The Agreement shall provide for  
21 recovery of costs incurred by the Sheriff's Office based on the weighted hourly rate(s) of  
22 the staff assigned to conduct said inspections. The permit holder shall maintain the  
23 following records and shall make said records available to the Lake County Sheriff's  
24 Office upon request:

- 25  
26 1. Financial records, along with records of marijuana supply source locations and  
27 the legal status thereof, including the names of the growers.

1           2.     Proof of not-for-profit status. Any compensation for the operator’s time shall be  
2           consistent with Federal Income Tax laws for “reasonable compensation”. No  
3           medical marijuana dispensary shall be operated for profit. A dispensary may  
4           receive compensation for its actual expenses, including reasonable compensation  
5           for services provided, or for payment of out-of-pocket expenses incurred in  
6           providing those services. However, any such dispensary shall pay applicable  
7           sales tax on such sales and maintain the applicable seller’s permit or similar  
8           permit from the State Franchise Tax Board or other applicable agency.

9           3.     A current registry of employees and any contractors and/or volunteers, who are  
10          engaged in the operation of the dispensary, all of whom shall be subject to passing  
11          background investigations. The registry shall be provided to the Sheriff at any  
12          time upon request. The registry shall include the name, current residential address,  
13          telephone number, date of birth and the height, weight and color of eyes and hair  
14          of each such person.

15  
16          (b)    The minor use permit shall be valid for an initial term of two (2) years, and may be  
17          renewed every two (2) years thereafter, provided that the operation remains in  
18          compliance with the applicable provisions of this Article and Chapter, and any  
19          applicable state laws. Applications for renewal must be filed prior to the expiration  
20          date of the existing permit, and are subject to processing fees of 50% of the fee in effect  
21          for a minor use permit at the time of application for renewal. Any change in ownership  
22          or management of a dispensary shall first require the new ownership and/or  
23          management to comply with Section 72.5(i) of this Article, submit evidence of their not-  
24          for profit status, and sign an acknowledgement agreeing to all terms and conditions of  
25          the minor use permit.

26  
27          (c)    Medical marijuana dispensaries may sell or distribute marijuana only from  
28          members of the dispensary’s collective or cooperative and may sell or distribute only to

1 members of the dispensary's collective or cooperative. No distribution to non-members  
2 is authorized. Home delivery to members by the dispensary operator is allowed,  
3 provided that any home delivery service is based from the permitted dispensary.  
4

5 (d) A medical marijuana dispensary may possess marijuana at its facility only in the  
6 collective amount that each qualified patient or primary caregiver who is a current  
7 member of the cooperative or collective associated with the Medical Marijuana  
8 Dispensary is allowed to possess under California Health and Safety Code Section  
9 11362.77, as may be amended from time to time. However, in no case shall the amount  
10 in possession at the dispensary at any given time exceed 15 pounds of processed medical  
11 marijuana. In calculating the quantity of medical marijuana, concentrated cannabis (such  
12 as hashish) shall be counted at a ratio of 3 to 1 as compared to equal quantities of the un-  
13 concentrated varieties. At no time shall a medical marijuana cooperative maintain in  
14 excess of one and one-half (1 1/2) pounds of concentrated cannabis on the premises.  
15

16 (e) The medical marijuana dispensary shall label its products by stating the name of the  
17 medical marijuana collective or cooperative and the weight of cannabis and the statement  
18 "Contents may cause cancer when smoked". All products shall be packaged in County  
19 approved child-proof containers.  
20

21 (f) All marijuana at the dispensary shall be physically labeled in a manner to allow for ready  
22 identification of the specific Collective member who is the source of the marijuana.  
23

24 (g) The distribution of edible and drinkable medical marijuana products is subject to the  
25 following:

- 26 1. If baked or edible medical cannabis products (i.e. brownies, bars, cookies, cakes,  
27 etc.) are to be distributed, the product must be labeled and contain the following  
28 information:

- a. Name of manufacturer
- b. Date of manufacture
- c. Net weight of cannabis in package
- d. The Statement “Keep Out Of Reach Of Children”
- e. The Statement “For Medical Use Only”
- f. The Statement “WARNING: This product has NOT been tested by the Lake County Health Services Department.”.

2. No photos or images of food are allowed on edible medical cannabis product packaging or labels.

3. Packaging that makes the product attractive to children or imitates candy is not allowed. Packaging shall include labels warning that the products are not to be consumed by children under the age of 18.

4. The phrase “Medical Cannabis” must precede the name of any edible product name identified on the label or packaging (e.g. Medical Cannabis Brownie). The phrase must be as easy to read as the common food name (i.e. the same font size and boldness) and only common or generic food names may be used (i.e. brownie, honey, chocolate, chocolate chip cookie, green tea, etc).

5. No edible cannabis products requiring hot-holding shall be manufactured or distributed at a dispensary because of the increased potential for food-borne illnesses.

6. Any facility or dispensary in Lake County producing or providing edible medicinal marijuana products must be permitted and routinely inspected by Lake County Environmental Health.

1 (h) All marijuana on site at the dispensary shall be physically labeled with the monetary  
2 amount to be charged to a Collective member as reimbursement for cost of cultivation,  
3 overhead, and operating expenses.  
4

5 (i) Medical marijuana dispensaries shall sell or distribute only marijuana cultivated and  
6 processed in the State of California that has not left the State before arriving at the  
7 medical marijuana dispensary. Medical marijuana produced in Lake County shall be  
8 sourced from sites that are operated consistent with the Lake County Code, with no  
9 citations for erosion, stormwater or other violations committed at the cultivation site.  
10

11 (j) The permit holder shall require any person entering the premises to provide  
12 verification of the individual's status as a current member of the collective or  
13 cooperative associated with the medical marijuana dispensary, and shall also verify  
14 the individual's identity by way of a government issued photographic identification.  
15

16 (k) The permit holder shall maintain membership records on-site or have them  
17 reasonably available for the permit holder's use that provide written verification of each  
18 individual member's status as a qualified patient or primary caregiver. Subject to HIPAA  
19 regulations, this shall be done by any of the following methods:

20 1. Written documentation establishing that the permit holder has confirmed that the  
21 individual member has a valid government-issued medical marijuana identification  
22 card, with a copy of the medical marijuana identification card included in the  
23 membership records; or

24 2. Written documentation establishing that the permit holder has confirmed the  
25 individual member has a recommendation from a physician by making personal  
26 contact with the recommending physician (or his or her agent), verifying the  
27 physician's identity, and verifying the physician's licensing status. If the physician  
28

1 recommendation is in writing, a copy of that recommendation shall also be included  
2 in the membership records; or

3 3. Written documentation establishing that the permit holder has confirmed the  
4 individual's primary caregiver status by making personal contact with the  
5 qualified patient and has confirmed the status of the qualified patient.

6  
7 (l) The permit holder shall track when individual member's medical marijuana  
8 recommendations, designations of primary caregivers, and/or identification cards expire.

9  
10 (m) The permit holder shall enforce conditions of membership by excluding from  
11 membership individuals whose identification cards, physician recommendations, and/or  
12 designations of primary caregiver status are invalid or have expired, or who have  
13 diverted marijuana to non-members and/or for non-medical use.

14  
15 (n) No medical marijuana shall be smoked, ingested or otherwise consumed on the  
16 premises of the medical marijuana dispensary. The term "premises" includes the actual  
17 building, as well as any accessory structures, parking areas, or other immediate  
18 surroundings.

19  
20 (o) Marijuana clones and starter plants up to 18 inches in height may be made available at  
21 dispensaries to members. The number of clones and/or starter plants on site at any given  
22 time shall not exceed one hundred (100). No other cultivation is allowed at the  
23 dispensary site.

24  
25 (p) No public display of marijuana plants, product or drug paraphernalia (as defined in  
26 California Health and Safety Code Section 11364.5 (d)) is allowed. All business activities  
27 shall be conducted indoors.  
28

1 (q) No permit holder, collective or cooperative associated with a medical marijuana  
2 dispensary shall hold or maintain a license from the State Department of Alcohol  
3 Beverage Control to sell alcoholic beverages, or operate businesses that sell alcoholic  
4 beverages, at any dispensary, or on any parcel occupied by a dispensary.

5  
6 (r) The operator of a medical marijuana dispensary shall ensure the absence of  
7 loitering consistent with California Penal Code Section 647(h).

8  
9 (s) No juveniles shall be allowed into a medical marijuana dispensary. It is unlawful for any  
10 permittee, operator, or other person in charge of any dispensary to employ any person  
11 who is not at least 18 years of age.

12  
13 (t) All medical marijuana dispensary permit holders, operators and employees, and/or the  
14 members of collectives and/or cooperatives associated with medical marijuana dispensaries  
15 must be verifiable qualified patients or primary caregivers, as defined, and meet all terms and  
16 conditions of applicable law.

17  
18 (u) Each medical marijuana dispensary shall display inside the medical marijuana dispensary  
19 itself, in a manner legible and visible to its clientele, the following:

- 20  
21 1. Notice that no person under the age of 18 (eighteen) is allowed in the Medical  
22 Marijuana Dispensary except in the presence of his/her parent or guardian.  
23 2. Notice that there is no consumption of marijuana on the premises or in the  
24 vicinity of the medical marijuana dispensary.  
25 3. Notice that loitering is not permitted on the premises or in the vicinity of the  
26 Medical Marijuana Dispensary.  
27  
28

1 (v) Operators of medical marijuana dispensaries shall make every effort possible to assure  
2 that marijuana obtained from their sources does not contain harmful levels of pesticides.  
3 Operators shall educate their members on the importance of organic cultivation practices.  
4

5 1. Testing of Medical Marijuana. The operator or permit holder of the medical  
6 marijuana dispensary shall use an independent laboratory to analyze a  
7 representative sample of dried medical marijuana and a representative sample of  
8 edible marijuana (if edibles are to be distributed) for pesticides, mold and fungus  
9 before providing the medical marijuana to its members. Any medical marijuana  
10 from which the representative sample analysis tests positive for pesticide, mold or  
11 fungus shall not be provided to members and shall be destroyed.

12 2. Testing Log. The operator or permit holder of the medical marijuana dispensary  
13 shall maintain a written log documenting the date, type, and amount of marijuana  
14 tested; the name of the laboratory where the marijuana was tested; the laboratory  
15 report containing the results of the testing, including the name and level of the  
16 substance detected; and the disposition of the marijuana from which the  
17 contaminated sample was obtained, including the amount of marijuana and the date  
18 and manner of disposition.  
19

20 (w) The operator or permit holder of the medical marijuana dispensary shall maintain a  
21 Sellers Permit from the California State Board of Equalization.  
22

23 (x) The operator or permit holder of the medical marijuana dispensary shall provide adequate  
24 security on the premises, including security cameras, monitored alarm system and a vault  
25 for money and medical marijuana, and adequate outdoor lighting consistent with Section  
26 41-8(a) of the Zoning Ordinance.  
27  
28

1 (y) Hours of operation shall be restricted to the time period between 8:00am and  
2 8:00pm daily. Additional restrictions on operational hours may be applied as a  
3 condition of use permit approval.  
4

5 (z) An exhaust and air filtration system shall be utilized to prevent off-site odors.  
6

7 (aa) One on-site sign, not to exceed twenty (20) square feet shall be allowed. The sign  
8 may consist of a wall mounted sign or a sign located within an existing sign  
9 structure that advertises other businesses on the property. There shall be no direct  
10 reference to marijuana in any form, including displays or illustration, on any  
11 exterior sign or any interior sign or display area visible from outside the medical  
12 marijuana dispensary.  
13

14 (bb) The building in which the medical marijuana dispensary is located shall comply with all  
15 applicable local, state, and federal building codes, development standards, and  
16 accessibility requirements.  
17

18 **72.7 Grounds for Denial or Revocation of Minor Use Permit for Medical Marijuana Dispensary**  
19

20 (a) Failure to comply with the provisions of this Article shall be grounds for denial or  
21 revocation of a permit.  
22

23 (b) Except for those dispensaries that have been in continuous operation since September 15,  
24 2009, filing of an application for a minor use permit and an early activation of use permit  
25 for a collective or cooperative dispensary after the unpermitted operation of said  
26 dispensary has already commenced shall be grounds for denial of the permit by the  
27 Zoning Administrator (or the Planning Commission or Board of Supervisors on appeal).  
28

1 Any operation of a new dispensary while a minor use permit application is being  
2 processed by the County shall also be grounds for denial.

3  
4 **72.8 Appeals & Revocations**

5  
6 (a) **Right of Appeal and Revocation:** The final decision of the Zoning Administrator to  
7 grant or deny a permit may be appealed in the manner prescribed in Article 58 of the  
8 Zoning Ordinance. Permits may be revoked pursuant to Article 60 of the Zoning  
9 Ordinance.

10  
11 (b) **Hearing:** The procedure and requirements governing an appeal and revocations shall be  
12 as specified in Articles 58 & 60 of the Zoning Ordinance.

13  
14 **72.9 Uses Prohibited:** Operating a medical marijuana dispensary or a home delivery service from any  
15 location other than a permitted dispensary is strictly prohibited. Independent home delivery  
16 services operated out of residences in Lake County are prohibited and shall result in an  
17 enforcement action, unless such operations are otherwise permitted under regulations established  
18 for medical marijuana cultivation sites.

19  
20 **72.10 Release of the County from Liability:** In a form satisfactory to the County of Lake, the  
21 Medical Marijuana Dispensary owners, permittees, operators and employees, the members of  
22 collectives and/or cooperatives associated with medical marijuana dispensaries, and the property  
23 owner(s) of record for each medical marijuana dispensary, shall release and hold harmless Lake  
24 County, and its agents, officers, elected officials, and employees from injuries, damages, or  
25 liabilities of any kind that result from the operations and activities at medical marijuana  
26 dispensaries including, but not limited to, any arrest or prosecution of medical marijuana  
27 dispensary owners, permittees, operators and employees, the members of collectives and/or  
28

1 cooperatives associated with medical marijuana dispensaries, and the property owner(s) of record  
2 for each medical marijuana dispensary, for violation of state or federal laws.  
3

4 **72.11 Indemnification:** Each permit issued pursuant to this Article shall have as a condition of the  
5 permit, a requirement that the applicant indemnify and hold harmless the County and its officers,  
6 agents, and employees from actions or claims of any description brought on account of any  
7 injury or damages sustained, by any person or property resulting from the issuance of the permit  
8 and the conduct of the activities authorized under said permit, damages or liabilities of any kind  
9 that may arise out of the distribution and/or on- or off-site use of marijuana provided at the  
10 dispensary.  
11

12 **72.12 Liability:** The provisions of this Article shall not be construed to protect the medical marijuana  
13 dispensary owners, permittees, operators and employees, the members of collectives and/or  
14 cooperatives associated with medical marijuana dispensaries, and the property owner(s) of record  
15 for each medical marijuana dispensary from prosecution pursuant to any laws that may prohibit  
16 the cultivation, sale, and/or possession of controlled substances under State or Federal Law.  
17 Moreover, cultivation, sale, possession, distribution, and use of marijuana remain violations of  
18 federal law as of the date of adoption of the ordinance creating this Article, and this Article is not  
19 intended to, and does not protect any of the above described persons from arrest or prosecution  
20 under those federal laws. Medical marijuana dispensary owners, permittees, operators and  
21 employees, the members of collectives and/or cooperatives associated with medical marijuana  
22 dispensaries, and the property owner(s) of record for each medical marijuana dispensary assume  
23 any and all risk and any and all liability that may arise or result under state and federal criminal  
24 laws from operation of a medical marijuana dispensary. Further, to the fullest extent permitted  
25 by law, any actions taken under the provisions of this Article by any public officer or employee  
26 of the County of Lake or by the County itself shall not become a personal liability of such person  
27 or a liability of the County.  
28

1 **72.13 Liability Insurance Required:** No permit shall be issued or renewed under this Article unless  
2 the permittee carries and maintains in full force and effect a policy of insurance which meets or  
3 exceeds the requirements of this section, in a form approved by the County of Lake and executed  
4 by a licensed insurance broker or agent. The policy of insurance shall insure against liability for  
5 damage to property or injury to or death of any person as a result of activities conducted or  
6 occurring at the medical marijuana dispensary. The minimum liability limits shall not be less  
7 than \$1,000,000 for each incident of damage to property or incident of injury to or death of a  
8 person, with a general aggregate limit of not less than \$1,000,000. The policy shall name the  
9 County of Lake as an additional insured.

10  
11 **72.14 Conflicts with Other Codes:** If this Article is found to be in conflict with any other Chapter,  
12 Section, Subsection, or Title of this Code, the provisions of this Article shall prevail.”

13  
14 **72.15 Dispensary Location Maps:** There are hereby established Dispensary Location Maps as set  
15 forth in Maps A.1 through A.5 which are attached hereto as Exhibit A and is incorporated  
16 herein as is fully setforth.

17  
18 **Section 2: Severability of Parts of this Article:** It is hereby declared to be the intention of the  
19 Board of Supervisors that the sections, paragraphs, sentences, clauses and phrases of this  
20 Article are severable, and if any phrase, clause, sentence, paragraph, or section of this  
21 Article shall be declared unconstitutional by the valid judgment or decree of court of  
22 competent jurisdiction, such unconstitutionality shall not affect any of the remaining  
23 phrases, clauses, sentences, paragraphs and sections of this Article.

24 **Section 3:** All ordinances or resolutions in conflict herewith are hereby repealed to the extent of  
25 such conflict and no further.  
26  
27  
28

1 **Section 4:** This project is exempt from California Environmental Quality Act requirements in that it  
2 can be seen with certainty that there is no possibility that the activity in question will  
3 have a significant effect upon the environment.

4  
5 **Section 5:** This ordinance shall take effect on the \_\_\_\_ day of \_\_\_\_\_, 2011. Within fifteen  
6 (15) days after adoption of the ordinance, the Clerk to the Board of Supervisors shall at  
7 least once in a newspaper of general circulation printed and published in the County of  
8 Lake publish a summary of the Ordinance with the names of those supervisors voting for  
9 and against the ordinance and the Clerk shall post in the office of the Clerk to the Board  
10 of Supervisors a certified copy of the full text of the adopted ordinance along with the  
11 names of those supervisors voting for and against the Ordinance.

12 The foregoing Ordinance was introduced before the Board of Supervisors of the County of Lake  
13 on the \_\_\_\_day of \_\_\_\_\_, 2011, and passed by the by the following vote on the \_\_\_\_day of  
14 \_\_\_\_\_ 2011:

15 AYES:

16 NOES:

17 ABSENT OR NOT VOTING:

18 COUNTY OF LAKE

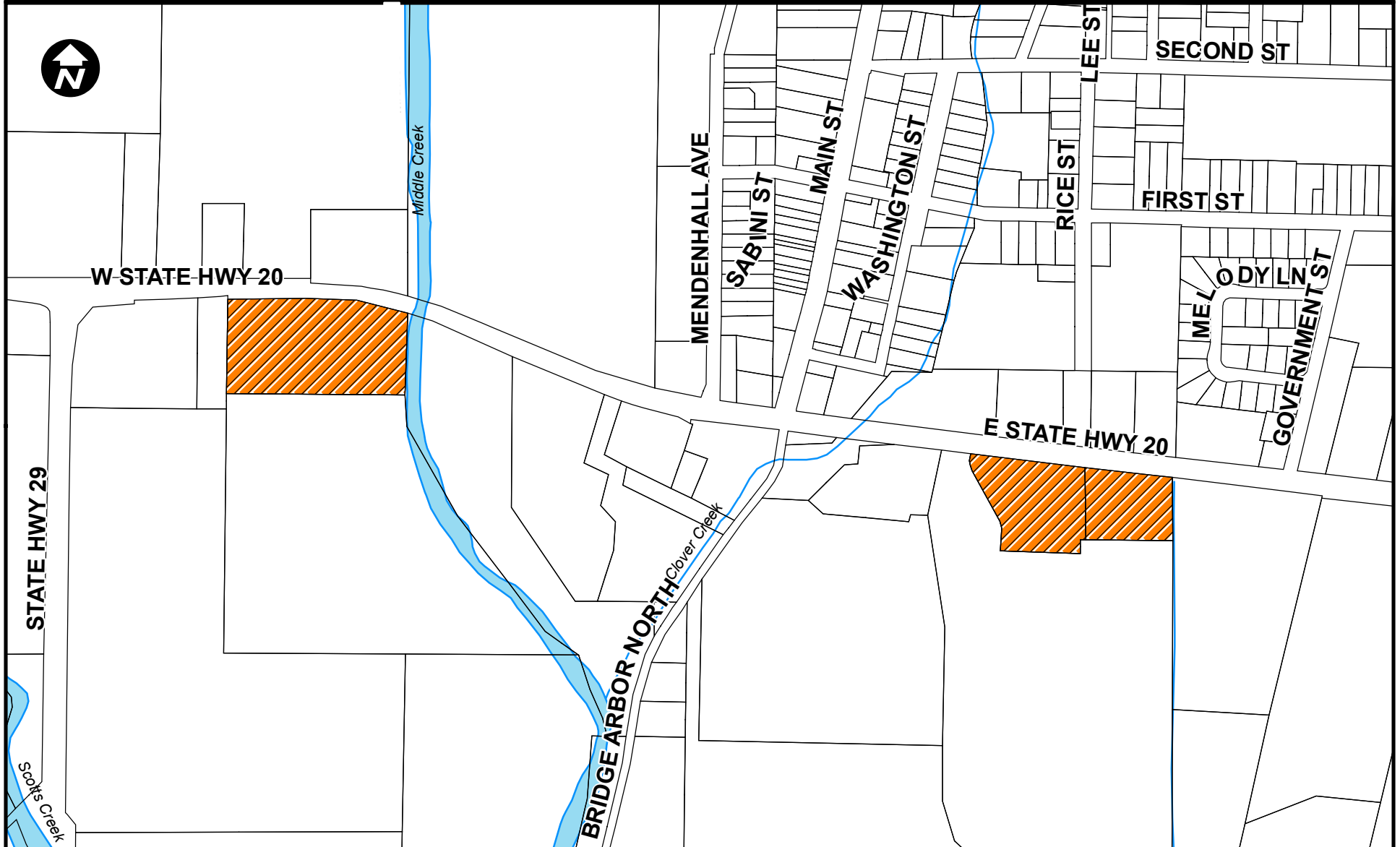
19  
20 ATTEST: KELLY F. COX  
21 Clerk of the Board of Supervisors  
22 By: \_\_\_\_\_

\_\_\_\_\_  
23 Chair Board of Supervisors

24 APPROVED AS TO FORM:  
25 ANITA L. GRANT  
26 County Counsel  
27 By: \_\_\_\_\_

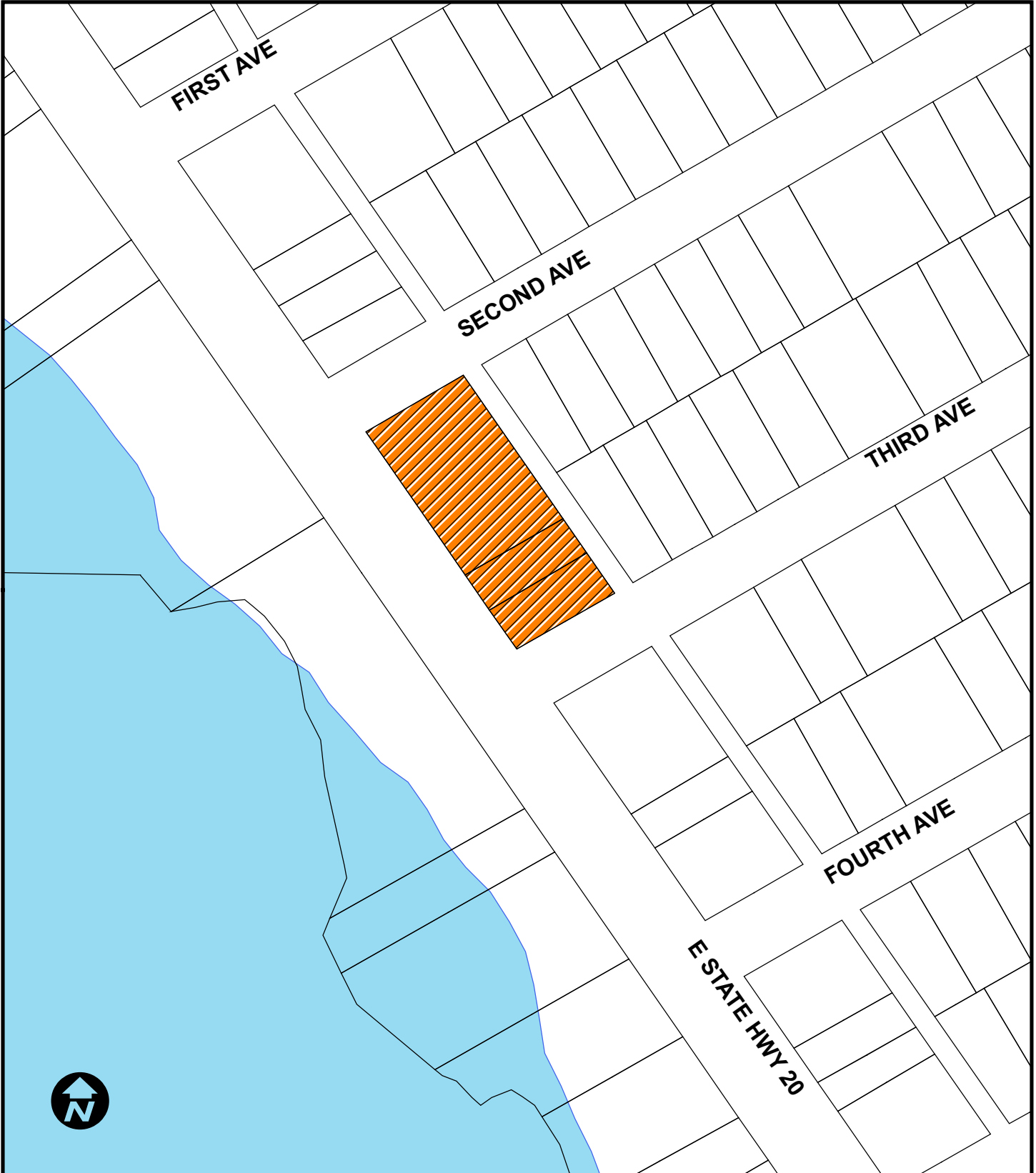
APPROVED AS TO FORM:  
Community Development Department  
By: \_\_\_\_\_

# DISPENSARY LOCATION MAP A-1



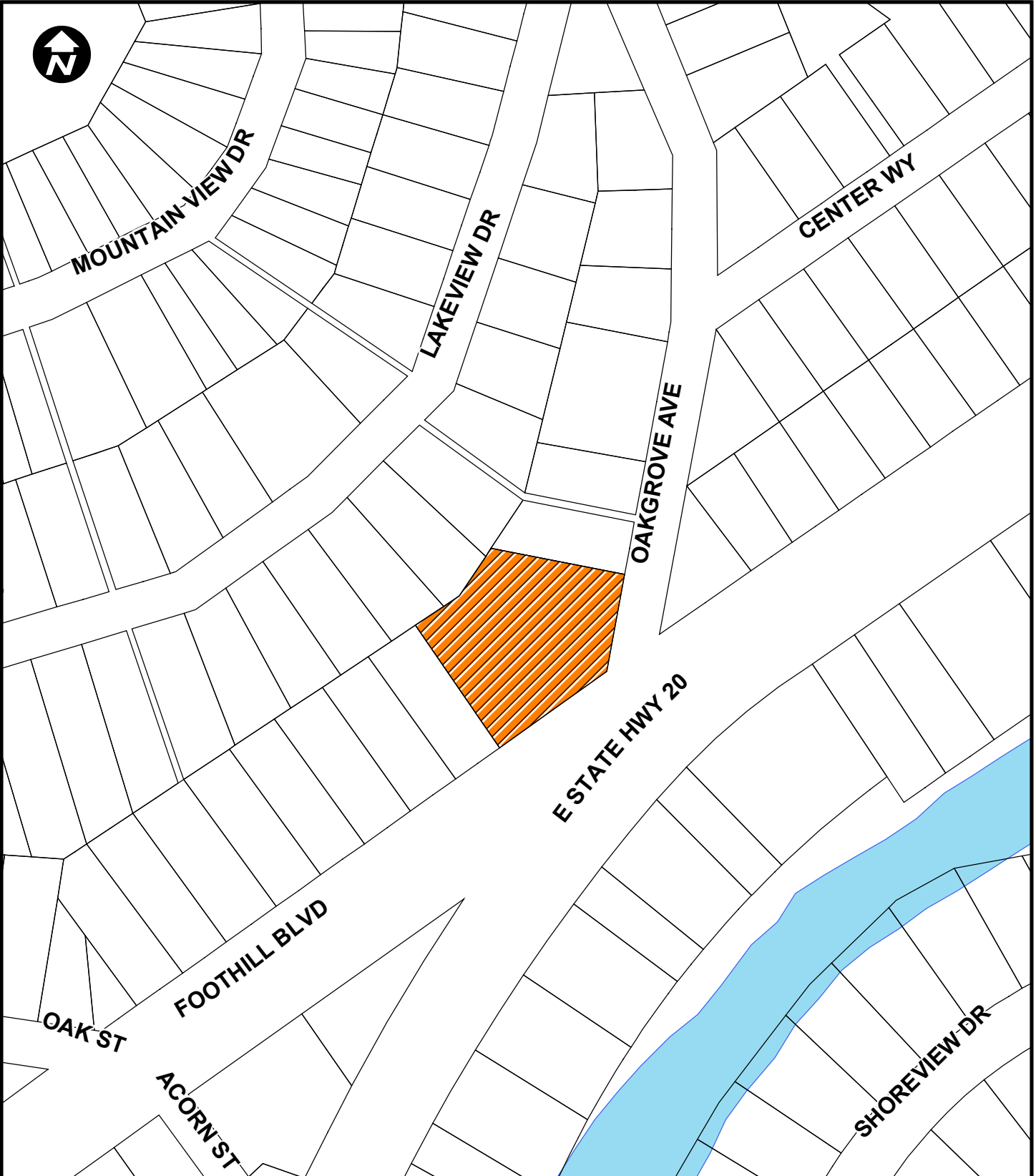
APN 004-010-48 & 004-010-49 (Upper Lake)

# DISPENSARY LOCATION MAP A-2



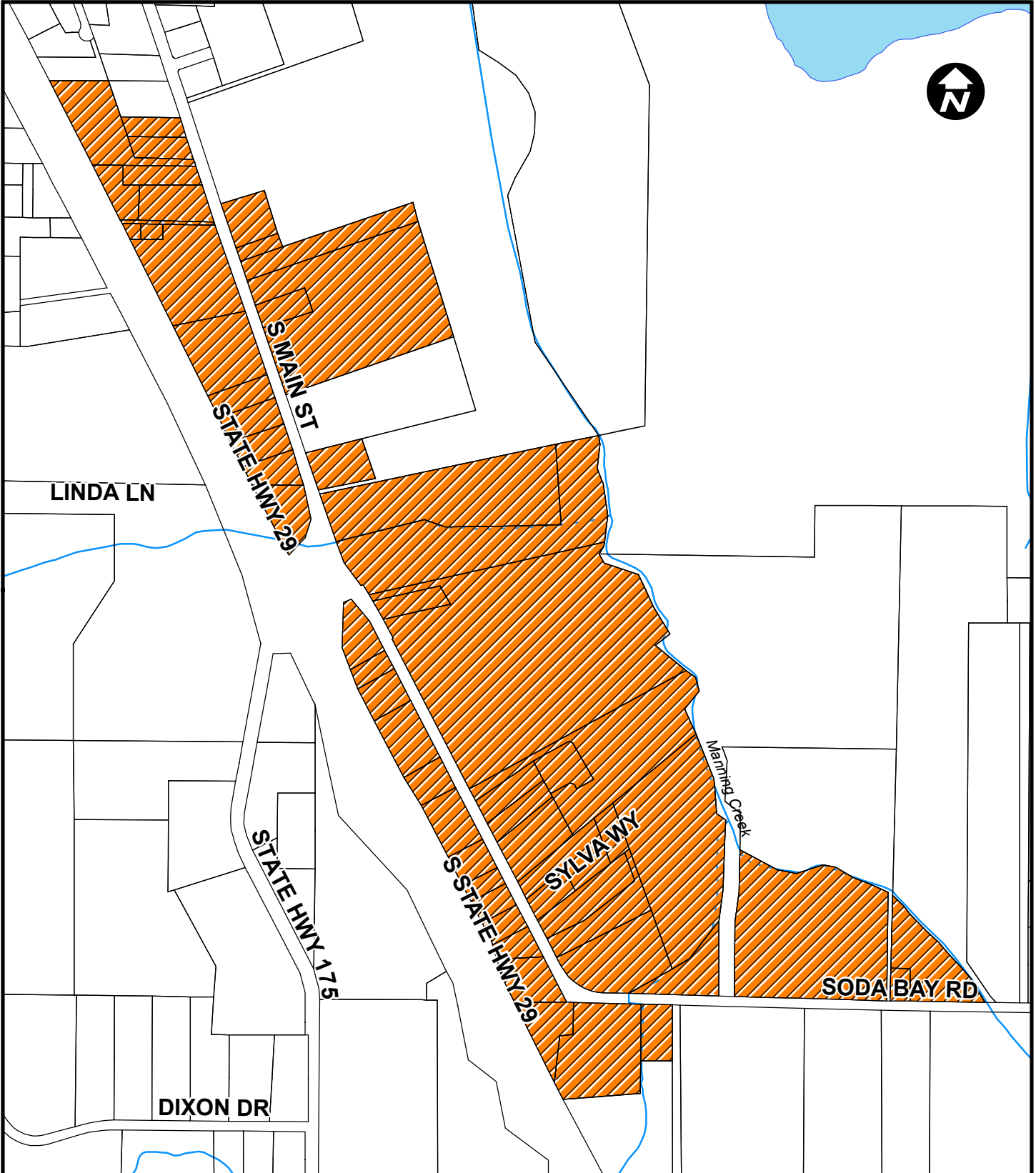
APN 034-082-17, 034-082-18, & 034-082-44 (Lucerne)

# DISPENSARY LOCATION MAP A-3



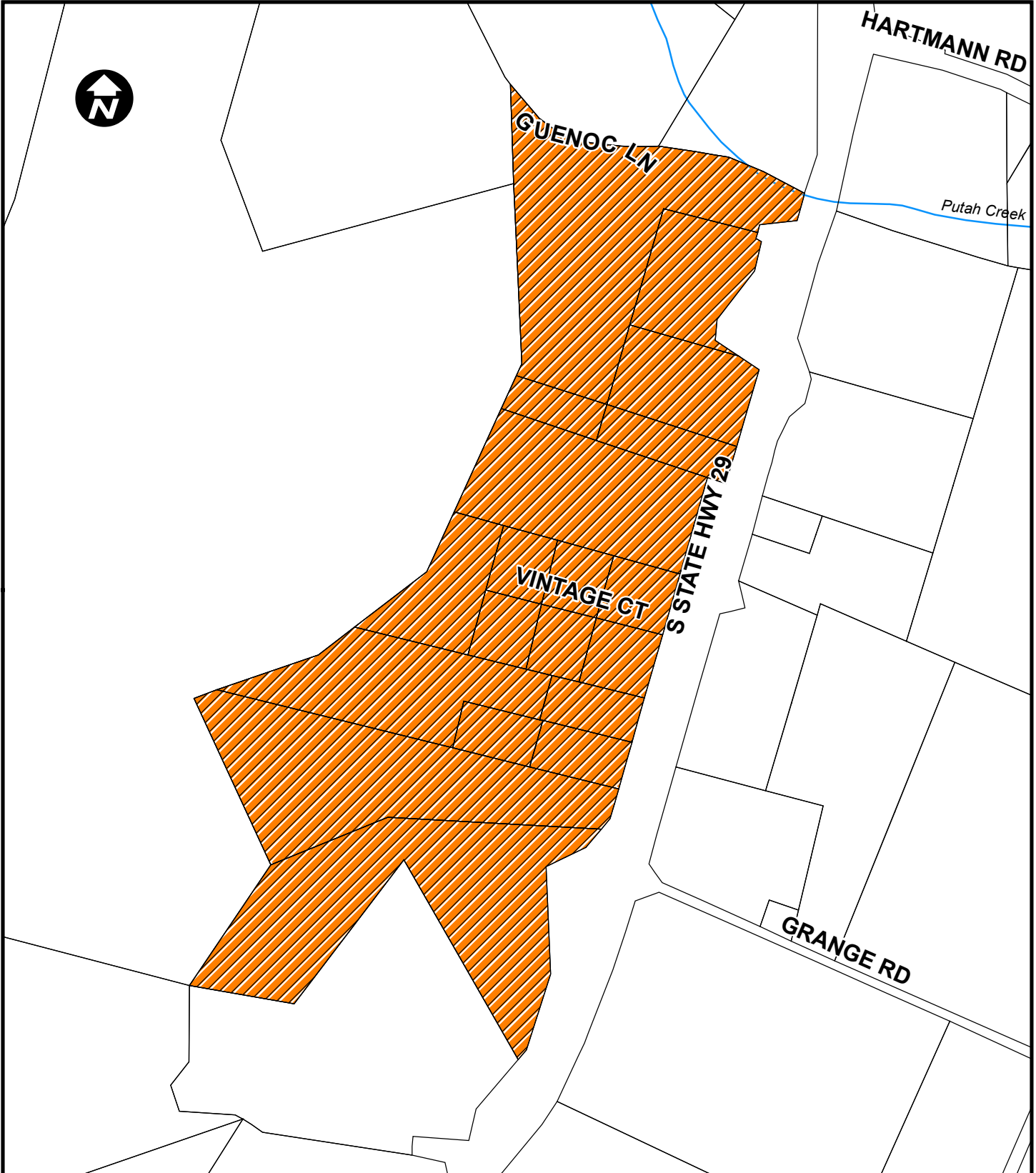
APN 035-152-68 (Clearlake Oaks)

# DISPENSARY LOCATION MAP A-4



South Lakeport

# DISPENSARY LOCATION MAP A-5



Coyote Valley