

## ORDINANCE NO. 2009-147

### AN INTERIM URGENCY ORDINANCE OF THE CITY OF CLEARLAKE, CALIFORNIA MAKING FINDINGS AND EXTENDING THE TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA DISPENSARIES

THE CITY COUNCIL OF THE CITY OF CLEARLAKE DOES ORDAIN AS FOLLOWS:

#### **Section 1. Authority**

The City Council enacts this interim urgency ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution and Section 65858 of the California Government Code.

#### **Section 2. Restatement of Findings**

The City Council hereby incorporates by reference and restates the findings contained in Ordinance No. 2009-145, establishing a moratorium on medical marijuana dispensaries in the City.

#### **Section 3. Additional Findings**

- A. Additional time is required in order for the City of Clearlake to draft an ordinance regulating the establishment and/or operation of medical marijuana dispensaries.
- B. Based on the foregoing, the City Council finds that issuing permits, business licenses, or other applicable entitlements providing for the establishment and/or operation of medical marijuana dispensaries prior to adoption of the City's ordinance regulating the establishment and/or operation of medical marijuana dispensaries, poses a current and immediate threat to the public health, safety, and welfare, and that a temporary moratorium on the issuance of such permits, licenses, and entitlements thus remains necessary.

#### **Section 4. Extension of Ordinance**

The City Council hereby extends Ordinance No. 2009-145 for ten (10) months and fifteen (15) days. The expiration date for the moratorium established by Ordinance No. 2009-145 is thus extended from December 20, 2009 to November 4, 2010.

#### **Section 5. Effective Date**

This ordinance shall become effective immediately upon adoption if adopted by at least a four-fifths vote of the City Council.

#### **Section 6. Publication**

The City Clerk shall certify to the adoption of this ordinance and cause it, or a summary of it, to be published once in a newspaper of general circulation printed and published within the City of Clearlake.

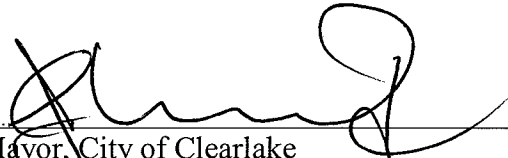
PASSED AND ADOPTED this 17<sup>th</sup> day of December, 2009 by the following vote:

AYES: Mayor Chuck Leonard, Vice Mayor Judy Thein, Council Member Roy Simons,  
Council Member Curt Giambruno, Council Member Joyce Overton

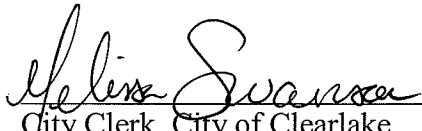
NOES: None

ABSENT: None

ABSTAIN: None

  
\_\_\_\_\_  
Mayor, City of Clearlake

ATTEST:

  
\_\_\_\_\_  
City Clerk, City of Clearlake

