

Introduced by: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 8 (HEALTH AND SAFETY), CHAPTER 8.77 (PROHIBITION OF COMMERCIAL MARIJUANA ACTIVITY) OF THE PASADENA MUNICIPAL CODE TO ALLOW COMMERCIAL MARIJUANA DELIVERY INTO THE CITY**

The People of the City of Pasadena ordain as follows:

**SECTION 1.** Pasadena Municipal Code, Title 8, Chapter 8.77 (Prohibition of Commercial Marijuana Activity), Section 8.77.010 (Definitions) is amended to read as follows:

~~"A. "Marijuana" or "cannabis" means any or all parts of the plant Cannabis sativa Linnaeus, Cannabis Indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin or separated resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including marijuana infused with foodstuff or any other ingestible or consumable product containing marijuana. The term "marijuana" or "cannabis" shall also include "medical marijuana" as such phrase is used in the August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, as may be amended from time to time, that was issued by the Office of the Attorney General for the State of California or subject to provisions~~

~~of Health and Safety Code § 11362.5 (Compassionate Use Act of 1996) or Health and Safety Code §§ 11362.7—11362.83 (Medical Marijuana Program Act) ”~~

“A ‘Cannabis’ or ‘Marijuana’ means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. ‘Cannabis’ also means the separated resin, whether crude or purified, obtained from cannabis. “Cannabis” also means marijuana as defined by Section 11018 of the Health and Safety Code. ‘Cannabis’ does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. ‘Cannabis’ does not mean “industrial hemp” as defined by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code.”

**SECTION 2.** Pasadena Municipal Code, Title 8, Chapter 8.77 (Prohibition of Commercial Marijuana Activity), Section 8.77.020 (Prohibition) is amended to read as follows:

“Marijuana cultivation, marijuana processing, marijuana delivery originating from within the city, and marijuana dispensaries shall be prohibited activities in the city. No

entitlement, license, or permit, whether administrative or discretionary, shall be approved or issued for the activities of marijuana cultivation, marijuana processing, marijuana delivery originating from within the city, or the establishment or operation of a marijuana dispensary in the city, and no person shall otherwise establish or conduct such activities in the city. Legally permitted marijuana delivery originating from outside the city that terminates in the city or passes through the city shall be allowed ”

**SECTION 3.** The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

**SECTION 4.** This ordinance shall take effect 30 days from its publication.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Terry Tornek  
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this \_\_\_\_\_ day of \_\_\_\_\_ 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date Published:

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Mark Jomsky  
City Clerk

Approved as to form:



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John W. Nam  
Deputy City Attorney



**FISCAL IMPACT**

There is no anticipated fiscal impact, nor impact to other operational programs or capital projects as a result of this action.

**ENVIRONMENTAL DETERMINATION**

On this same date, the Council will be asked to find that the ordinance is not a project subject to the California Environmental Quality Act (CEQA) in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060 (c)(2), 15060 (c)(3), and 15378, and that the proposed action is exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

Respectfully submitted,

  
Michele Beal Bagneris  
City Attorney

Prepared by:

  
John W. Nam  
Deputy City Attorney

Concurrence:

  
Steve Mermell  
City Manager

Introduced by: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 8 (HEALTH AND SAFETY), CHAPTER 8.78 (TOBACCO USE PREVENTION) OF THE PASADENA MUNICIPAL CODE TO CLARIFY PROHIBITIONS ON THE SMOKING OF CANNABIS**

The People of the City of Pasadena ordain as follows:

**SECTION 1.** Chapter 8 78, Section 8.78.040 (Definitions) is amended to read as follows:

"H. "Smoking" means the combustion of any cigar, cigarette, pipe, or any similar article, using any form of tobacco, cannabis, or other combustible substance in any form.

Q. 'Cannabis' or 'Marijuana' means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. 'Cannabis' also means the separated resin, whether crude or purified, obtained from cannabis 'Cannabis' also means marijuana as defined by Section 11018 of the Health and Safety Code. 'Cannabis' does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. 'Cannabis' does not mean "industrial hemp" as defined

by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code.”

**SECTION 2.** Chapter 8.78, Section 8.78.051 (Prohibition of smoking in public parks), Subsection B is amended to read as follows:

“B. The Brookside Golf Course shall be exempt from this restriction, except as it relates to the prohibition on smoking cannabis and the possession of smoking implement(s) containing cannabis”

**SECTION 3.** The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

**SECTION 4.** This ordinance shall take effect 30 days from its publication.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Terry Tornek  
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this \_\_\_\_\_ day of \_\_\_\_\_ 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN.

Date Published:

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Mark Jomsky  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
John W. Nam  
Deputy City Attorney