



City of Manhattan Beach

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August 21, 2018

Lori Ajax, Chief
Bureau of Cannabis Control
P.O. Box 419106
Rancho Cordova, CA 95741
Submitted via Email: bcc.comments@dca.ca.gov

RE: Bureau of Cannabis Control Proposed Regulations – July 2018

Dear Chief Ajax:

The City of Manhattan Beach appreciates the opportunity to comment on the proposed regulations released in July 2018.

The City strongly objects to two proposed regulations that we view are in fundamental conflict with both the language and intent of Proposition 64 and will undermine our city's ability to effectively regulate cannabis at the local level. Section 5416(d) of the proposed regulations would drastically preempt local control and regulatory authority by authorizing cannabis delivery anywhere in the state regardless of conflicting local regulations or bans. Additionally, Sections 5001(c) (11) and 5002(c) (28) would undermine the ability of local agencies to ensure community standards are met by reducing from 60 to 10 days the period to verify if a cannabis business licensee has obtained necessary local approvals.

The proposed regulations go beyond the BCC's regulatory authority and instead create a new cannabis policy outside of the legislative process. California's voters were assured that Proposition 64 preserves local control and these regulations chip away at the very foundation of local control by allowing cannabis deliveries to every jurisdiction in California.

Consistent with the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and Proposition 64, local jurisdictions have the ability to adopt and enforce local ordinances to regulate cannabis businesses. The City of Manhattan Beach has adopted Ordinances which prohibit the delivery of cannabis and cannabis products, which originate or terminate in the City. If these proposed regulations were to pass, the City's codes would be in conflict with the BCC's regulations and potentially legalize the delivery of cannabis to and from the City's jurisdictional limits.

For these reasons, the City of Manhattan Beach respectfully opposes these regulations until such time as they are amended to address the concerns listed above. We look forward to continued opportunities to comment on specific regulatory proposals.

Sincerely,

Amy Howorth
Mayor
City of Manhattan Beach

cc:

Jeff Kiernan, League of California Cities, Regional Public Affairs Manager
Meg Desmond, League of California Cities, cityletters@cacities.org