

CITY OF FAIRFIELD

RESOLUTION NO. 2020 - 136

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD
ESTABLISHING PROCEDURES TO GOVERN THE APPLICATION PROCESS AND
BY WHICH DECISIONS SHALL BE MADE REGARDING THE ISSUANCE OF
COMMERCIAL CANNABIS BUSINESS PERMITS**

WHEREAS, on June 16, 2020, the City Council of the City of Fairfield adopted ordinance 2020-07, adding Chapter 10E (Commercial Cannabis Business) to the Fairfield Municipal Code (FMC) to permit commercial cannabis businesses within the City and establish a regulatory program requiring all commercial cannabis uses to obtain a commercial cannabis business permit issued by the City prior to commencing operation; and

WHEREAS, FMC Section 10E.6 (b) provides that a maximum of 2 commercial cannabis retail permits, one cannabis manufacturing permit; and an unlimited number of commercial cannabis testing lab permits may be issued by the City; and

WHEREAS, pursuant to FMC Section 10E.6 (c) and Section 10E.8 (c) the City is not mandated to issue any or all of the authorized commercial cannabis business permits and may initiate, modify, postpone or cancel any request for applications or the entire program under FMC Chapter 10 at its sole discretion; and

WHEREAS, FMC Section 10E.8 (a) provides that the City Council shall adopt procedures to govern the application process, including application renewals, for a commercial cannabis business permit pursuant to FMC Section 10E.8; and

WHEREAS, FMC Section 10E.9 (a) provides that the City Council shall adopt procedures by which decisions shall be made regarding the issuance of commercial cannabis business permits pursuant to the provisions contained 10E.9; and

WHEREAS, FMC Section 10E.8 (a) provides that the form and content of an application for a commercial cannabis business permit or renewal of a permit shall be determined by the City Manager; and

WHEREAS, pursuant to FMC Section 10E.9, if the City Council approves an application for a commercial cannabis business permit, then upon complying with all City laws and requirements for operation and any conditions of approval imposed through the selection process, the successful applicant will be issued a commercial cannabis business permit and will thereafter be authorized to commence business in the City for the one-year term of the permit until renewal is required pursuant to FMC Section 10E.10; and

WHEREAS, the City has not yet established, initiated, or conducted any commercial cannabis business permit process pursuant to FMC Sections 10E.8 and 10E.9 or issued any commercial cannabis business permit for the establishment or operation in the City.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:

Section 1. The City Council, at its sole discretion, shall declare a 45-day commercial cannabis business permit application period (Application Period) during a regularly scheduled meeting. The declared Application Period shall be published in a newspaper of general circulation at least 10 days prior to the beginning of the Application Period. Unless exempt from commercial cannabis business permit limits (Testing Labs), the City shall only accept Commercial Cannabis Business Permit applications during the application period.

Section 2. The "Application Procedures & Guidelines for a Commercial Cannabis Business Permit", attached hereto as "Exhibit A" and incorporated herein by this reference, is hereby approved. Commercial Cannabis Business Permit applications shall be subject to the procedures, permittee selection process, and review criteria contained within.

Section 3. Pursuant to the procedures expressed and adopted in Exhibit A, a selection committee shall be established by the City to evaluate commercial cannabis business applications as needed. The selection committee shall be comprised of one staff representative each from the Police Department, Community Development Department and Finance Department. Selection committee participants shall remain constant for the duration of the application process for each commercial cannabis business permit.

Section 4. The City Manager, or their designee, is authorized to make non-substantive revisions to the Application Procedures and Guidelines as they deem necessary to facilitate the orderly and efficient implementation of any commercial cannabis permit application and selection process initiated or conducted by the City.

Section 5. The City Manager, or their designee, is authorized to process renewals, requests for change in location, and requests for non-substantial change in ownership pursuant to the requirements of FMC Section 10E.10, 10E.14 and 10E.15.

PASSED AND ADOPTED this 7th day of July, 2020, by the following vote:

AYES: COUNCILMEMBERS: PRICE / BERTANI / MOY / TIMM / VACCARO

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

ABSTAIN: COUNCILMEMBERS: _____

MAYOR

ATTEST:

CITY CLERK