



City of Palm Springs CANNABIS RELATED BUSINESS AND ACTIVITIES

SUBJECT: Additional Criteria for City Manager's Authority to Deny Any Application

REGULATION NO. 2018-03

I. Purpose

To establish a regulation pertaining specifically to the City Manager's authority to deny a Cannabis Related Business and Activities Permit Application pursuant to Palm Springs Municipal Code (PSMC) Chapter 5.45 (medical) and 5.55 (adult-use), Medical and Adult-Use Cannabis Related Business and Activities.

II. Application

PSMC Sections 5.45.400 (medical) and 5.55.400 (adult-use) authorizes the City Manager to establish administrative rules and regulations for the purpose of implementing, interpreting, clarifying, carrying out, furthering and enforcing the requirements of the provisions of PSMC Chapter 5.45 and 5.55 respectively.

PSMC Sections 5.45.090(E) (medical) and 5.55.090(E) (adult-use) reflect circumstances under which the City Manager shall deny a permit application. This regulation interprets these provisions as all reflecting criteria by which the suitability of an applicant for issuance of a permit whereby that applicant may operate a cannabis business or activity. As such, an applicant's history with respect to civil, administrative, or other legal matters may represent proper grounds upon which the City Manager may, in an exercise of discretion, deny an application.

This Administrative Regulation is issued as an interim matter. The issue addressed pursuant to this regulation will be the subject of an amendment to PSMC Chapters 5.45 (medical) and 5.55 (adult-use).

III. Regulation

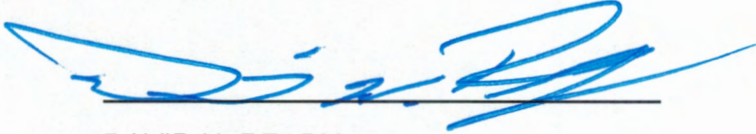
PSMC Sections 5.45.090(E) (medical) and 5.55.090(E) (adult-use) reflect the criteria based upon which the City Manager shall authority to deny an applicant's permit application based upon that applicant's suitability to hold and operate a cannabis business or activity based upon that permit. The City Manager shall have the authority to deny any Application that demonstrates the applicant's moral turpitude. An applicant's moral turpitude will be based on information deemed reasonably reliable that was determined to exist in an applicant's background.

Activities that shall be considered moral turpitude include an applicant's civil, administrative legal judgments, or activities of a fraudulent nature.

IV. Effective Date

This Administrative Regulation shall be effective on 04/25/2018.

APPROVED:



DAVID H. READY,
City Manager, Esq. Ph.D.

AS TO FORM



EDWARD Z. KOTKIN
City Attorney