

34-10

FILE NO. 091402

ORDINANCE NO.

1 [Medical Cannabis Task Force.]
2

3 **Ordinance amending the San Francisco Administrative Code by adding Sections 5.2-1**
4 **through 5.2-6, to establish a Medical Cannabis Task Force to advise the Board of**
5 **Supervisors on medical cannabis issues.**

6 Note: Additions are single-underline italics Times New Roman;
7 deletions are ~~strikethrough italics Times New Roman~~.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough-normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. The San Francisco Administrative Code is hereby amended by adding
11 Sections 5.2-1 through 5.2-6, to read as follows:

12
13 Chapter 5: Committees

14 Article II: Medical Cannabis Task Force

15
16 **SEC. 5.2-1. CREATION OF TASK FORCE.**

17 The Board of Supervisors hereby establishes a Medical Cannabis Task Force ("the Task
18 Force") for the City and County of San Francisco.

19
20 **SEC. 5.2-2. PURPOSE.**

21 The Task Force shall advise the Board of Supervisors on matters relating to medical cannabis.

22
23 **SEC. 5.2-3. MEMBERSHIP.**

24 (a) The Task Force shall consist of 13 members, appointed by the Board of Supervisors as
25 follows:

1 (1) Seat 1: A community organizer representative with a background in organizing
2 neighbors, businesses or organizations around social justice and quality of life issues. This
3 representative should also have a background working on medical cannabis related issues;

4 (2) Seat 2: A representative of a local patient advocacy organization with a
5 background in working to protect the interests of medical cannabis patients;

6 (3) Seat 3: A representative of a local patient advocacy organization with a
7 background in working to protect the interests of medical cannabis patients;

8 (4) Seat 4: A representative of a hospice or a residential care facility with a
9 background as an employee or volunteer in direct services working with medical cannabis
10 patients or as a nurse or physician with a background in working with or treating of medical
11 cannabis patients;

12 (5) Seat 5: A person with a background in the management of a medical cannabis
13 dispensary;

14 (6) Seat 6: A person with a background in the management of a medical cannabis
15 dispensary;

16 (7) Seat 7: A person with a background in the management of a medical cannabis
17 dispensary whose primary mode of operation is delivery;

18 (8) Seat 8: A representative of a drug policy organization working specifically on
19 medical cannabis issues;

20 (9) Seat 9: A licensed California attorney with a background working with San
21 Francisco medical cannabis dispensaries and experience with the City's medical cannabis
22 dispensary permitting and regulatory process;

23 (10) Seat 10: A person with a background in providing medical cannabis to low-
24 income patients;

1 (11) Seat 11: A person with a background in providing medical cannabis to permitted
2 medical cannabis dispensaries located in the City and County;

3 (12) Seat 12: A person with at least fifteen years of experience working on medical
4 cannabis issues in the City and County; and

5 (13) Seat 13: A person with at least fifteen years of experience working on
6 medical cannabis issues. A representative of a recognized neighborhood organization that
7 has a medical cannabis dispensary within its boundaries.

8 (b) All members of the Task Force shall be residents of the City and County, in accordance
9 with Section 4.101 of the Charter. A waiver of the residency requirement may be granted by the Board
10 of Supervisors upon a finding that a resident of the City and County with specific experience, skills or
11 qualifications willing to serve could not be located within the City and County.

12
13 **SEC. 5.2-4. ORGANIZATION AND TERMS OF OFFICE.**

14 (a) The term of each member of the Task Force shall be two years; provided, however, that the
15 members first appointed to the even-numbered seats shall serve a one-year term. On the expiration of
16 these and successive terms, their successors shall be appointed for a two-year term. Members may
17 serve multiple terms.

18 (b) The Board of Supervisors may remove any member of the Task Force for cause at any time.

19 (c) In the event a vacancy occurs during the term of office of any member, the Board of
20 Supervisors shall appoint a successor for the unexpired term of the office vacated.

21 (d) At the initial meeting of the Task Force, and annually thereafter, the members of the Task
22 Force shall select two co chairpersons, and any other officers as deemed necessary by the Task Force.
23 One co chairperson selected by Task Force members in seats 2, 3, 4, 12 and 13 shall have at least
24 three years of experience working on medical cannabis patient advocacy issues. One co chairperson
25

1 selected by Task Force members in seats 1, 5, 6, 7, 8, 9, 10 and 11 shall have at least three years of
2 experience representating a permitted medical cannabis dispensary in the City and County that has
3 been in operation for at least three years. The Task Force shall have a revolving chair. Each member
4 of the Task Force shall serve as chair for one of 13 annual meetings. The order for members serving as
5 chair shall follow the same order of the seats as listed in paragraph (a) above. The co-chairpersons
6 The chair shall fairly chair and facilitate Task Force meetings, coordinate with Task Force members to
7 set the agenda of Task Force meetings, and serves as Task Force's liaisons to the City Attorney and the
8 Board of Supervisors. All Task Force members may submit Task Force meeting agenda items to the
9 Task Force co-chairpersons chair.

10 (e) Services of the members of the Task Force shall be voluntary and members will serve
11 without compensation. Any member who misses four regularly scheduled meetings of the Task Force
12 during each two-year term without the express approval of the Task Force at a regularly scheduled
13 meeting will be deemed to have resigned from the Task Force.

14 (f) The Office of the City Administrator shall provide administrative support to the Task Force.

15 (g) The Task Force shall establish rules for its own organization and procedures and shall
16 meet when necessary as determined by the Task Force; provided, however that the Task Force shall
17 hold a regular meeting not less than once every month. All meetings shall, except as provided by law,
18 be open to the public.

19 (h) All City departments, commissions, boards and agencies shall cooperate with the Task
20 Force in conducting its business. The Office of the City Administrator shall provide administrative
21 support for the Task Force.

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23 **SEC. 5.2-5. POWERS AND DUTIES OF THE MEDICAL CANNABIS TASK FORCE.**

24 (a) The Task Force shall have the power and duty to:
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- 1 (1) Hold hearings and take testimony regarding medical cannabis issues and related
2 matters;
- 3 (2) Create subcommittees as necessary;
- 4 (3) Review local medical cannabis related laws, and make recommendations for
5 changes;
- 6 (4) Develop and make recommendations for a mediation process to be used by
7 operators of medical dispensaries, patients and neighbors of dispensaries to address community
8 concerns and resolve conflicts and disputes;
- 9 (5) Develop and make recommendations regarding medical cannabis cultivation,
10 production and baking guidelines for medical cannabis dispensaries;
- 11 (6) Develop and make recommendations regarding cultivation and distribution of
12 medical cannabis by individual patients, caregivers or small collectives that may fall outside the
13 definition of a medical cannabis dispensary under the City's Health Code;
- 14 (7) Develop and make recommendations regarding the cultivation of medical cannabis,
15 particularly in residential dwellings, that may violate the City's Planning Code or applicable
16 San Francisco or California Building Code requirements; and
- 17 (8) Develop and make recommendations regarding the taxation of medical cannabis
18 lawfully dispensed or cultivated in the City and County.
- 19 (b) During each year of its operation the Task Force shall submit to the Board of Supervisors
20 an annual report summarizing its recommendations.

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1 **SEC. 5.2-6. SUNSET PROVISION.**

2 The Medical Cannabis Task Force shall terminate by operation of law on December 31, 2012,
3 and after that date the City Attorney shall cause this Article to be removed from the Administrative
4 Code.

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6
7 APPROVED AS TO FORM:

8 DENNIS J. HERRERA, City Attorney

9
10 By:


11 Terence Howzell
12 Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Ordinance

File Number: 091402

Date Passed: February 02, 2010

Ordinance amending the San Francisco Administrative Code by adding Sections 5.2-1 through 5.2-6, to establish a Medical Cannabis Task Force to advise the Board of Supervisors on medical cannabis issues.

January 26, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 1 - Daly
Excused: 1 - Alioto-Pier

January 26, 2010 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell and Mirkarimi
Noes: 2 - Chu and Elsbernd
Excused: 1 - Alioto-Pier

February 02, 2010 Board of Supervisors - FINALLY PASSED

Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell and Mirkarimi
Noes: 2 - Chu and Elsbernd
Excused: 1 - Alioto-Pier

File No. 091402

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 2/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo

Angela Calvillo

UNSIGNED

Mayor Gavin Newsom

2/12/10

Date Approved

Date: February 12, 2010

I hereby certify that the foregoing Ordinance, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

File No. 091402

Handwritten signature of Clerk of the Board

Clerk of the Board