

1 [Medical Cannabis Task Force Membership, Powers, and Duties]

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3 **Ordinance amending San Francisco Administrative Code by amending Sections 5.2-3**
4 **and 5.2-5 to: (1) increase the number of members of the San Francisco Medical**
5 **Cannabis Task Force ("Task Force") from 13 to 15; (2) establish qualifications for the**
6 **two members added to the Task Force; and (3) expand powers and duties of the Task**
7 **Force to include developing and making recommendations to the Board of Supervisors**
8 **about local regulation of medical cannabis in the event that State Proposition 19 is**
9 **approved by the voters in the election held on November 2, 2010.**

10 Note: Additions are *single-underline italics Times New Roman*;
11 deletions are *strikethrough italics Times New Roman*.
12 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough-normal~~.

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

14 Section 1. The San Francisco Administrative Code is hereby amended by amending
15 Sections 5.2-3, 5.2-4 and 5.2-5, to read as follows:

16 **SEC. 5.2-3. MEMBERSHIP.**

17 (a) The Task Force shall consist of 15 ~~13~~ members, appointed by the Board of
18 Supervisors as follows:

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

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

25 (3) Seat 3: A representative of a local patient advocacy organization with a

1 background in working to protect the interests of medical cannabis patients;

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

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

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

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

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

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

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

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

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

23 (13) Seat 13: A representative of a recognized neighborhood organization that
24 has a medical cannabis dispensary within its boundaries.
25

1 (14) Seat 14: A person with a background in providing medical cannabis to permitted
2 medical cannabis dispensaries located in the City and County; and

3 (15) Seat 15: A licensed or accredited health care practitioner practicing in the City
4 and County with a background in medical cannabis and familiarity with the laws and regulation
5 governing medical cannabis.

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

11
12 **SEC. 5.2-5. POWERS AND DUTIES OF THE MEDICAL CANNABIS TASK FORCE.**

13 (a) The Task Force shall have the power and duty to:

14 (1) Hold hearings and take testimony regarding medical cannabis issues and related
15 matters;

16 (2) Create subcommittees as necessary;

17 (3) Review local medical cannabis related laws, and make recommendations for
18 changes;

19 (4) Develop and make recommendations for a mediation process to be used by
20 operators of medical dispensaries, patients and neighbors of dispensaries to address
21 community concerns and resolve conflicts and disputes;

22 (5) Develop and make recommendations regarding medical cannabis cultivation,
23 production and baking guidelines for medical cannabis dispensaries;

1 (6) Develop and make recommendations regarding cultivation and distribution of
2 medical cannabis by individual patients, caregivers or small collectives that may fall outside
3 the definition of a medical cannabis dispensary under the City's Health Code;

4 (7) Develop and make recommendations regarding the cultivation of medical cannabis,
5 particularly in residential dwellings, that may violate the City's Planning Code or applicable
6 San Francisco or California Building Code requirements; *and*

7 (8) Develop and make recommendations regarding the taxation of medical cannabis
8 lawfully dispensed or cultivated in the City and County; *and*

9 (9) Develop and make recommendations regarding the local regulation of medical cannabis in
10 the event that State Proposition 19 is approved by the voters in the election held on November 2, 2010.

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12 APPROVED AS TO FORM:

13 DENNIS J. HERRERA, City Attorney

14
15 By:


16 Terence Howzell
17 Deputy City Attorney



City and County of San Francisco
Tails
Ordinance

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

File Number: 101246

Date Passed: November 09, 2010

Ordinance amending San Francisco Administrative Code by amending Sections 5.2-3 and 5.2-5 to: (1) increase the number of members of the San Francisco Medical Cannabis Task Force (Task Force) from 13 to 15; (2) establish qualifications for the two members added to the Task Force; and (3) expand powers and duties of the Task Force to include developing and making recommendations to the Board of Supervisors about local regulation of medical cannabis in the event that State Proposition 19 is approved by the voters in the election held on November 2, 2010.

October 21, 2010 Rules Committee - RECOMMENDED

November 02, 2010 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

November 09, 2010 Board of Supervisors - FINALLY PASSED

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell and Mirkarimi

Noes: 2 - Chu and Elsbernd

File No. 101246

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/9/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Date: November 18, 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.

Angela Calvillo
Clerk of the Board

File No.
101246