

**CITY OF CLAREMONT
NOTICE OF PUBLIC HEARING
PROPOSED ADOPTION OF AN URGENCY ORDINANCE TO READOPT AND
REAFFIRM MARIJUANA REGULATIONS AND INTRODUCTION OF A REGULAR
ORDINANCE ESTABLISHING REGULATIONS WITHOUT SUNSET
CLAREMONT MUNICIPAL CODE SECTION 9.72**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council will hold a public hearing on **Tuesday, February 12, 2019 at 7 p.m.**, or as soon thereafter as the matter may be heard, in the Claremont City Council Chamber, 225 W. Second Street, Claremont, to consider adoption of an urgency ordinance reaffirming, readopting, and extending regulations contained in Claremont Municipal Code Section 9.72; and introduction of a regular ordinance reaffirming, readopting, and extending those regulations without a sunset clause. Each of the proposed ordinances include:

- Readoption and reaffirmation of regulations set forth in Ordinance No. 2016-11 relating to the personal, medical, and commercial use of marijuana, which regulations were incorporated into Section 9.72 of the Claremont Municipal Code;
- Provision for personal and medical marijuana use in the City to the extent that such uses are permitted under California laws or Federal laws;
- Prohibition on outdoor cultivation for personal use, but allowance for indoor cultivation, if allowed by State law, and under the limitations or terms set by State law;
- Prohibition on the establishment or operation of any business or commercial activity related to the transportation, delivery, cultivation, and manufacturing of marijuana;
- Reaffirmation that violations of Chapter 9.72 may be enforced by criminal, administrative, or civil fines and in cases where a court issues an injunction, the City may recover up to \$2,500 per violation for each day that the violation is committed;
- Provision that if the City prevails in legal actions, it may be eligible to recover its attorney fees; and
- That the urgency ordinance shall be in full force and effect immediately upon its adoption by a four-fifths vote of the City Council.

Certified copies of the full text of the proposed ordinances have been deposited in the Office of the City Clerk and are open to public inspection during normal business hours – Monday through Thursday, 7 a.m. to 6 p.m. The ordinances will also be incorporated into the materials for the February 12, 2019 public hearing, which materials will be available in the City Clerk's Office and on the City website once the agenda is prepared on Thursday, February 7, 2019.

Any person wishing to be heard on this matter is invited to attend this public hearing and speak.

Neither of the proposed ordinances is a project within the meaning of Section 15378 of the State of California Environmental Quality Act (CEQA) Guidelines, because there is no potential for the result in a physical change in the environment, directly or indirectly. Further, under Title 14 of the California Code of Regulations, Section 15061(b)(3), these

ordinances are nonetheless exempt from the requirements of CEQA in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that reaffirmation and adoption of existing regulations contained in Section 9.72 of the Claremont Municipal Code will have a significant effect on the environment because the action will not result in or lead to a significant physical change in Claremont, the activity is not subject to CEQA.

Requests for additional information or questions on the proposed budget can be directed to **Colin Tudor, Assistant City Manager at (909) 399-5466.**

Finally, in compliance with the Americans with Disabilities Act of 1990, any person with a disability who requires a modification or accommodation in order to participate in a City meeting should contact the City Clerk at (909) 399-5461 "VOICE" or 1 (800) 735-2929 "TT/TTY" at least three (3) working days prior to the meeting, if possible.

CITY CLERK
CLAREMONT CITY COUNCIL

Publication Date: Friday, February 1, 2019
Post Date: Thursday, January 31, 2019
Posted at: City Hall/Council Chamber
Library
Community Centers (Joslyn Center and Hughes Center)

Post through February 13, 2019