

## **ORDINANCE NO. 2019-52**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, AMENDING TITLE 5, CHAPTER 5.50 OF THE HESPERIA MUNICIPAL CODE, RELATED TO COMMERCIAL CANNABIS REGULATIONS**

**WHEREAS**, the City of Hesperia has the authority and responsibility to regulate businesses to protect the public health, safety, and welfare; and

**WHEREAS**, Title 5 of the Hesperia Municipal Code contains regulations related to commercial cannabis operations; and

**WHEREAS**, in 2017 the City Council adopted regulations related to the Commercial Cannabis operations, and in February 2019 ratified a tax on Commercial Cannabis businesses; and

**WHEREAS**, since that time there have been situations where it is apparent that the need for an audit of the financial records of the cannabis businesses may be required; and

**WHEREAS**, there are currently provisions in the existing regulations to allow the City to review any records related to the cannabis business, inclusive of financial records; and

**WHEREAS**, additionally, language is proposed to include a more extensive description of the audit requirement; and

**WHEREAS**, adopting a fee for the audit services will allow the City to recover fully any costs related to auditing the cannabis businesses, and allow the City to schedule audits as needed with each individual business owner being responsible for their audit costs; and

**WHEREAS**, all legal prerequisites to the adoption of this Ordinance have occurred.

### **NOW THEREFORE, THE HESPERIA CITY COUNCIL DOES ORDAIN AS FOLLOWS:**

Section 1. All of the facts set forth in the forgoing recitals are true, correct and are adopted as findings.

Section 3. Title 5, Chapter 5.50 of the Hesperia Municipal Code is hereby amended as set forth in Exhibit "A", attached hereto.

Section 6. This Ordinance shall take effect on November 17, 2019.

Section 7. The City Council of the City of Hesperia hereby declares that should any provision, section, paragraph, sentence, or word of this Ordinance hereby adopted be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by any reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words shall remain in full force and effect.

Section 8. The City Clerk shall certify to the adoption of the Ordinance and shall cause the same to be posted in three (3) public places within the City of Hesperia pursuant to the provisions of Resolution 93-78.

**ADOPTED AND APPROVED** this 17<sup>th</sup> day of September, 2019

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Larry Bird, Mayor

ATTEST \_\_\_\_\_  
Melinda Sayre, City Clerk