

**ATTACHMENT 2**  
**EXHIBIT A**

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Chapter 5.50 - DISPENSING AND DELIVERY OF MEDICAL CANNABIS

5.50.020 - Definitions.

"Location" means a single building with an assigned address within the city, controlled, leased, or owned by the applicant, or a single suite controlled, leased or owned by the applicant at a single address within the city, or a combination of suites, at a single building with an assigned address within the city, adjacent to one another, controlled, leased or owned by the applicant, from which access is provided between the suites, without the need to exit the building.

( Ord. No. 2017-16, § 3(Exh. C), 9-19-17; Ord. of 2018-01, § 3(Exh. A), 3-20-18)

5.50.050 - Application for delivery dispensary permit.

- J. ~~A Ventilation Plan, in accordance with Section 5.50.100 (D), in the form prescribed by the city, detailing the proposed ventilation system designed to mitigate the odor from the facility to the outdoors, and to any tenants within the same building; and~~

5.50.060 - Review of delivery dispensary permit applications.

B. If the director determines that the applicant has completed the application improperly, the director shall notify the applicant of such fact within sixty (60) days of receipt of the application. The applicant shall make all corrections required and resubmit the application and any other information required to satisfy the corrections. Applicants must successfully complete Part I of the application process within six months of the initial application date. Applicants must commence with Part II of the application process within ninety days of the approval of Part I. Applications that do not meet these deadlines shall be considered denied. Incomplete application upon return as incomplete shall be deemed abandoned. The applicant may then resubmit a new application for a new review pursuant to the requirements of this section.

5.50.070 - Denial or revocation of delivery dispensary permit.

- A. Denial or revocation. The director may deny or revoke a delivery dispensary permit if any of the following is found:

7. If it is found that the applicant is operating an unlicensed cannabis business and does not completely cease operations during the application process until such time that they are licensed by the City and State.

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5.50.075 - Appeals.

Appeals. Any decision regarding an application for, a renewal of, or the revocation of, a delivery dispensary permit may be appealed to the city manager by an applicant or (former) permit holder as follows:

3. The appeal hearing shall be held within sixty (60) days of the filing of the written appeal with the Hesperia City Clerk, unless the 60-day time limit is waived by the appellant, or unless the city manager or designee continues the appeal hearing date for good cause and upon written notification to the appellant.
4. The city manager or designee shall review the facts of the matter, written documents submitted for review, the basis for making the decision which is under appeal, and then determine whether

the director's decision should be reversed or affirmed. The determination made shall be in writing, shall set forth the reasons for the determination, and shall be final.

( [Ord. No. 2017-16](#), § 3(Exh. C), 9-19-17; Ord. of [2018-01](#), § 3(Exh. A), 3-20-18)

5.50.100 - General operating standards and restrictions.

A. Hours of operation shall be limited to 7:00 a.m. to [107:00](#) p.m.

5.50.130 - Suspension and revocation.

B. The director may suspend or revoke a delivery dispensary permit if any of the following occur:

1. The director determines that the delivery dispensary has failed to comply with any aspect of this chapter, any condition or approval, or any agreement or covenant as required pursuant to this chapter; or
2. Operations cease for more than [ninety one hundred eighty](#) calendar days ~~(including during any change of ownership, if applicable)~~; or
3. Ownership is changed without securing a new delivery dispensary permit; or
4. The delivery dispensary fails to maintain required security camera recordings; or
5. The delivery dispensary fails to allow inspection of the security recordings, the activity logs, the records, or of the premise by authorized city officials.
6. [The delivery dispensary's state license is suspended, revoked or denied. Should the license be suspended the delivery dispensary owner shall provide up to date information to the City regarding the reinstatement of the license. Should the license remain suspended for more than ninety days, the City may revoke the City license.](#)