

ORDINANCE No. 1432

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE
AMENDING CERTAIN SECTIONS OF MARYSVILLE MUNICIPAL CODE REGARDING
CHAPTER 5.10 ENTITLED “LICENSING AND BUSINESS REGULATIONS FOR
COMMERCIAL CANNABIS ACTIVITY”

WHEREAS, Chapter 5.10 of the Marysville Municipal Code governs provisions regarding licensing and business regulations for commercial cannabis activity; and

WHEREAS, the City Council desires to amend certain sections contained within Chapter 5.10; and

NOW, THEREFORE, the City Council of the City of Marysville does ordain as follows:

SECTION 1.

Subsection (c) of Section 5.10.075 of the Marysville Municipal Code is amended to read as follows:

5.10.075 Employee work permit-Initial application.

(c) Any person whose application for a work permit pursuant to this section has been denied may appeal that determination to the City Manager. Written notice of such appeal shall be filed with the City Clerk no later than ten days after denial of the permit. The appeal shall include a statement of the grounds of the appeal. The City Manager shall thereafter hear the appeal and affirm, modify or overrule the determination appealed. Upon failure to file the notice of appeal within such ten-day period, the denial shall be final and conclusive.

SECTION 2.

Subsection (e) of Section 5.20.120 of the Marysville Municipal Code is amended to read as follows:

5.10.120 Renewal of cannabis business permits.

(e) The Cannabis Review Committee is authorized to make all decisions concerning the issuance of a renewal permit. In making the decision, the Cannabis Review Committee is authorized to impose additional conditions to a renewal permit, if its is determined to be necessary to ensure compliance with state or local laws and regulations or to preserve the public health, safety or welfare. Appeals from the decision of the Cannabis Review Committee shall be appealable to the City Manager pursuant to Sections 5.10.150 through 5.10.170.

SECTION 3.

Subsection (b) of Section 5.10.130 of the Marysville Municipal Code is amended to read as follows:

5.10.130 Suspension, revocation and renewal of permits and licenses.

(b) The determination of the Cannabis Review Committee to suspend, revoke or decline to renew a license or permit shall be made in writing and mailed or delivered to the licensee or permittee. The determination of the Cannabis Review Committee shall become effective ten days following the date of the notice of that determination. The licensee or permittee may, during such ten-day period, appeal the determination of the Cannabis Review Committee to the City Manager. If the licensee or permittee fails to file the notice of appeal within such ten-day period, the determination of the Cannabis Review Committee shall be final and conclusive. If a written notice of appeal is filed with the City Clerk during such ten-day period, the determination of the Cannabis Review Committee shall be stayed pending the City Manager's hearing and decision on the appeal.

SECTION 4.

Section 5.10.150 of the Marysville Municipal Code is amended to read as follows:

5.10.150 Appeals.

Unless specifically provided elsewhere to the contrary, whenever an appeal is provided for in this chapter from a decision of the City Manager, the appeal shall be conducted as prescribed in this chapter.

SECTION 5.

Subsection (a) of Section 5.10.160 of the Marysville Municipal Code is amended to read as follows:

5.10.160 Written request for appeal.

(a) Within ten calendar days after the date of a decision of the Cannabis Review Committee to revoke, suspend or deny a permit, or to add conditions to a permit, an aggrieved party may appeal such action by filing a written appeal with the City Clerk setting forth the reasons why the decision was not proper.

SECTION 6.

Subsections (a), (d), (e) and (f) of Section 5.10.170 of the Marysville Municipal Code are amended to read as follows:

5.10.170 Appeal hearing process.

(a) Upon receipt of the written appeal, the City Clerk shall set the matter for a hearing before the City Manager. The City Manager shall hear the matter de novo and shall conduct the hearing pursuant to the procedures set forth by the City.

(d) The City Manager may at its discretion continue the hearing if circumstances warrant

such action. Alternatively, the City Manager may exercise its discretion to either affirm, modify, or overrule the determination appealed.

(e) If the decision of the City Manager is to grant the appeal, then the applicant may move forward to the permitting process as provided by this chapter.

(f) If the decision of the City Manager is to deny the appeal, then that decision shall be final.

SECTION 7.

Except for the particular subdivisions of Marysville Municipal Code Sections 5.10.075, 5.10.120, 5.10.130, 5.10.150, 5.10.160 and 5.10.170 which are amended herein, the remaining subsections of said Municipal Code Sections remain unchanged. Additionally, those sections of Chapter 5.10 of the Marysville Municipal Code not modified by this Ordinance likewise remain unchanged.

SECTION 8.

EFFECTIVE DATE

This Ordinance shall become effective thirty days from and after its adoption by the Marysville City Council. The City Clerk is hereby authorized and directed to cause copies of this Ordinance to be posted in three (3) prominent places in the City of Marysville within fifteen (15) days after the adoption of the Ordinance.

This Ordinance was introduced before the City Council of the City of Marysville, County of Yuba, at a duly noticed meeting of the City Council held on the 16th day of March, 2021 and passed and adopted at the regular meeting of said Council on the 6th day of April, 2021 by the following roll call vote:

Ayes: Stuart Gilchrist, Dominique Belza, Brad Hudson, Bruce Buttacavoli and Chris Branscum

Noes: None

Absent: None


Abstain: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 6th day of April, 2021.

By: 

Nicole Moe, City Clerk

City of Marysville, California
By its City Council

By: 

Chris Branscum, Mayor