



## Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Agenda Ready

**File created:** 8/1/2018      **In control:** BOARD OF SUPERVISORS

**On agenda:** 8/7/2018      **Final action:**

**Title:** (a) Consideration of an Ordinance Establishing a Cannabis Business Tax in the Unincorporated Areas of the County of Lake (Second Reading); (b) Consideration of a Tax Measure, a General Purpose Local Revenue Measure for the November 6, 2018 General Election; and (c) Consideration of a Resolution Placing the Lake County Cannabis Business Tax Ordinance and the Ballot Measure Statement for the November 6, 2018 Election

**Sponsors:** County Counsel

**Indexes:**

**Code sections:**

**Attachments:** 1. tax ordinance cannabis business 2018, 2. resolution calling election 2018 final

Date	Ver.	Action By	Action	Result
8/7/2018	1	BOARD OF SUPERVISORS	Adopted	

## MEMORANDUM

**TO:** HONORABLE BOARD OF SUPERVISORS

**FROM:** ANITA L. GRANT, County Counsel

**DATE:** August 7, 2018

**SUBJECT:** (a) Consideration of an Ordinance Establishing a Cannabis Business Tax in the Unincorporated Areas of the County of Lake (Second Reading); (b) Consideration of a Tax Measure, a General Purpose Local Revenue Measure for the November 6, 2018 General Election; and (c) Consideration of a Resolution Placing the Lake County Cannabis Business Tax Ordinance and the Ballot Measure Statement for the November 6, 2018 Election

### EXECUTIVE SUMMARY:

At the July 24, 2018 meeting of the Board of Supervisors, your Board approved some final amendments to the Lake County Cannabis Business on Tax Ordinance and, after the first reading, advanced the ordinance to August 7, 2018 for consideration of passage.

a. On August 7, your Board may offer the ordinance for passage.

Pursuant to its terms, the ordinance will not become operative unless and until approved by a majority vote of the eligible voters of Lake County on November 6, 2018. If your Board determines to approve the ordinance, please then consider language of the ballot question. The ballot question may

not exceed 75 words. Below is a possible ballot question. Your Board may alter the language in any way you choose on August 7; however, the question itself may not exceed 75 words. The ordinance will appear on the ballot as Measure “\_\_\_\_\_”.

Shall Article VII be added to Chapter 18 of the Lake County Code imposing a Cannabis Business Tax in the unincorporated areas of the County, which, as of January 1, 2021, will impose an annual tax of \$1.00 per square foot for nursery cultivation, 4% of gross receipts on a cannabis dispensary, micro-business, or delivery business, and 2.5% of gross receipts on a cannabis manufacturing, processing, transportation, distribution or other type of cannabis business?"

- b. Your Board may approve the language of the ballot question by motion.

Once your Board has determined the appropriate language for the ballot question, the final step is your review of the Resolution Calling an Election to Submit to the Voters in the Unincorporated Area of the County an Ordinance Imposing a Commercial Cannabis Business Tax on Commercial Cannabis.

The language of the resolution may be modified by your Board on August 7 as long as the requirements of Government Code section 53724 are met. As to a general purpose tax as is proposed here, the resolution must include the type of tax and the rate of the tax, the method of collection, and the date upon which an election shall be held on the issue.

- c. When your Board is satisfied with the language of the resolution, you may offer for passage the Resolution Calling for an Election.

Thank you.

**RECOMMENDED ACTION:**

- (a) Your Board may offer the ordinance for passage.
- (b) Your Board may approve the language of the ballot question by motion.
- (c) When your Board is satisfied with the language of the resolution, you may offer for passage the Resolution Calling for an Election.