

RESOLUTION NO. 2016-31

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, CALLING AN ELECTION TO PRESENT TO THE VOTERS OF THE COUNTY TWO ADVISORY QUESTIONS REGARDING LOCAL LAND USE CONTROL OF COMMERCIAL CANNABIS BUSINESSES, AND ORDERING CONSOLIDATION OF SAID ELECTION WITH THE GENERAL ELECTION TO BE CONDUCTED ON NOVEMBER 8, 2016

WHEREAS, on October 9, 2015, the Governor of California signed into law the Medical Marijuana Regulation and Safety Act (Senate Bill 643, Assembly Bill 266, and Assembly Bill 243), known as the MMRSA, which provides regulatory guidance for medical marijuana within the State of California; and

WHEREAS, Elections Code section 9603 authorizes the Board of Supervisors to hold, at its discretion, an advisory election on any date on which that jurisdiction is currently permitted to hold a regular or special election for the purpose of allowing voters within the jurisdiction, or a portion thereof, to voice their opinions on substantive issues, or to indicate to the local legislative body approval or disapproval of the ballot proposal; and

WHEREAS, the Board of Supervisors of the County of Inyo may adopt ordinances to regulate cannabis cultivation and other related commercial activities and prevent them from being a public nuisance, including creation of a licensing and/or permitting program; and

WHEREAS, the Board of Supervisors of the County of Inyo desires to approve and submit to the voters two advisory questions to determine to what extent, if any, the public desires to authorize medical and/or recreational cannabis business activities within the County.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Inyo as follows:

1. An election is called to submit to a vote of the qualified electors of the County of Inyo two advisory vote measures as set forth below. It is further ordered that said election shall be consolidated with the general election to be conducted on November 8, 2016.
2. There shall be included on the ballot to be marked by all Inyo County voters, in addition to any other matters required by law, two ballot measures in substantially the following form:

MEASURE , Inyo County ADVISORY VOTE ONLY.	YES	
Should the County of Inyo adopt regulations which would allow COMMERCIAL cannabis businesses within the County, including but not limited to, cultivation, processing, manufacturing, sales, distribution, warehousing and transportation of MEDICAL cannabis?	NO	

A mark in the voting square after "YES" shall be counted in favor of the County developing laws authorizing commercial medical cannabis businesses. A mark placed in the voting square after "NO" shall be counted against the County developing laws authorizing commercial medical cannabis businesses.

//

//

//

//

MEASURE , Inyo County ADVISORY VOTE ONLY	YES	
If Proposition 64, the California Marijuana Legalization Initiative Statute, passes, should the County of Inyo adopt regulations which would allow COMMERCIAL cannabis businesses within the County, including but not limited to, cultivation, processing, manufacturing, sales, distribution, warehousing and transportation of RECREATIONAL cannabis?	NO	

A mark in the voting square after "YES" shall be counted in favor of the County developing laws authorizing commercial recreational cannabis businesses. A mark placed in the voting square after "NO" shall be counted against the County developing laws authorizing commercial recreational cannabis businesses.

The ballot to be used at the election shall be, both as to form and matter contained therein, such as may be required by law.

3. The County Clerk is hereby authorized, instructed and directed to provide and furnish any and all official ballots, notices, printed matter, and all supplies, equipment, and paraphernalia that may be necessary in order properly and lawfully conduct this election.
4. The County Clerk shall fix and determine dates for submission of arguments for or against said proposed ordinance pursuant to the provisions of the Elections Code.
5. The County Clerk is further directed to take the necessary and appropriate action to provide the election officers, polling places and voting precincts.
6. In accordance with Elections Code section 9160, the County Clerk shall transmit a copy of the measure to the County Auditor and County Counsel.
7. In accordance with the provisions of the Elections Code of the State of California, County Counsel is directed to prepare an impartial analysis of the measure.
8. The polls for this election shall be open during the hours required by law and this election, with respect to the foregoing ballot measure, shall be held and conducted as provided by law for the holding of County elections.
9. Notice of the time and place of holding this election together with any other notices required by law shall be given by the County Clerk.
10. Arguments for or against the measure may be submitted in conformity with Elections Code section 9161, et seq.

//

//

//

//


//

//

11. The Registrar and the County Administrative Officer are hereby authorized and directed to take any and all actions necessary under law to prepare for and conduct the general election and appropriate all monies necessary for the Registrar and the County Administrative Officer to prepare and conduct the general election in a manner consistent with state and local laws.
12. This Resolution shall be effective immediately.

PASSES AND ADOPTED on this 9th day of August, 2016, by the Inyo County Board of Supervisors, County of Inyo, by the following roll call vote;

AYES: -4- Supervisors Griffiths, Pucci, Tillemans, Totheroh
NOES: -0-
ABSTAIN: -0-
ABSENT: -1- Supervisor Kingsley



Jeff Griffiths, Chairperson
Inyo County Board of Supervisors

ATTEST: Kevin Carunchio
Clerk of the Board

By 

Darcy Ellis
Assistant Clerk of the Board