



? What is the Medical Cannabis Regulation and Safety Act (MCRSA)?

The Medical Cannabis Regulation and Safety Act (MCRSA) comprises three bills (AB 266, SB 643, and AB 243) signed into law by Governor Jerry Brown in October 2015, effective January 1, 2016 to oversee the medical cannabis industry in California.

Presently, MCRSA permits small amounts of marijuana to be cultivated and consumed for personal use. The City cannot prohibit personal cultivation and use of small amounts of medical marijuana. The City currently prohibits large scale medical marijuana cultivation and sales through exclusionary zoning regulations.

? What is the Adult Use of Marijuana Act (Proposition 64)?

The Adult Use of Marijuana Act (AUMA) (Proposition 64) is a 2016 voter initiative to legalize cannabis in California. The initiative passed with 57% voter approval and became law on November 9, 2016.

? When does AUMA take effect?

The AUMA took effect November 9, 2016, the day after the election. As of this date, private individuals who are 21 years and older may cultivate up to six nonmedical marijuana plants for personal use within a private residence. However, the AUMA provisions legalizing commercial non-medical marijuana activity will not become operational until the state begins issuing licenses on or about January 1, 2018.

? Does the City of Hayward need to update its ordinances, in light of the passage of AUMA?

Yes, The AUMA prohibits state licensing authorities from issuing a license to a commercial non-medical marijuana business if operation of the business violates a local ordinance of the jurisdiction in which the business will operate. This means that if the City of Hayward wishes to adopt business or land use regulations prohibiting or regulating commercial nonmedical business, it should adopt an ordinance prior to January 1, 2018. These regulations may include reasonable restrictions on personal indoor and outdoor cultivation of nonmedical marijuana plants.

? Does the City of Hayward currently permit medical or nonmedical marijuana dispensaries, commercial cultivation, and/or manufacturing of marijuana product within City limits?

No. The City of Hayward does not currently permit medical or nonmedical marijuana dispensaries, commercial cultivation, or manufacturing within its limits.

? Will people be able to smoke non-medical cannabis in public places in Hayward?

No. The initiative prohibits consumption of cannabis in a public place unlicensed for use, including near K-12 schools or sidewalks, and other areas where children are present. Additionally, the City's smoking ordinance, which currently prohibits smoking in public places within City limits, including parks, restaurants, and sidewalks may apply to cannabis.

? What is Measure EE?

Measure EE is a voter tax approved by 67% of City of Hayward residents in 2016, which preserves the City's right to impose a maximum of 15% tax on cannabis businesses should the Council elect to permit marijuana businesses within the City. The purpose of this tax is to generate revenue to be used for any valid municipal purpose, including police and fire services, paramedic services, youth and anti-gang programs, disaster preparedness, economic development, street and maintenance repairs, graffiti removal, and code enforcement.

? After the passage of AUMA, what is the City Council's position on permitting marijuana dispensaries, commercial cultivation, or manufacturing in the City of Hayward?

On March 21, 2017, the City conducted a work session on cannabis during which the Council expressed interest in permitting cannabis businesses in Hayward. Council instructed City staff to provide a more robust report for a follow-up work session on July 18, 2017. For additional information regarding the March 21, 2017 work session and the accompanying staff report regarding cannabis, please refer to back to www.hayward-ca.gov/thc.

? What is the current status of cannabis regulations in the City of Hayward?

The City of Hayward's staff is currently researching, soliciting community comment, and drafting proposed regulatory and land use regulations for marijuana business in response to the Council's directive. City staff intends to present a more comprehensive report on the July 18, 2017 Council work session on cannabis, which will be made available to the public by Friday, July 14, 2017.

? How can I share my feedback with the City of Hayward?

Any feedback/comments/suggestions can be provided via the survey: www.surveymonkey.com/r/haywardthc. Additionally, the City welcomes all interested persons to attend the July 18, 2017 work session at Hayward City Hall.