

S. Tahoe extends moratorium on pot collectives 1 year

By Kathryn Reed

South Lake Tahoe City Council's unanimous decision to extend the moratorium on medical marijuana collectives for a year may be met with a lawsuit from a fourth collective that has been trying to operate in the city.

During the public hearing the morning of Oct. 19, Chris Ziegler pleaded his case to the council to allow Mountain Collective be given the same rights the three authorized dispensaries have.

"I feel like I keep getting punted down the road. I have been trying to be an asset to the community," Ziegler told the council.



Jacqueline Mittelstadt and Chris Ziegler listen Oct. 19 to council deliberations. Photo/Kathryn Reed

This time he was shutdown by the council in person.

Ziegler's attorney, Jacqueline Mittelstadt, also spoke Tuesday. She referenced an Oct. 17 letter she had sent to the council and City Attorney Patrick Enright. (Mittelstadt is the former city attorney for South Lake Tahoe.)

After the meeting, Mittelstadt told *Lake Tahoe News* grounds for a lawsuit are based on the emergency ordinance that was first adopted Nov. 17, 2009, and extended for another year at Tuesday's meeting not being legal, and the decision on Ziegler's appeal by Enright and then City Manager Dave Jinkens on July 16, 2010, not being legal or invalid.

Ten other people spoke during the public hearing – some for the moratorium, some against it.

Council members didn't have much to say before the 5-0 vote. Councilman Hal Cole did say, "I think medical marijuana is here and is here to stay."

He also believes the needs to the community are being met with the three collectives, pointing to Oakland, a city many times larger than South Lake Tahoe, having four collectives.

The extension of the emergency moratorium cannot be extended beyond the year the council approved on Oct. 19.

It was brought up by some of the speakers that now is the time to convene a committee to work on an ordinance the city, collectives and residents can live with. While people made that suggestion, City Manager Tony O'Rourke was nodding his head in agreement. O'Rourke has been at the head of the table during meetings to write the medical marijuana cultivation ordinance which on Tuesday, was postponed for a vote until after the Nov. 2 election.