

SLT tells medical marijuana shop it must close



Cody Bass, right, with his attorney Henry Wykowski listen Dec. 13 to the South Lake Tahoe City Council deliberate. Photo/Kathryn Reed

By Kathryn Reed

“I’m not going to shut down. I will fight to the Supreme Court.”

That is what Cody Bass, founder and executive director of Tahoe Wellness Cooperative, told *Lake Tahoe News* after the South Lake Tahoe City Council today unanimously denied his appeal. Bass was appealing City Manager Nancy Kerry’s ruling that he failed to submit a completed application to renew his permit to operate a medical marijuana collective.

This in essence means TWC is supposed to be out of business as of Dec. 14. His collective is the only place to get medical

marijuana on the South Shore.

Once the decision was made by the council on Tuesday afternoon, the packed house erupted in angry shouts that necessitated the police chief to usher them out of the room. TWC supporters were never allowed to speak on the record.

“I disagree with a lot of things that occurred today,” Henry Wykowski, Bass’ attorney, told *Lake Tahoe News*. “I’m quite surprised by the outcome today.”

Taking the city to court is the next likely action by Bass and his attorneys.

If Bass were to continue operating without a valid city permit, he could face a \$1,000/day fine. (Bass has 29 employees who receive a livable wage and health benefits. Their future is unknown.)

While the council took the black and white route Dec. 13 in following the medical marijuana ordinance, Bass’ attorneys brought up several extenuating circumstances. City staff also added to a bit of the confusion by initiating the granting of various extensions to Bass to file his application.

The ordinance stipulates that dispensary operators must have the permission of the landlord. Bass obtained that signature in 2012 and 2014. He has not been able to secure that permission this time around.

Bass and the Olsons, who own the property, are now in litigation. Patty Olson has owned that commercial strip at the Bijou Center for years. Her son, Patrick, off and on has been given power of attorney. That has contributed to some of the issues – the Olsons don’t always have a united voice.

Neither of the Olsons nor their attorney Bruce Grego was at the Dec. 13 council meeting even though City Attorney Tom Watson asked Grego to attend.

The lease between the Olsons and Bass goes through December 2017. In it there is the wording that the business to be operated at the site by Bass is a dispensary.

Wykowski and James Anthony, the second attorney representing Bass, argued the lease itself was sufficient permission from the property owners.

Wykowski said the Olsons are being "malicious" by not signing the city required paperwork. This is because Bass has taken the landlords to court for breach of contract in regards to his desire to purchase the property. A trial has been set for February to resolve that issue. Who owns the property will be the outcome of that legal dispute.

On a side note, Bass had also wanted to buy the Olson family home that is in the neighborhood. However, Bob Hassett, who runs the nearby Timber Cove Marina and owns an apartment complex in that area, has entered escrow on the house.

Hassett's involvement with the Olsons is relevant because he wants to buy the commercial area, but not have TWC as a tenant.