

# SLT council open to future recreational pot sales

By Kathryn Reed

Recreational marijuana won't be for sale in South Lake Tahoe on Jan. 1, but it might be by next fall.

The City Council is taking a slow, deliberate approach to implementing Proposition 64, the 2016 statewide initiative legalizing recreational pot. Jurisdictions don't have to allow sales.

The city must allow the personal use (though it can be banned in public and at private businesses), the growing of six plants for personal use, and transportation. All of that becomes law Jan. 1.

On Aug. 29 the council heard 35 people voice their opinions about local sales of recreational pot during a nearly four-hour meeting that started at 5pm. Most were in favor of allowing pot shops in town.

This was a much different meeting than **last December** when the city trotted out a cadre of people who were totally against recreational marijuana and didn't allow for another point-of-view to be heard.

More than 57 percent of the voters said yes to Proposition 64. In El Dorado County the initiative barely failed with 50.07 percent saying no. However, 65.26 percent of the voters in South Lake Tahoe said yes to recreational marijuana. In district five of El Dorado County, which encompasses the entire South Shore west to parts of Pollock Pines, 62.4 percent approved the measure.

On Tuesday night, only people from the Drug Free Coalition and

NAMI believed there should be a total moratorium. They echoed much of what Police Chief Brian Uhler said in his presentation – this isn't what the town needs, it's a gateway drug, it's horrible for kids, and that there are already enough drugs in town without adding a legal source.

They and others had buttons that said "Not Here Now!"

Those who spoke in favor of recreational marijuana shops agreed with the naysayers in that children must be protected. The state law prohibits the sale to those younger than 21 – just like alcohol.

Rules for how close an establishment can be near a school or day care center are outlined by the state. The minimum is 600 feet. The city could make it more rigid.

Education was urged – mostly for kids.

Ultimately the council agreed to impose a temporary moratorium on recreational pot shops. This is because the state doesn't have all of its rules in place. At the same time, if the city doesn't have any regulations on the books by 2018, it's possible the state could permit businesses in the city limits. That's why there is a need to take action, even if it's temporary.

The emergency measure will require a four-fifths vote by the council. This will likely be on the November agenda. It will be good for 45 days. It may be extended once for 10 months and 15 days.

Based on all the regulatory procedures, the city will have about four months to come up with an ordinance.

There are more than 20 types of licenses per state law that the city could allow – ranging from cultivation to sales to edibles. The city will have to determine what it wants to allow and then the rules surrounding them.

Because the Tahoe Regional Planning Agency governs land use in the Tahoe basin, it's likely that board will have a say. This is because amendments to the city's area and community plans will be required.

Councilman Jason Collin had several questions pertaining to whether TRPA would allow the changes since it is a federal organization and the U.S. government deems marijuana illegal. A precedent, though, may have already been set with the pot shop that opened earlier this month in Incline Village – which is in the basin.

The city is allowed to put an excise tax on recreational marijuana sales. However, the voters would have to agree to this. If the city goes this route, it is likely to be November 2018 when that vote would be cast. The city could write the ordinance saying without the tax there would be no recreational pot sales in town.

Where that money would go could also be a component of the ordinance. Uhler is an advocate of using those dollars to resurrect the South Tahoe El Dorado Narcotics Enforcement Team. Education could also be a beneficiary.

The council at its Sept. 5 meeting will discuss further creating a subcommittee of the council to work with the community to devise an ordinance. Where the shops can be located, the number of retail outlets, criteria for ownership, taxes, allowable advertising, distance from schools and other issues need to be worked out.

It was pointed out by speakers that even if the city bans the sale of pot permanently, it doesn't mean people won't be using. People can bring it in from elsewhere. Plus, the medicinal marijuana outlet plans to keep operating.

For now, the city's neighbors are saying no to recreational pot.

Douglas County has already said it will not allow recreational marijuana sales.

El Dorado County CAO Don Ashton told *Lake Tahoe News*, "The county has not taken a position at this time. The board has established an ad hoc committee (of supervisors Sue Novasel and Mike Ranalli) to work on this issue. We are on schedule to have a decision by the full board prior to the end of the year." (Novasel attended a portion of Tuesday's council meeting.)

DeDe Cordell with Placer County told *Lake Tahoe News*, "The board's actions thus far have been to ban all commercial activities, regardless of recreational or medical."