

ORDINANCE NO. 2024-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CHARTERED CITY OF VISTA, CALIFORNIA, AMENDING SECTION 5.95.150(L) OF THE VISTA MUNICIPAL CODE, COMMERCIAL ADULT USE CANNABIS BUSINESSES, HOURS OF OPERATION

The City Council of the City of Vista does ordain as follows:

- 1. Findings.** The City Council hereby finds and declares the following:
 - A. The Adult Use of Marijuana Act, adopted by the voters of the State of California in November 2016, decriminalized non-medical cannabis and established a regulatory system for non-medical cannabis businesses in California.
 - B. The Medicinal and Adult-Use Cannabis Regulation and Safety Act, enacted by the California State Legislature in June 2017, established a comprehensive set of laws regulating both individual and commercial medicinal and non-medical cannabis activity throughout the State of California.
 - C. Under California Business and Professions Code section 26200(a)(1), the City is authorized to either permit, regulate and/or prohibit the operation of cannabis businesses within its jurisdiction.
 - D. Currently, cannabis businesses in the City can sell adult-use cannabis products between the hours of 9:00 a.m. to 10:00 p.m. State law allows for cannabis businesses to operate from 6:00 a.m. to 10:00 p.m. daily.
 - E. The City Council wishes to align the hours of operation for adult-use cannabis dispensaries in the City with the hours of operation allowed pursuant to state law.
 - F. The City has a substantial interest in promoting compliance with state and local laws intended that regulate cannabis sales and use and in discouraging the illegal purchase of cannabis products within its jurisdiction.
 - G. This Ordinance is enacted pursuant to the powers vested in the City pursuant to Article XI, Sections 5 and 7, of the California Constitution.

2. Code Amendment.

Section 5.95.150(l) of the Vista Municipal Code is amended to read as follows:

"l. Operating Hours

The maximum hours of operation for an adult use cannabis business shall be daily from 6:00 a.m. to 10:00 p.m."

- 3. Interpretation.** In interpreting this Ordinance or resolving any ambiguity, this Ordinance shall be interpreted in a manner that effectively accomplishes its stated purposes.

4. Severability. If any word, sentence, paragraph, or other portion of this Ordinance is deemed to be invalid or unenforceable for any reason by a court of competent jurisdiction, the City Council declares that it is its intent that all remaining words, sentences, paragraphs or portions of this Ordinance not held to be invalid or unenforceable shall remain in full force and effect and shall be so construed as if the original Ordinance did not contain the invalid or unenforceable language.

5. Effective Date. This Ordinance shall be in full force and effect on the 31st day following the date of adoption.

6. Adoption. INTRODUCED and ADOPTED at a meeting of the City Council of the City of Vista held on October 22, 2024, by the following vote:

AYES: Mayor Franklin, Green, Contreras, Melendez, O'Donnell

NOES:

ABSTAIN:



JOHN FRANKLIN, MAYOR

APPROVED AS TO FORM:
WALTER C. CHUNG, CITY ATTORNEY

ATTEST:
KATHY VALDEZ, CITY CLERK

By: _____

By: _____

APPROVED
Walter C. Chung
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