



## **Calexico Municipal Code: 5.96.040 - Regulatory permit application.**

### **Minimum Application Requirements for a Commercial Cannabis Activity Regulatory Permit (CCARP) &**

#### **5.96.050 – Special/Temporary Event Permit for a Commercial Cannabis Facility**

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**An application for a regulatory permit shall include, but shall not be limited to, the following information:**

- A. The name, address, email address, and telephone number of the applicant.
- B. A description of the statutory entity or business form that will serve as the legal structure for the applicant and a copy of its formation and organizing documents, including, but not limited to, articles of incorporation, certificate of amendment, statement of information, articles of association, bylaws, partnership agreement operating agreement, and fictitious business name statement. If the commercial cannabis activity business is held in trust, the applicant shall provide a copy of the trust.
- C. The name, address, telephone number, title, and function of each of the interested parties described in Section 5.96.150.
- D. A legible copy of each applicant's photo identification, such as a state driver's license, a passport issued by the United States, or a permanent resident card.
- E. A list of the license or permit types (including license or permit numbers) held by the applicant that involve the operation of a commercial cannabis activity, including the date the license or permit was issued and the jurisdiction or state license authority that issued the license or permit.
- F. Whether the applicant has been denied a license or permit by the city, any other jurisdiction, and/or the state that involves the operation of a commercial cannabis activity. The applicant shall provide a description of the license or permit applied for, the name of the jurisdiction or state license authority that reviewed the license or permit application, and the date of denial.
- G. The proposed commercial cannabis activity's physical address, telephone number, website address, and email address.
- H. Contact information for the applicant's designated primary contact person including the name, title, address, phone number, and email address of the individual.
- I. A list of every fictitious business name the applicant is operating under including the address where the business is located.
- J. Financial information including the following:
  1. A list of funds belonging to the commercial cannabis business held in savings, checking, or other accounts maintained by a financial institution. The applicant shall provide for each account, the financial institution's name, the financial institution's address, account type, account number, and the amount of money in the account.
  2. A list of loans made to the commercial cannabis business. For each loan, the applicant shall provide the amount of the loan, the date of the loan, term(s) of the loan, security provided for the loan, and the name, address, and phone number of the lender.
  3. A list of investments made into the commercial cannabis business. For each investment, the applicant shall provide the amount of the investment, the date of the investment, term(s) of the investment, and the name, address, and phone number of the investor.

4. A list of all gifts of any kind given to the applicant for its use in conducting commercial cannabis activity. For each gift the applicant shall provide the value of the gift or description of the gift, and the name, address, and phone number of the provider of the gift.
- K. A copy of the applicant's completed application for electronic fingerprint images submitted to the Department of Justice and Federal Bureau of Investigation.
- L. A list of each applicant's misdemeanor and felony convictions, if any. For each conviction, the list must set forth the date of arrest, the offense charged, the offense convicted, the jurisdiction of the court, and whether the conviction was by verdict, plea of guilty, or plea of nolo contendere.
- M. A complete and detailed diagram of the proposed premises showing the boundaries of the property and the proposed premises to be permitted, showing all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, doorways, and common or shared entryways, storage areas and exterior lighting. The diagram must show the areas in which all commercial cannabis activity will take place, including, but not limited to, limited-access areas.
- N. Security Plans.
  1. Cultivation, Manufacturing, Distribution Facility. A detailed security plan outlining the measures that will be taken to ensure the safety of persons and property on the premises. As part of the security plan, a lighting plan is required that shows existing and proposed exterior and interior lighting that will provide adequate security lighting for the commercial cannabis activity and premises. The security plan must be prepared by a qualified professional and include provisions in compliance with the following:
    - a. Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least two hundred forty concurrent hours of digitally recorded documentation in a format approved by the city manager. The cameras shall be in use twenty-four hours per day, seven days per week. The areas to be covered by the security cameras shall include, but are not limited to, the public areas, storage areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the city manager.
    - b. The premises shall be alarmed with an audible interior and exterior alarm system, unless waived for extenuating circumstances by the city manager that is operated and monitored by a recognized security company, deemed acceptable by the city manager. Any change in the security company shall be subject to the approval of the city manager. All current contact information regarding the security company shall be provided to the city manager.
    - c. Entrance to the cultivation, manufacturing, and storage areas shall be locked at all times, and under the control of cannabis facility staff.
    - d. All cannabis shall be securely stored, and a reliable, commercial alarm system shall be installed and maintained where the cannabis is secured.
    - e. A licensed security guard, licensed by the California Department of Consumer Affairs, shall be present at the premises during all hours of operation. If the security guard is to be armed, then the security guard shall possess at all times a valid security guard card and firearms permit issued by the California Department of Consumer Affairs.
    - f. A heavy-gauge chain-link (or other material as approved by the city manager) fence a minimum of eight-feet in height shall be constructed around the perimeter of the premises to prevent public access and obscure the cannabis cultivation facility from public view. Screening can include landscaping or vinyl slats, as permitted by law enforcement.

The security plan will be reviewed by the Calexico Police Department and the city manager, or his or her designee, and shall be exempt from disclosure as a public record pursuant to Government Code Section 6255(a).

2. Retailer, Non-storefront Retailer, Microbusiness, Testing Laboratories. A security plan, as a separate document, outlining the proposed security arrangements to deter and prevent unauthorized entrance into the premises, including limited access areas, and theft of cannabis, in accordance with minimum security measures required by state law. The security plan shall be reviewed by the Calexico Police Department and the city manager, or his or her designee, and shall be exempt from disclosure as a public record pursuant to Government Code Section 6255(a).
- O. An odor control plan that describes the air treatment system or other methods that will be implemented to prevent odors generated by the commercial cannabis activity from being detected outside the building(s) on the premises.
  - P. A comprehensive business operations plan that includes the following:
    1. Business Plan. A plan describing how the commercial cannabis activity business will operate in accordance with this code, state law, and other applicable regulations. The business plan must include plans for handling cash and transporting cannabis and cannabis products to and from the premises, if applicable.
    2. Community Relations Plan. A plan describing who is designated as being responsible for outreach and communication with the surrounding community, including the neighborhood and businesses, and how the designee can be contacted.
    3. Neighborhood Responsibility Plan. A plan addressing any adverse impacts of the proposed commercial cannabis activity on the surrounding area.
    4. Cannabis Waste Procedures. Applicant's procedures for securing and disposing of cannabis waste.
    5. Delivery Procedures, if applicable. Applicant's procedures for accepting and processing orders and delivering cannabis to customers, if applicable.
    6. Insurance. The applicant's certificate of commercial general liability insurance and endorsements and certificates of all other insurance related to the operation of the commercial cannabis activity.
    7. Budget. A copy of the applicant's most recent annual budget for operations.
  - Q. The name and address of the owner and lessor of the real property upon which the commercial cannabis activity is to be operated. In the event the applicant is not the legal owner of the property, the application must be accompanied with a notarized acknowledgement from the owner of the property that a commercial cannabis activity will be operated on his or her property.
  - R. Authorization for the city manager to seek verification of the information contained within the application.
  - S. A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct.
  - T. A full and complete copy of the applicant's most current application that will be submitted or has been submitted to the applicable State licensing authority. Once a license is issued by the State, the applicant shall provide a copy of said license to the City.
  - U. Any such additional and further information as is deemed necessary by the city manager to administer this chapter. (Ord. No. 1192, § 2, 12-19-2018)

#### **5.96.050 - Special/temporary event permit.**

Temporary cannabis events are permitted provided that the cannabis event organizer first obtain the required licenses under state law, a fully executed development agreement with the city or conditional use permit for each commercial cannabis activity proposed for the event, a regulatory permit for each commercial cannabis activity proposed for the event, and a special event permit issued by the city, as required under Chapter 12.18 of this code. Temporary cannabis events are limited to up to four days in

duration. No special event permit for a temporary cannabis event will be issued for more than four days.  
(Ord. No. 1192, § 2, 12-19-2018)