CANNABIS SPECIAL EVENTS

WHAT IS A CANNABIS SPECIAL EVENT?
Cannabis Special Events are events that have been permitted for the specific purpose of allowing the sale and/or consumption of cannabis products at a specific location, and may include activities not specifically related to cannabis such as music, games, and food trucks or other food vendors, etc. Cannabis Special Events are temporary in nature and cannot operate for more than four (4) consecutive days, and can only be held at the National Orange Show.

BACKGROUND
On March 7, 2018, the Mayor and City Council adopted Ordinance MC-1464 adopting Chapter 5.10 of the Municipal Code authorizing Commercial Cannabis activities including Cannabis Special Events within the City of San Bernardino. The Ordinance was then presented as a ballot measure and approved by voters in the November 2018 election. Although, Chapter 5.10 allows Cannabis Special Events, it does not provide enforceable procedures or operational guidelines for these events. On February 20, 2019, the Mayor and City Council approved Resolution 2019-30 authorizing the establishment of guidelines for the issuance of Cannabis Special Event permits in accordance with Chapter 5.10. In addition to the guidelines established by the City of San Bernardino, event operators must also comply with the regulations established by the California Department of Consumer Affairs, Bureau of Cannabis Control.

BUREAU OF CANNABIS CONTROL EVENT REGULATIONS:

Cannabis Event Organizer License:
1. Cannabis Events can only be held by a person who has already been issued a cannabis event organizer license by the Bureau.
2. This is an annual license, with fees based on the number of events organized by the licensee per year.
3. The cannabis event organizer is not authorized to cultivate, distribute, manufacture, or sell cannabis or cannabis related products unless the organizer also holds a separate license to engage in such commercial cannabis activities.

State Temporary Cannabis Event License:
1. To obtain a temporary cannabis event license, the cannabis event organizer licensee must submit an application to the Bureau of Cannabis Control at least 60 days before the first day of the cannabis event.
2. A temporary cannabis event license will not be issued for more than four (4) consecutive days.
3. Cannabis events must be held at a county fair or district agricultural association event.
4. Each cannabis event must be issued a separate temporary cannabis event license by the Bureau for the specific date(s) and location of the event.
5. Written approval from local jurisdiction authorizing on-site cannabis sales and consumption by persons age 21 and older at the event is required for all temporary cannabis events.
6. The organizer will be required to provide to the Bureau a list of all licensees providing on-site sales at the event.

**Cannabis Event Sales and Consumption:**
1. All cannabis goods shall be transported to the event site by a licensed distributor.
2. All cannabis goods must be tested prior to retail sale.
3. Only a licensed retailer or microbusiness licensed to sell cannabis goods to retail customers can sell at a temporary cannabis event.
4. All cannabis goods shall adhere to retailer requirements pertaining to displays, exit packaging, customer returns, daily sales limits, and free samples.
5. All cannabis goods sales at the event must be limited to persons 21 years of age and older.
6. Access to the area where cannabis consumption is allowed shall be restricted to persons 21 years of age and older and shall not be visible from any public place or non-age restricted area.
7. Consumption of alcohol or tobacco shall not be allowed on the cannabis event premises.
8. Payment to a cannabis event organizer may not be determined based on, or tied to, the sale of cannabis goods.

**CITY OF SAN BERNARDINO CANNABIS EVENT CONDITIONS:**
1. The applicant shall submit a Special Event application form to the City of San Bernardino with all required supplemental information including:
   a) A site plan detailing the layout of the event according to the submittal requirements checklist contained in the application.
   b) A Certificate of Liability insurance in the amount of a minimum of $2,000,000, naming the City as additional insured and in accordance with the submittal requirements checklist contained in the application.
   c) A copy of the organizer’s Cannabis Event Organizer License issued by the Bureau of Cannabis Control.
   d) An emergency response and evacuation plan.
   e) A traffic management plan that includes management of City sidewalks and public rights-of-way within a ¼ mile radius of the National Orange Show. The traffic management plan shall contain a parking plan, and a map of any off-site parking for the event that includes property owner authorization for any off-site parking and information detailing how attendees will get to the event site from the off-site parking area.
   f) A waste management plan including a ¼ radius around the National Orange Show fairgrounds. The area included in the waste management plan shall be free of debris, litter, or any other evidence of the event within 24 hours of the end of the event.
2. The applicant shall obtain a Temporary Cannabis Event License through the California Department of Consumer Affairs, Bureau of Cannabis Control and comply with all regulations in Chapter 5 (Cannabis Events) of the California Code of Regulations, Title 16, Division 42.
3. The applicant shall pay all fees to ensure the City obtains full cost recovery for all staff, including Planning, Public Safety, Public Works and Legal Counsel.
4. The applicant shall make a payment of an event fee in the amount of $7.50 per ticket estimated to be sold, to be remitted to the City of San Bernardino 14 days prior to the event date. The fee shall be calculated by the estimated attendance number plus an additional 25% of the total. After the event, the applicant shall provide proof of final ticket sales and this fee will be adjusted accordingly.
5. The applicant shall notify property owners within a 500 foot radius of the event, by mail, 14 calendar days prior to said event, using for this purpose the last known name and address of such owners as shown upon the current tax assessor’s records. Notice is deemed received two days after date of postmark. The
list of property owners and tenant addresses shall be typed upon gummed labels, together with required postage. The list shall be prepared and certified by the applicant, or a title insurance company, civil engineer or surveyor licensed to practice in California. The notice shall state the nature of the event, location of the property (text or diagram), the date, time, and place of the scheduled event.

6. The applicant for a temporary cannabis event must submit a separate event application to the San Bernardino County Fire Department for review. A temporary cannabis event must comply with all San Bernardino County Fire Department regulations.

7. The applicant must provide complete list of vendors with proof of licensure 14 days prior to the event date. All vendors must also obtain a Temporary Business License through the City of San Bernardino Finance Department, Business Registration Division.

8. A temporary cannabis event shall not commence before 12:00 pm on any day, and shall not end later than 10:00 pm on any day. A cannabis event may not run for more than 4 consecutive days.

9. The applicant shall be responsible for reimbursement costs to the City of San Bernardino for “extraordinary law enforcement services” generated by the event. Extraordinary law enforcement services are those defined under the San Bernardino Municipal Code 8.82.

10. The use of A-frames, animated, moving, flashing, blinking, reflecting, revolving, or any similar signage is not permitted off-site. Signs/banners shall not be posted on the sidewalks, landscape areas, light poles, street signs, trees, etc. off-site. Banners may be attached to the fence.

11. The applicant must sign an acceptance of conditions agreement upon receipt of the permit approval letter.

Additional conditions may be imposed by City staff as deemed necessary to preserve the health, safety, and welfare of the event attendees, employees, and the surrounding community. No more than four temporary cannabis events shall be permitted in any 12 month period, and no applicant may apply for more than one temporary cannabis event permit in any 12 month period.

FINDINGS:
The Director of Community & Economic Development or his/her designee may approve or conditionally approve a Temporary Use Permit or Special Event Permit application only when all the findings contained in Section 19.36.050 (Conditional Use Permits) are made.

1. The proposed use is conditionally permitted within, and would not impair the integrity and character of the subject zone and complies with all of the applicable provisions of this Development Code;

2. The proposed use is consistent with the General Plan;

3. The approval of the Special Event or Temporary Use Permit for the proposed use is in compliance with the requirements of the California Environmental Quality Act and Section 19.20.030(6) of the Development Code;

4. There will be no potentially significant negative impacts upon environmental quality and natural resources that could not be properly mitigated and monitored;

5. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses within the general area in which the proposed use is to be located and will not create significant noise, traffic or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City;

6. The subject site is physically suitable for the type and density/intensity of use being proposed; and

7. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.