



## CITY OF CONCORD

### CANNABIS LICENSE APPLICATION

#### **New License Instructions**

In order to operate a cannabis business in the City of Concord, cannabis businesses are required to obtain the appropriate City Cannabis License from the Police Department, pursuant to Concord Municipal Code Section 5.80. This Cannabis License Application packet must be completed and signed by the Cannabis Business Owner and Property Owner.

**Complete, read and initial each page of the entire Cannabis License Application packet. Applicants must:**

1. Select the type of License(s) - Manufacturer-M / Testing-M / Testing-A / Distributor-M / Delivery-M.  
Individual licenses must be obtained if the type of business allows for both Adult (Type A-License) and Medicinal (Type M-License) purposes.
2. Read and understand sections 5.80.010 through 5.80.140 (Cannabis) of the Concord Municipal Code.
3. Read and understand sections 9.05 (Offenses and Miscellaneous Provisions) of the Concord Municipal Code.
4. Read and understand sections 18.110 through 18.180 of the Concord Municipal Code.
5. Attach all supporting documents as requested in the Cannabis License Application.
6. Understand there are fees associated with this application process. When directed to do so by Police Department staff, submit the required payment for a Cannabis License. If paying by check, please make the check out to the "City of Concord." Payments shall be remitted at the Concord Police Department Records Unit. Provide a copy of the receipt to the officer processing this application.
7. Schedule an appointment with the Code Enforcement Unit to submit fingerprints for a background check of all Owners, Managers and Key Employees of the Cannabis Business. Contact number is (925) 671-3075. A Manager or "Key Employee" is an employee who accepts responsibility for ensuring that the business is licensed under State law and is operating in compliance with the City's regulations. Any and all subsequent arrests of an Owner, Manager or Key Employee, after a license is approved or during the review process, requires notification to the Concord Police Code Enforcement Unit. Provide a letter of explanation for any and all arrests and convictions.
8. Schedule an appointment with the Code Enforcement Unit to submit a photograph of all Owners, Managers and Key Employees.
9. Provide the names, ages, telephone numbers and driver license numbers of all persons working at the cannabis business.

#### **Annual License Renewal:**

Registration renewal requires the Owner, Manager or Key Employee to submit operational changes on the registration portion of the Cannabis License application. Renewal registrations also require the Owner to initial his/her understanding of all the rules and regulations pertaining to the license, which includes the responsibility of ensuring all Managers, Key Employees and any other employee also understands all the rules and regulations related to the license.

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# Concord Police Department Cannabis License Application

## CANNABIS LICENSE TYPE

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(Full Business Name)

Select the type of license(s) you are applying for:

NEW

RENEWAL

Manufacturer  (M-License)

Distributor<sup>1</sup>  (M-License)

Testing Facility  (M-License) /  (A-License) Check one or both

Delivery  (M-License)

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### 1. Cannabis License Terms and Conditions.

The undersigned Cannabis Business Owner and Property Owner agrees to the following terms and conditions. The application shall be signed under penalty of perjury, certifying that the information submitted, including all supporting documents, is, to the best of the applicant's knowledge and belief, true, accurate and complete, and by the property owner for purposes of certifying that s/he has reviewed the application, and approves the use of the property for purposes stated in the application. The signature of both the cannabis business owner and the property owner shall constitute evidence of their express consent to abide by the conditions, waivers, and promises stated in the application, and to also give express consent to allow City staff to enter upon and inspect the cannabis business premises upon reasonable notice.

The Cannabis Business Owner is responsible for ensuring their Manager(s), Key Employees, and any and all employees and agents of the Cannabis Business understand and abide by these terms and conditions (owner shall initial the spaces provided).

- A. Compliance with the Concord Municipal Code and other Laws.** The Cannabis Business Owner, Manager, and all persons authorized as Key Employees by the Concord Police Department in connection with this License, and any and all employees and agents of the Cannabis Business for which this license is issued shall strictly comply with the provisions of the Concord Municipal Code, including the Development Code, that govern or relate to the operation of this Cannabis Business. The Cannabis Business Owner, Manager, and all employees and agents of the Business for which this License is issued shall strictly comply with all provisions of County, State and Federal law that govern or relate to the operation of this Business, and to the use and maintenance of the Business Premises.
- B. City Cannabis License Requirement.** City Cannabis License Required. No cannabis business shall be allowed to operate within the City unless the cannabis business first obtains a City Cannabis License from the Chief of Police. The City Cannabis License shall be specific to the location where the cannabis business will operate and shall

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<sup>1</sup> A Distributor's License shall only be issued if Licensee also applies or has obtained a corresponding Manufacturer License.

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specify the type of cannabis activity. Multiple operating locations for the same cannabis business will require separate City Cannabis Licenses.

**C. Conditional City Cannabis License.** After issuance of the City Cannabis License by the Chief of Police, no cannabis business licensee may operate in the City until the licensee provides to the Chief of Police satisfactory proof of ALL of the following:

1. The appropriate land use approval (use permit, minor use permit, administrative approval, or zoning clearance) from the City, including the appropriate environmental review under the California Environmental Quality Act (CEQA);
2. The corresponding State license or regulatory approval for the specific cannabis activity;
3. A business license from the City.

**D. Revocable License.** Any City Cannabis License issued under Chapter 5.80 is a revocable license; the issuance or granting of a license under Chapter 5.80 expressly does not constitute or provide for a permanent right or vested land use right to conduct a cannabis business or cannabis commercial activity within the City.

## 2. License Fee Schedule

Applicants and City Cannabis Licensees shall pay all applicable fees as set forth in the City Council adopted resolution establishing fees and charges for municipal services. Applicants and City Cannabis Licensees shall also pay the amount as prescribed by the Department of Justice of the State of California for the processing of applicant’s fingerprints. **These fees shall be paid on new and renewed licenses.**

If a new license application or a renewal application is denied, the deposit will be refunded less the staff time and other associated costs dedicated to processing the licensing application. In the case of a license suspension or revocation, no refund will be provided.

### CANNABIS LICENSE FEES

Description	COST
Application and Renewal Fee	\$ 15,000 deposit
Cannabis License Appeal Fee	\$ 5,000 deposit
Fingerprint Processing Fee – DOJ/FBI/CPD	\$ 96.00
Staff hourly rates	See Master Fee Schedule

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### 3. Personal & Business History Statement

To be Completed by each of the following (You may copy this page if additional copies are necessary):

<input type="checkbox"/> Owner	<input type="checkbox"/> Manager	<input type="checkbox"/> Key Employee(s)
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**Individual Applicant Information:**

Last Name:		First:		MI:	
Date of Birth:					
Height:	Weight:	Hair:	Eyes:	Gender:	
Address:			City:	St:	Zip:
Email:			Alt Email:		
Home Phone:		Cell Phone:		Alt Phone:	
California DL/ID Number:			Other Govt. ID:		

### Personal History Questionnaire

**Next to each question, please answer “Yes” or “No.” If you answer “Yes” to any of the questions, please attach a separate sheet of paper explaining your answer and providing all information necessary for the Police Department to confirm the information you provided, including, but not limited to the jurisdiction where the activity occurred. A “Yes” answer does not necessarily mean you will be denied a registration card. Additional documentation may be required by the Police Department if the information presented is deemed insufficient to complete the investigation.**

**THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ALL APPLICANTS:** For the purposes of this questionnaire. “You” shall mean any person, firm, association, organization, partnership, business, trust, company, corporation, public agency, the State of California and its political subdivisions, and/or instrumentalities thereof.

1. \_\_\_\_ Have you ever applied for or received a license, permit, certificate, license(s), or registration to practice in a regulated profession regarding the use, distribution, transportation or sales of cannabis under any name other than the name listed on this application?
2. \_\_\_\_ Have you ever had a license, permit, certificate, license, or registration regarding the use, distribution, transportation or sales of cannabis to practice in a regulated profession denied, suspended or revoked, or in any way conditioned, curtailed, limited, or restricted in or by any jurisdiction?
3. \_\_\_\_ Is any administrative, civil, or criminal action pending against you now by a licensing or regulatory agency?
4. \_\_\_\_ Have you ever been convicted of a crime that is substantially related to the qualification, functions or duties of the cannabis business or the use, distribution, transportation or sales of cannabis?
5. \_\_\_\_ Have you ever used another name or alias?

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6. \_\_\_\_ (For Delivery-M License) Do you have a valid Business License where the dispensary is located and will you provide a copy of the license and/or license application if necessary?
7. \_\_\_\_ Have you owned or leased premises that have been the subject of an administrative, civil or criminal nuisance abatement action and court judgment or administrative determination finding the premises to be a nuisance within the last five (5) years?
8. \_\_\_\_ Have you employed or otherwise contracted for, or are you planning on employing or contracting for, the services of a person who has previously had a cannabis license denied, suspended or revoked?
9. \_\_\_\_ Are the premises where the cannabis business is located in violation of any building, zoning, health, fire, police or other provision of the local Municipal Code or of any county, state or federal law, including the ADA?
10. \_\_\_\_ In the last five (5) years have you applied for, but were denied, a cannabis business license in the City of Concord or license or permit in any other jurisdiction, including the State of California?
11. \_\_\_\_ In the last five (5) years have you had a cannabis license or permit suspended or revoked?

**4. Identifying Information for Ownership and Management.**

Provide the name, address, and telephone number for each owner and manager, and an explanation of the legal form of business ownership that exists (for example, sole proprietor, partnership, California corporation, etc.) must be listed and proof of provided.

Name	Address	Phone Number	Legal Form of Business Ownership

(Use additional pages if necessary)

Each Cannabis Business Owner, Manager, Key Employee, as well as each employee who makes or will make operational or management decisions that directly impact the business SHALL submit the following:

- A. Electronic fingerprint images
- B. Proof of residency in the form of a valid State Issued identification card and current utility bill
- C. Related information required by the Chief of Police for the purpose of obtaining information as to the existence and content of a record of state or federal convictions and arrests to be considered as set forth in this Chapter.
- D. Any changes as to the Owner(s), Manager, Key Employee(s) and their respective identifying information shall be promptly submitted to the Chief of Police for supplemental background checks of these individuals.

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**5. Business Application Information.**

(To be completed by Owner or Manager)

Name of Business/DBA:			
Address:	City:	St:	Zip:
Email:	Web Site:		
Phone:	Fax:		

**A. Description of Premises.** Provide below the address and assessor’s parcel number(s) of the location for the proposed commercial cannabis activity and the name and contact information for the property owner(s) where the proposed commercial cannabis activity will be located.

Address of Commercial Cannabis Activity	Contact Information for the Property Owner(s)	Parcel Number

**B. State License Type and Compliance.** Provide below a description of the specific State cannabis license(s) that the cannabis business either has obtained or plans to obtain, including the State license number and expiration date. The cannabis business shall describe how it will meet the State licensing requirements, and provide supporting documentation as required by the Chief of Police.

**Attach a copy of the applicable State License(s) listed below to this application.**

Description of State License(s)	How will it meet the State licensing Requirement?

**C. Other Local Licenses.** Provide below a description of the specific cannabis license or licenses that the applicant either has obtained or plans to obtain from the City of Concord and other local jurisdictions, agencies, departments, or special districts, including the license number (if applicable) and expiration date. **Attach a copy of the license(s) to this application.**

Description of Local License(s)

**D. Description of Operations.** A written description of the nature of the proposed commercial cannabis activity, product type, average production amounts, including a description of each product produced by type, amount, process and rate, and source(s) of cannabis.

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**Description of Operations**

<p><b>Note:</b> Attach all supporting documents to the application</p>
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**6. City Cannabis Delivery License – M: Please complete the following section.**

	Name of Cannabis Delivery Driver/s And Cell Phone Number/s	California Driver License Number	Date of Birth (must be at least 21 years old)
1			
2			
3			
4			
5			
6			

**List of Vehicles and Devices Used for Delivery of Cannabis in the City of Concord**

Make	Model	License Plate	VIN	Driver Name	Devices used for Delivery

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**7. Insurance, Release of Claims and Indemnity – For all License Types.**

- A. Applicant shall attach a certificate of insurance and endorsement demonstrating ability to comply with the insurance requirements for the applicable License, in a form acceptable to the City Attorney, as set forth below:

Licensee shall, at its own expense, procure and maintain in full force at all times during the term of the License the following insurance:

1. Commercial General Liability Coverage. Licensee shall maintain commercial general liability insurance with limits of no less than one million dollars (\$1,000,000) combined single limit per occurrence or two million dollars (\$2,000,000) aggregate limit for bodily injury, personal injury, and property damage.
2. Automobile Liability Coverage. Licensee shall maintain automobile liability insurance covering all vehicles used in the performance of the cannabis business providing a one million dollar (\$1,000,000) combined single limit per occurrence for bodily injury, personal injury, and property damage.
3. Compliance with State Workers' Compensation Requirements. Licensee covenants that it will insure itself against liability for Workers' Compensation pursuant to the provisions of California Labor Code §3700, et seq. Licensee shall, at all times, upon demand of the City, furnish proof that Workers' Compensation Insurance is being maintained by it in force and effect in accordance with the California Labor Code. The insurer shall also agree to waive all rights of subrogation against the City, its officers, officials, employees and volunteers for losses arising from work performed by Licensee for City. This provision shall not apply upon written verification by Licensee that Licensee has no employees.
4. Other Insurance Provisions. The policies are to contain, or be endorsed to contain the following provisions:
  - a. Additional Insured. City, its officers, agents, employees, and volunteers are to be covered as an additional insured as respects: Liability arising out of activities performed by or on behalf of Licensee and operations of Licensee, premises owned, occupied, or used by Licensee. The coverage shall contain no special limitations on the scope or protection afforded to City, its officers, officials, employees, or volunteers. Except for worker's compensation and professional liability insurance, the policies mentioned in this subsection shall name City as an additional insured and provide for notice of cancellation to City. Licensee shall also provide timely and prompt notice to City if Licensee receives any notice of cancellation or nonrenewal from its insurer.
  - b. Primary Coverage. Licensee's insurance coverage shall be primary insurance with respect to City, its officers, officials, employees, and volunteers. Any insurance, risk pooling arrangement, or self-insurance maintained by City, its officers, officials, employees, or volunteers shall be in excess of Licensee's insurance and shall not contribute with it.
  - c. Reporting Provisions. Any failure to comply with the reporting provisions of the policy shall not affect the coverage provided to the City, its officers, officials, employees, or volunteers.
  - d. Verification of Coverage. Licensee shall furnish City with certificates of insurance and the original endorsements effecting coverage required by this License. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The aforementioned policies shall be issued by an insurance carrier having a rating of Best A-7 or better which is satisfactory to the City Attorney and shall be delivered to City before License is issued. Such policies and certificates shall be in a form approved by the City Attorney. City reserves the right to require complete certified copies of all required insurance policies at any time.

- B. Release and Indemnity. By signing this application, the applicant represents that he/she has the authority to bind the applicant and/or cannabis business owner and does hereby releases the City, its officers, officials, agents, and employees from any and all known and unknown claims, injuries, damages, or liabilities of any kind arising from (a) any repeal or amendment of the City's municipal and development codes related to the cannabis business or

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cannabis commercial activity; and (b) any arrest or prosecution of applicant, cannabis business owner, manager or key employees, employees or staff for violation of state or federal laws. The applicant is aware of the statutory language of Civil Code Section 1542, which reads as follows, and elects to waive the benefits of any and all rights any of them may have pursuant to this section:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.

Also by signing this application, applicant and/or cannabis business owner does hereby indemnifies, defends and holds harmless to the fullest extent permitted by law, the City, its officers, officials, agents, and employees from and against any and all actual and alleged damages, claims, liabilities, costs (including attorney's fees), suits or other expenses resulting from and arising out of or in connection with Licensee's operations, except such liability caused by the active negligence, sole negligence or willful misconduct of City, its officers, officials, agents and employees.

**8. Security Plan. Please attach written Security Plan, which includes the following information:**

- A. Security Plan. A description and documentation of how the applicant will secure the premises twenty-four (24) hours per day, seven (7) days per week, and how waste derived from any cannabis commercial activity will be disposed of in a manner to ensure it may not be utilized for unlawful purposes and that it is disposed of in a legal and acceptable manner. The security plan shall include, but is not limited to, the following:
1. Preventing individuals from remaining on the premises if they are not engaged in activity expressly related to the operations of the cannabis activity;
  2. Establishing limited access areas accessible only to authorized personnel including security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products and theft of cannabis or cannabis products;
  3. Storing all finished cannabis and cannabis products in a secured and locked room, safe, or vault, and in a manner as to prevent diversion, theft, and loss, except for limited amounts of cannabis used for display purposes, samples, immediate sale, if applicable;
  4. Including a minimum of a two-point security precaution that incorporates structures or physical barriers to regulate access to cannabis and money and prevents access of customers throughout the entire facility;
  5. Providing tamper-proof and tamper-evident packaging for finished cannabis products;
  6. Preventing off-site impacts to adjoining or near properties including odor control measures;
  7. Limiting the amount of cash on the premises and providing a cash management plan for the safe handling and transferring of money;
  8. Identifying the area(s) where distribution activities will occur on private property and outside of public view in a safe and secure environment;
  9. Providing an adequate alarm system;
  10. Provide an adequate security surveillance system. Security surveillance footage shall be retained for a minimum of 14 days and be subject to review and collection by the Police Department upon request. Such footage shall be provided within 3 days of request. Security surveillance shall include, but not be limited to, the coverage of all ingress and egress to building(s), adjoining parking lot(s), walkways, driveways, and other exterior property space;
  11. Providing armed security guard(s) that are appropriately licensed by the California Bureau of Security and Investigative Services or approved equivalent. Quantity and location of guards shall be evaluated by the Chief of Police;

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12. Providing a cannabis business contact who can respond to the City and neighbors regarding complaints;
13. Identifying measures to prevent unlawful loitering and excessive noise.
14. Tracking System. A description of how the cannabis business will track inventory of cannabis product, consistent with state law.
15. Distribution Security. All distribution licenses shall take the necessary precautions to prevent theft of product and money from distribution vehicles. Caged and locked product storage areas shall be installed in distribution vehicles and any and all money shall be kept secured and separate from any product.
16. Waste and Disposal Plan shall be provided on separate documents.

## 9. City Cannabis License Term

- A. The City Cannabis License shall be valid for one (1) year from the date of issuance; provided, however that the Chief of Police has the discretion to extend the term or renewal term of a City Cannabis License for a period of up to two (2) years from the date of issuance.
- B. A license renewal application and any applicable fees must be submitted at least sixty (60) days before the expiration of the license. Failure to submit a renewal application prior to the expiration date of the license will result in the automatic expiration of the license on the expiration date. License renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that the new standards are met. No person shall have any entitlement or vested right to receive a license under this chapter.

## 10. City Cannabis License Transfer or Modification of License or Application Information.

- A. A City Cannabis License is nontransferable, and no transfer to another cannabis business owner or modifications to a licensed facility may be made unless the Chief of Police approves the transfer or modification.
- B. A request for change in license ownership or of key employees who make operational or management decisions shall be submitted to the Chief of Police on a City form at least sixty (60) days prior to the anticipated transfer of ownership, or in the case of change of management employees, within fifteen (15) calendar days, together with any applicable fee(s). Requests submitted less than these time periods will be processed only in the City's discretion and may be subject to an expedited processing fee. A new owner(s) or key employees shall meet all requirements for applicants of an initial license. The request shall include the following information:
  1. Identifying information for the new cannabis business owner(s) and management as required in an initial City Cannabis License application;
  2. A written certification by the new cannabis business owner in accordance as required in an initial license application;
  3. The specific date on which the transfer is to occur; and
  4. Acknowledgement of full responsibility for complying with the existing license.
- C. **Change in Security Plan.** A request to modify the security plan shall be submitted to the Chief of Police in writing at least thirty (30) days prior to the anticipated change, together with the applicable fee.
- D. **Change of Contact Information.** A request for change in cannabis business contact information shall be submitted to the Chief of Police in writing at least thirty (30) days prior to the anticipated change, together with the applicable fee.
- E. **Change in Trade Name.** A request for change in cannabis business trade or business name shall be submitted to the Chief of Police in writing at least thirty (30) days prior to the anticipated change, together with the applicable fee.

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- 11. General Conditions for All City Cannabis Licenses.** In addition to the above-described requirements, the City Cannabis License is also subject to the following conditions:
- A. **State License.** Beginning at such time that the State has begun to issue licenses (temporary or permanent) and at all times thereafter, cannabis business shall hold a valid State license for the equivalent State license type for the entire duration of the City Cannabis License.
  - B. **Buffer zone.** A 600 foot buffer zone shall be established from the boundary of the Commercial Cannabis Overlay District, as described in the Development Code. As a result, no cannabis business or sensitive land use shall be licensed to be located in the buffer zone.
  - C. **Alcohol and tobacco products prohibited.** No cannabis business may sell, store, distribute or consume any alcoholic beverages or tobacco products on or at any premises where cannabis is sold.
  - D. **Cannabis consumption on-site prohibited.** No cannabis business may allow, license or provide for the consumption of cannabis products on-site where the cannabis business is located, with or without compensation.
  - E. **Hours of Operation.** All licensed facilities shall be closed to the general public. The Chief of Police may limit the hours for transporter deliveries and pick-ups. No direct sales of cannabis or cannabis product to the general public may occur, with the exception of a City approved Dispensary Delivery businesses.
  - F. **Odor Control.** Odors shall be contained on the property on which the commercial cannabis activity is located. If the City receives any odor complaints that arise to the level of a public nuisance, the cannabis business shall work with the City staff to correct odor concerns. Unresolved or repeated odor complaints may be basis for suspension or revocation of the City Cannabis License or denial of City Cannabis License renewal.
  - G. **Business Conducted within Building.** No production, distribution, storage, display or wholesale of cannabis and cannabis-infused products shall be visible from the exterior of the building where the commercial cannabis activity is being conducted, except as authorized by the Chief of Police.
  - H. **Protection of Minors.** No cannabis business shall employ anyone who is younger than 21 years of age. No cannabis business shall sell or advertise to sell any cannabis, cannabis product or cannabis accessory to minors, except in circumstances where the minor is over 18 years of age and is licensed or allowed by state law to purchase or possess medicinal cannabis, as set forth in California Business and Professions Code Section 26140, or any successor statute therein.
  - I. **Security.** All cannabis businesses shall maintain a commercial burglar alarm monitoring system, install a video surveillance system, and comply with the security plan approved by the Chief of Police. A cannabis business shall notify the Police Department within twenty-four (24) hours after discovering any of the following:
    - 1. Diversion, theft, loss, or any criminal activity involving the cannabis or cannabis product or any agent or employee of the licensee.
    - 2. The loss or unauthorized alteration of records related to cannabis or cannabis product, registered qualifying patients, primary caregivers or employees or agents.
    - 3. Significant discrepancies identified during inventory.
    - 4. Any other material breach of security.
  - J. **Labeling and Packages.** Labels and packages of cannabis and cannabis products shall meet all state and federal labeling and packaging requirements. Until such regulations are adopted by the federal and/or state authorities, as a condition of license issuance, the Chief of Police may impose labeling and packaging requirements to protect the public safety, health and welfare.
  - K. **Inspections.** City representatives may enter and inspect the property of every cannabis business to ensure compliance and enforcement of the provisions of this Chapter, except that the inspection and copying of private medical records shall be made available to the Police Department only pursuant to a properly executed search warrant, subpoena, or court order. Such inspections shall occur during normal regular business hours unless the City has provided prior written notice to the cannabis business for an after-hours inspection. Upon request, the cannabis business shall timely provide the City official with records related to the business, including, but not limited to, utility bills from the commercial

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energy provider for the premises, inventory, financial records, and inventory tracking records. This section shall not limit any inspection authorized under any other provision of law or regulation.

- L. **Business License.** Obtain and maintain a business license from the City.
- M. **Recordkeeping.** Maintain for a minimum of seven (7) years a written accounting or ledger of all cash, receipts, credit card transactions, and reimbursements (including any in-kind contributions) as well as records of all operational expenditures and costs incurred by the licensee in accordance with generally accepted accounting practices and standards typically applicable to business records, which shall be made available to the City during business hours for inspection upon reasonable notice by the Chief of Police.
- N. **Notice of Violations.** Notify the Chief of Police within three (3) calendar days of any notices of violations or other corrective action ordered by a State or other local licensing authority, and provide copies of the relevant documents.
- O. **Building Permits.** The cannabis business must obtain all building permits required pursuant to Concord Municipal Code Chapter 15 for any electrical, plumbing, or other construction activities.
- P. **Sewer Discharge.** No cannabis, cannabis byproducts, associated hazardous materials may be discharged into the sanitary sewer system (including, but not limited to, sinks, toilets, or storm drains).
- Q. **Secure Trash Receptacles.** All indoor and outdoor trash receptacles shall be locked and secured in manner to prevent tampering, theft, and/or removal of any cannabis refuge or the trash receptacle.
- R. **Other Agency Approvals.** The cannabis business shall be required to obtain approval from the Fire District, Health Department, and Central Contra Costa Sanitary District.

## 12. Conditions for Specific City Cannabis Licenses.

In addition to the General Conditions included in Section 5.80.080, the following City Cannabis Licenses approved or issued by the Chief of Police shall also be subject to the following conditions as deemed appropriate to the proposed cannabis activity and underlying use.

- A. **City Cannabis Manufacturer License-M.** City Cannabis Licenses shall only be issued for manufacturing products for medicinal uses, otherwise known as a Manufacturer License-M. No adult use manufacturing (City Cannabis Manufacturer License-A) shall be allowed or licensed within the City. All City Cannabis Manufacturer License-M shall be subject to the following conditions:
  - 1. A Manufacturer-M Licensee shall employ at least one (1) full-time quality control personnel.
  - 2. A Manufacturer-M Licensee must establish standard operating procedures and batch records that comply with good manufacturing practices and any applicable state law.
  - 3. All finished cannabis products produced by a Manufacturer-M Licensee must be labeled and packaged in child resistant packaging prior to leaving the manufacturing premises in accordance with state law.
  - 4. A Manufacturer-M Licensee using volatile solvents must comply with state law and operate in a manner to reduce the risk of explosion or danger to public health.
- B. **City Cannabis Distributor License-M.** A City Cannabis Distributor License shall be subject to the following conditions:
  - 1. A City Cannabis Distributor License cannot be issued without a corresponding Cannabis Manufacturer-M issued by the Chief of Police.
  - 2. A City Cannabis Distributor Licensee shall only transport cannabis or cannabis products between duly licensed cannabis businesses.
  - 3. A City Cannabis Distributor Licensee shall register with and provide the Chief of Police each location within the City where cannabis or cannabis products are stored within the City for the purposes of distribution activities.

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C. **City Cannabis Delivery Licenses-M.** A City Cannabis Delivery License-M shall be subject to the following conditions:

1. Maintain at all times all licenses and licenses as required by California State law and the laws of the local jurisdiction in which the licensee is located, and provide immediate notification to the Chief of Police if any license or license is suspended or revoked.
2. Delivery Licensee-M may only delivery cannabis or cannabis products to customers for medicinal purposes. Delivery of cannabis to a customer for adult-use is expressly prohibited.
3. Any person who delivers cannabis to a customer must have in possession a copy of the City Cannabis Delivery-M License, which shall be made available upon request to law enforcement.
4. Delivery vehicles shall not advertise any activity related to cannabis nor shall it advertise the name of the licensee.
5. Delivery of the cannabis shall be directly to the residence or business address of the customer; deliveries to any other location are prohibited.
6. Deliveries of cannabis shall occur only between the hours of 8:00 a.m. and 8:00 p.m.
7. No licensee shall transport nor cause to be transported cannabis in excess of the limits established by state law during the course of delivering cannabis.
8. All orders to be delivered shall be packaged by the names of the customer.

D. **City Cannabis Testing Laboratory License.** A City Cannabis Testing Laboratory License is subject to the following conditions:

1. Testing Laboratory Licensee shall employ at least one (1) full-time quality control personnel.
2. Testing Laboratory Licensee shall operate and test all cannabis or cannabis products in accordance with state law.
3. All testing devices used by Testing Laboratory Licensee must be Underwriters Laboratories (UL) listed or otherwise approved by the City's Building Official and Fire Department.
4. Testing Laboratory Licensee must notify the Chief of Police within one (1) business day after the receipt of any notice that its accreditation has been denied, suspended or revoked.

### 13. **Prohibited Cannabis Uses.**

The following cannabis businesses, uses and activities are expressly prohibited in the City:

- A. **Cannabis Commercial Activity.** No person shall engage in, conduct, operate, manage, or to carry on, or to license to be engaged in, conducted or carried on, any cannabis commercial activity, other than as expressly licensed by City licensing under this Chapter.
- B. **Dispensaries/Retailers.** No person shall engage in, conduct, operate, manage, or carry on, or to license to be engaged in, conducted or carried on, the operation of a dispensary or retail establishment (storefront or non-storefront) in the City.
- C. **Microbusiness.** No person shall be licensed to engage in, conduct, operate, manage, or to carry on, or to license to be engaged in, conducted or carried on, any cannabis microbusiness activity within the City.
- D. **Manufacturing.** No person shall be licensed to engage in, conduct, operate, manage, or to carry on, or to license to be engaged in, conducted or carried on, any manufacturing of adult-use cannabis within the City.
- E. **Outdoor Cultivation.** No person owning, renting, leasing, occupying or having charge or possession of any parcel shall cause or allow such parcel to be used for the outdoor cultivation of cannabis, personal, commercial, or any other purposes.
- F. **Indoor Cultivation.** No person owning, renting, leasing, occupying, or having charge or possession of any parcel, building, or structure shall cause or allow indoor cultivation of cannabis on such parcel, or within any building or structure thereon, except within a private residence or inside an accessory building or structure on a parcel developed with a private residence, within a fully enclosed, secure, locked space, may possess up to six (6) plants for noncommercial use/purposes consistent with state law.
  1. No person owning, renting, leasing, occupying, or having charge or possession of any parcel, building, or structure shall cause or allow indoor cultivation of cannabis on such parcel or within any building or structure

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thereon to be visible by normal unaided vision from any public place including any street, sidewalk, or other place freely accessible by the public.

2. Indoor cannabis cultivation for any purpose other than personal use as specified above is expressly prohibited.
- G. Special events, festivals, and/or fairs. The sale or consumption of cannabis is prohibited at special events, festivals, and/or fairs.

## **14. Denial, Renewal Denial, Suspension and Revocation.**

**A. Denial of License or Renewal Denial:** Pursuant to CMC Section 5.80.050(d), the granting of a license or a renewal thereof may be denied and an existing license may be revoked or suspended if any of the following occur:

1. The applicant has knowingly made a false statement in the application or in any reports or other documents furnished to the City.
2. The Cannabis Business Owner, Manager or Key Employee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the cannabis business for which the application is made, which includes but is not limited to:
  - a. A violent felony conviction, as specified in Penal Code Section 667.5(c).
  - b. A serious felony conviction, as specified in Penal Code Section 1192.7.
  - c. A felony conviction involving fraud, deceit or embezzlement.
  - d. A felony conviction for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor.
  - e. A felony conviction for drug trafficking with an enhancement pursuant to Health and Safety Code Section 11370.4 or 11379.8.
3. The Cannabis Business or a Cannabis Business Owner has been sanctioned by a licensing authority or other city or county for unauthorized commercial cannabis activity.
4. The granting or renewing of the license would perpetuate or encourage any of the following:
  - a. Distribution of cannabis or cannabis products to minors;
  - b. Generation of revenue from the sale of cannabis or cannabis products to fund criminal enterprises, gangs, cartels, and similar persons;
  - c. Diversion of cannabis or cannabis products to jurisdictions outside of the State where cannabis and cannabis products are unlawful under State or local law;
  - d. Trafficking of other illegal drugs or facilitation of other illegal activity;
  - e. Violence and the use of firearms in the cultivation and distribution of cannabis and cannabis products;
  - f. The use of public lands in the cultivation of cannabis; or
  - g. The use of Federal property for commercial cannabis activity.
5. For any other reason that would allow the State to deny a license or license under AUMA, MCRSA, and/or MAUCRSA, or any other state law.
6. The Cannabis Business Owner fails to pay required City fees and taxes.
7. The Cannabis Business Owner, Manager, Key Employees and any and all employees and agents of the Cannabis Business violates any provision of AUMA, MCRSA, MAUCRSA, State License, City Cannabis License, or the Concord Municipal Code (including the Development Code).
8. Except for convictions relating to drug offenses as described in Section 5.80.050(d)(2)(iv) and (v) of the Concord Municipal Code, an application for a City Cannabis License shall not be denied if the sole ground for denial is based upon a prior conviction of either Section 11350 or Section 11357 of the California Health and Safety Code. An application for a license also shall not be denied if the State would be prohibited from denying a license pursuant to either Section 26057(b)(5) or Section 26059 of the California Business and Professions Code. Conviction of any controlled substance felony subsequent to license issuance shall be grounds for revocation of a license or denial of the renewal of a license.

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9. The Cannabis Business Owner, Manager, Key Employees and any and all employees and agents of the Cannabis Business Is in violation of the Concord Municipal Code (including Development Code).
10. The Cannabis Business Owner, Manager, Key Employees and any and all employees and agents of the Cannabis Business are in violation of applicable state and local laws and regulations tied to the Cannabis Business.
11. The Cannabis Business Owner does not have a current and valid State or Regulatory approval or is in violation of a State or Regulatory approval.
12. The Cannabis Business Owner is in violation of any City approval, including conditions of approval imposed on the license for the cannabis activity or underlying land use.

**B. Suspension or Revocation of License.**

1. If the Chief of Police deems continuation of the Cannabis Business will cause a significant threat to the health, safety or welfare of the public, the Chief of Police may immediately suspend the City Cannabis License and all rights and privileges thereunder until a Hearing Officer renders a written decision on the revocation of the City Cannabis License.
2. The Chief of Police shall give notice to the cannabis business of his or her intent to revoke a City Cannabis License in the same manner as the notice of the application decision and provide the City Clerk with a copy of the notice.
3. The hearing for the revocation of the City Cannabis License shall be set and conducted in the same manner as an appeal of decision. The decision of the Hearing Officer shall be final.

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**SIGNATURES ON THE CITY CANNABIS LICENSE**

**Signature of Applicant and Property Owner Required.** The application and following affidavit shall be signed by each cannabis business owner under the penalty of perjury, certifying that the information submitted, including all supporting documents, is, to the best of the applicant's knowledge and belief, true, accurate and complete, and by the property owner for purposes of certifying that s/he has reviewed the application, and approves the use of the property for the purposes stated in the application.

The signature of both the cannabis business owner and the property owner shall constitute evidence of their express consent to abide by the conditions, waivers, and promises stated in the application and to allow any City official or employee to enter upon and inspect the premises upon reasonable notice.

To the extent licensed by the state and federal law, the City shall endeavor to treat the information required by this section as confidential. Disclosure of such information shall not be deemed a waiver of confidentiality by the applicant or any individual named in the application. The City shall incur no liability for the inadvertent or negligent disclosure of such information.

*I, the undersigned, have read and understand and agree to the above-stated terms and conditions.*

*If the signatory to this License is an individual signing on behalf of a firm, association, organization, partnership, business trust, company, corporation, or is any other type of business entity, the signatory hereby warrants and represents that he or she is authorized to execute this application on behalf of his or her principals and that his or her signature serves to legally obligate and bind his or her principals to comply with the provisions of this application. Upon the City's request, the Undersigned shall provide the City with evidence reasonably satisfactory to the City confirming the foregoing representations and warranties.*

\_\_\_\_\_  
Business Owner (Print)

\_\_\_\_\_  
Property Owner (Print)

\_\_\_\_\_  
Business Owner Signature

\_\_\_\_\_  
Property Owner Signature

Date:\_\_\_\_\_

Date:\_\_\_\_\_

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**Concord Police Department  
Cannabis License Application**

**AFFIDAVIT**

I, the undersigned, declare under the penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained in this application for a Cannabis License (application and questionnaire) and its supporting documentation, is truthful, correct, and complete; and the information contained in this application and its supporting documentation discloses all material facts regarding the applicant and associated individuals necessary to allow the Chief of Police to properly evaluate the applicant's qualifications for registrant.

If the applicant is a business entity, I, as the person signing below do hereby represent and warrant that the business entity is authorized to do business in California and that I have full right, power and authority to sign on behalf of the business entity and carryout all actions contemplated by this application, and that any registration issued to the business entity constitutes valid, binding and enforceable obligations of the business. Upon the Department's request, I promise to provide the Department with evidence reasonably satisfactory to the Department confirming the foregoing representations and warranties.

I will ensure that any information subsequently submitted to the Department in conjunction with this application or its supporting documentation meets the same standard as set forth above.

I understand that this application will be classified as a public record and will be available for inspection by the public, except with regard to the release of information which is classified as controlled, private, or protected under the California Public Records Act or restricted by other law.

I acknowledge that I may be required to provide additional information, as needed, for a complete investigation (Concord Municipal Code Chapter 5.80).

I acknowledge that I have reviewed sections 5.80.010 through 5.80.140 (Cannabis) of the Concord Municipal Code as it relates to the cannabis business and penalties, Sections 9.05 of the Concord Municipal Code as it relates to Offenses, Sections 18.110 through 18.180 (Overlay Districts I am authorized by the business, to state that the business fully understands its legal obligation and agrees to comply with and obey all ordinances and statutes listed in the Concord Municipal Code. Additionally, the business recognizes its responsibility for obeying all Federal, State and local statutes.

***I further understand that any misrepresentations, omissions or falsifications will be grounds for the denial of the registration and/or future suspensions or revocation of the registration.***

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

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**Concord Police Department  
Cannabis License Application**

**AUTHORIZATION FOR RELEASE OF INFORMATION**

I, the undersigned, declare that I am the applicant described and identified in this application for licensure, certification, or registration in the City of Concord.

I authorize all persons, institutions, organizations, government agencies, employers, references, or any others not specifically included in the preceding characterization, to release to the Concord Police Department (“Department”) any files, records, or information of any type regarding the person(s) identified as the Cannabis Business Owner, Manager or Key Employees:

(If Applicant is Business Entity, insert Legal Name of Business Entity Below:)

\_\_\_\_\_

Entity

(Insert Legal Name and Date of Birth Below)

\_\_\_\_\_

Name

\_\_\_\_\_

Date of birth

The information is being requested by the Concord Police Department to properly evaluate my qualifications for licensure, certification, or registration by the City of Concord. A copy of this Authorization shall be valid and provide the same authorization as the original.

Print Name:	
Title:	
Signature:	
Date:	
Address:	
City, State, Zip:	
Phone number:	
Email address:	

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