

CITY ATTORNEY IMPARTIAL ANALYSIS OF MEASURE G

If adopted by the voters, Measure G would establish a new excise tax on marijuana operations by adopting an ordinance that would add a new Chapter 18 to Title 3 entitled “Marijuana Operation Tax” to Pacifica’s Municipal Code.

Under Measure G, marijuana operations would initially be taxed at the rate of 6% for each one dollar of a marijuana operation’s gross receipts. This tax may be decreased or increased up to a maximum of 10%, if after the second anniversary of the effective date of the tax, such decrease or increase is approved by a majority vote of the total membership of the City Council. The proposed Marijuana Operation Tax is a general tax, and therefore the revenues from the tax would be placed in the City’s general fund and used for general governmental purposes.

Marijuana operations are defined broadly to include all businesses that cultivate, possess, manufacture, process, store, test, label, transport, distribute, deliver, or sell marijuana or marijuana products. The proposed tax will only be imposed on marijuana operations and will not be imposed on patients or persons who purchase or acquire marijuana for personal use.

In conjunction with placing Measure G on the ballot, the City Council also adopted Ordinance Nos. 818 and 819 which authorize subject to certain restrictions the following: the cultivation of marijuana for personal use, marijuana retail, testing and manufacturing operations. Ordinance Nos. 818 and 819, however, will not become effective unless this Measure G is passed by the voters at the November 7, 2017 election.

In order for the Marijuana Operation Tax to be approved, the voters must adopt Measure G by a majority (greater than fifty percent (50%)) vote.

A “yes” vote is a vote to adopt the Marijuana Operations Tax.

A “no” vote is a vote against adopting the Marijuana Operations Tax and there would be no excise tax imposed on marijuana operations. Moreover, if Measure G is not approved by the voters, Ordinance Nos. 818 and 819, which authorize marijuana operations in the City, would not become effective and marijuana operations would not be authorized in the City of Pacifica.

The above statement is an impartial analysis of Measure G. The full text of Measure G is printed in the Voter's Information Pamphlet and is also available on the City of Pacifica’s website at: <http://www.cityofpacifica.org>.

/s Michelle Marchetta Kenyon, City Attorney
City of Pacifica