

RESOLUTION NO. 2017-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, LOWERING THE CANNABIS TAX RATES PURSUANT TO SECTION 3.48.040 OF THE CATHEDRAL CITY MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY FINDS:

A. The voters of Cathedral City approved Measure N at the November 2014 general municipal election establishing a tax on the proceeds of cannabis businesses as defined in Measure N in a maximum amount of 15% of proceeds.

B. Measure N authorized the Council to set the tax at a rate that is less than 15% and to establish exemptions, incentives, or other reductions.

C. Resolution 2015-50, adopted August 26, 2015, set a tax rate of 10% for each medical cannabis business that received or receives from the City a permit to operate a medical cannabis business or cooperative in the City.

D. At the time Measure N was approved, dispensaries were the only type of medical cannabis business permitted in the City. Subsequently, the City Council has substantially change the City's regulation of medical cannabis businesses, and expanded the types of medical cannabis businesses that are allowed in the City.

E. The City Council placed Measure P on the November 2016 ballot to amend the tax on cannabis businesses to include different tax rates for medical cannabis cultivation and manufacturing, among other things.

F. The voters approved Measure P, which imposes the following taxes on medical cannabis businesses in the City:

- Fifteen cents for each one dollar of gross receipts or fractional part thereof received by a dispensary or by any other cannabis business for activities other than cannabis cultivation or manufacturing.
- Twenty-five dollars for each square foot or fractional part thereof of cannabis cultivation space.
- One dollar for each gram of cannabis concentrate produced or manufactured.
- One dollar for each unit of cannabis-infused product other than cannabis concentrate produced or manufactured and packaged or intended for individual sale.

G. Measure P continues to authorize the Council to set the taxes on medical cannabis at lower rates than what was approved by the voters, and to establish exemptions, incentives, or other reductions.

THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY RESOLVES:

SECTION 1. The definitions contained in Section 3.48.020 of the Cathedral City Municipal Code shall pertain to words or terms used in this Resolution.

SECTION 2. Every cannabis business operating in the city, regardless of whether such cannabis business has a license pursuant to Chapter 5.88 of this code or a permit pursuant to Chapter 9.108 of this code, shall pay the Tax in the following amounts:

A. Ten cents for each one dollar of gross receipts or fractional part thereof received by a dispensary or by any other cannabis business for activities other than cannabis cultivation or manufacturing.

B. Fifteen dollars for each square foot or fractional part thereof of cannabis cultivation space.

C. Forty cents for each gram of cannabis concentrate produced or manufactured.

D. Forty cents for each unit of cannabis-infused product other than cannabis concentrate produced or manufactured and packaged or intended for individual sale.

Each July 1, the amounts in subsections B, C, and D of this section may be automatically adjusted based on the average percentage change in the Consumer Price Index for "all urban consumers" in the Los Angeles-Anaheim-Riverside area for the calendar year which ends in the previous fiscal year.

SECTION 3. This Resolution shall take effect immediately upon adoption.

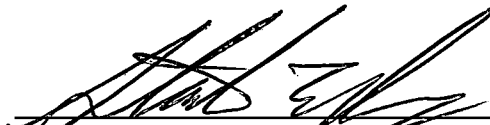
PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Cathedral City held on this 26th day of April, 2017, by the following vote:

Ayes: Council Members Aguilar, Carnevale and Kaplan; Mayor Pro Tem Pettis


Noes: Mayor Henry

Absent: None


Abstain: None


Stanley E. Henry, Mayor

ATTEST:


Gary F. Howell, City Clerk

APPROVED AS TO FORM:


Eric S. Vail, City Attorney