



BILL NO. 40

ORDINANCE NO. 2020-039

AN ORDINANCE OF THE CITY OF FRESNO,
CALIFORNIA, AMENDING SECTION 12-2104 OF THE
FRESNO MUNICIPAL CODE, RELATING TO MARIJUANA
CULTIVATION

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 12-2104 of the Fresno Municipal Code is amended to read:

SECTION 12-2104. – PROHIBITION OF MARIJUANA CULTIVATION.

Marijuana cultivation by any person, including primary caregivers and
qualified patients, collectives, cooperatives or dispensaries, is prohibited in all
zone districts within the City.

[This prohibition does not apply to any person that has a city commercial
cannabis business permit for cultivation as described in Article 33 of Chapter 9 of
this Code, as may be amended, or for up to 6 plants grown indoors, per
residence, as permitted by state law.]

SECTION 2. This ordinance shall become effective and in full force and effect at 12:01
a.m. on the thirty-first day after its final passage.

* * * * *



STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the 24th day of September 2020.

AYES : Caprioglio, Chavez, Esparza, Soria,
NOES : Bredefeld, Karbassi
ABSENT : Arias
ABSTAIN : None

Mayor Approval: September 29th, 2020
Mayor Approval/No Return: N/A, 2020
Mayor Veto: N/A, 2020
Council Override Vote: N/A, 2020

YVONNE SPENCE, MMC CRM
City Clerk

BY: Yvonne Spence 10/5/2020
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN,
City Attorney

BY: [Signature] 10/2/2020
Mary Raterman-Doidge Date
Senior Deputy City Attorney



September 25, 2020

Council Adoption: 9/24/2020

Mayor Approval:

Mayor Veto:

Override Request:

TO: MAYOR LEE BRAND

FROM: YVONNE SPENCE, MMC, CRM
City Clerk

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the City Council meeting of September 24, 2020, Council adopted the attached Bill No. B-40 Ordinance No. 2020-039, entitled **Amending Section 12-2104 of the Fresno Municipal Code relating to marijuana cultivation**. Item 1-Q-2, File ID 20-001232, by the following vote:

Ayes	:	Caprioglio, Chavez, Esparza, Soria
Noes	:	Bredefeld, Karbassi
Absent	:	Arias
Abstain	:	None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before October 5, 2020. In computing the ten-day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10th day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

X **APPROVED / NO RETURN:** _____

VETOED for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

DocuSigned by:

Lee Brand

AA21DC5C39864EE

Date: 9/28/2020

Lee Brand, Mayor

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes	:
Noes	:
Absent	:
Abstain	:

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CITY OF FRESNO
CITY CLERK'S OFFICE