



**FREQUENTLY ASKED QUESTIONS  
CITY OF VALLEJO  
MEDICAL MARIJUANA DISPENSARY LIMITED IMMUNITY COMPLIANCE REQUIREMENTS  
AUGUST 7, 2015, Updated August 13, 2015**

1. **QUESTION:** I want to find out if my medical marijuana dispensary can receive limited immunity from prosecution by the City of Vallejo, so what do I need to submit to the City?

Answer: The City Council adopted Vallejo Municipal Code Section 7.100, also known as Ordinance No. 1715 N.C (2d), which should be consulted for all of the requirements. You can find the Ordinance, Limited Immunity Proof of Compliance Form and Guidelines for filling out the Compliance Form on the City of Vallejo website at [www.CityofVallejo.net/MMDCompliance](http://www.CityofVallejo.net/MMDCompliance).

2. **QUESTION:** Where do I submit my completed Limited Immunity Proof of Compliance Form?

Answer: You can submit your completed Compliance Form in the Vallejo City Manager's Office, 3<sup>rd</sup> Floor, 555 Santa Clara Street, CA. 94590.

3. **QUESTION:** When can I submit the Limited Immunity Proof of Compliance Form?

Answer: You can submit the completed Compliance Form anytime during working hours, 9 a.m. to 5 p.m., Monday through Friday. Completed forms must be received by the City Manager's Office no later than 5:00 p.m., Monday, September 21, 2015. Mailed forms received after the deadline will not be accepted.

4. **QUESTION:** Can I file my forms online?

Answer: No. For convenience, you may fill out the Compliance Form online, but you must print it, the owner must sign it and you must submit or mail a hard copy of the Compliance Form and attachments, before the deadline.

5. **QUESTION:** What criteria will be used to determine if my medical marijuana dispensary will receive limited immunity?

Answer: The ordinance adopted by the Vallejo City Council specifies all of the requirements that must be met. The requirements include the following: (1) the dispensary was in operation prior to April 23, 2013; (2) the dispensary paid for and received a City of Vallejo Marijuana Tax Certificate prior to April 23, 2013; and (3) the dispensary paid City Measure C and State sales taxes due, continuously from the first date the dispensary was in operation or March 1, 2012, whichever was later, through December 31, 2014 (the City stopped accepting tax February 20, 2015, for the month prior and has not accepted tax since). Please see the ordinance for additional requirements.

6. **QUESTION:** What if I tried to meet a requirement but couldn't, and it wasn't my fault?

Answer: The Ordinance allows the City Manager to determine compliance with a requirement if the dispensary demonstrates that there were circumstances beyond its control that prevented compliance.

7. **QUESTION:** My dispensary might not be able to show it paid the taxes or had the marijuana tax certificate – can I get a decision on that before going through the effort of submitting all of the materials for all of the requirements?

Answer: The Compliance Form allows a dispensary to ask for a determination that three preliminary “threshold” requirements have been met, without submitting the remainder of the information. A request for this type of determination must be made by August 21, 2015. Once the City has determined that the three threshold requirements have been met, the dispensary must still submit the entire completed compliance form by September 21, 2015.

8. **QUESTION:** Does the dispensary have to submit a request for a determination on the three preliminary “threshold” requirements first, or can my dispensary submit the entire Compliance Form?

Answer: No, the dispensary may submit the entire Compliance Form and forgo requesting a determination that the three “threshold” requirements have been met, provided that the completed compliance form is submitted by September 21, 2015.

9. **QUESTION:** I heard that all dispensaries have to be more than 2,000 feet from each other. Is this true?

Answer: No. But, if a dispensary is currently less than 1,000 feet from a public or private K-12 school, it must move within 90 days (or 180 days with approval of the City Manager, upon submission of proof that reasonable efforts to relocate within 90 days have been made and have not been successful), to a location that is not closer than 1,000 feet from a public or private K-12 school and is not closer than 2,000 feet from any other dispensary. This is the only situation in which the 2,000 foot distance regulation applies.

10. **QUESTION:** Do I need to have a building inspection?

Answer: Yes. All dispensaries that intend to file the Compliance Form must request an inspection before September 4, 2015, for compliance with the Building Code, Fire Code, and Property Maintenance Ordinance. The requirement for an inspection applies even if the building has been previously inspected by the City within the past four years. The fee for the inspection is \$349. Call (707) 648-4326 or visit the Central Permit Center to schedule an inspection. Getting an inspection does not guarantee you will receive limited immunity. You must meet all requirements in the ordinance.

11. **QUESTION:** Do I need to get fingerprinted?

Answer: Each manager of the dispensary must obtain a summary criminal history, known as LiveScan, in a two-week window before the dispensary compliance form

is submitted to the City. The City has provided a [Livescan form](#) that MMDs should utilize when completing this section. The Vallejo Police Department will receive the results of the Livescan and will retain the record. Please fill out and print two copies of the Livescan form. One will be submitted to the Livescan Operator and the other should be retained by the applicant. Additional instructions are included on [Vallejo MMD Proof of Compliance Form](#).

12. **QUESTION:** I heard that the City will start accepting the 10% marijuana business tax again. How and when do I resume paying marijuana tax?

Answer: For dispensaries that meet the requirements of the ordinance, and are issued a confirmation letter from the City Attorney, the first tax period shall be from September 20-30, 2015, with payments on gross revenue for this period due no later than October 20, 2015. After that, the tax period is the first of the month to the end of the month, with payment due to the City by the 20<sup>th</sup> of the following month.

13. **QUESTION:** How will I know if my dispensary receives limited immunity?

Answer: You will receive a confirmation letter from the City Attorney. The City Attorney intends to issue the letters to dispensaries that meet the conditions of the ordinance by September 30, 2015.

14. **QUESTION:** I did not pay medical marijuana tax during some months because I did not make any sales. Can I still receive limited immunity?

Answer: It depends. The ordinance authorizes the City Manager to provide limited immunity if a dispensary demonstrates it can't meet a requirement due to circumstances beyond the dispensary's control. You must provide a detailed explanation of your circumstances with supporting documents and the City Manager will make a determination.

15. **QUESTION:** Can I employ workers who are younger than 21?

Answer: The City will not disqualify any dispensary that employs workers younger than 21. Although the Ordinance currently provides that dispensary workers must be 21 years of age or older, the City Council has stated that it intends to discuss modification of the age requirement for dispensary workers at a meeting in the near future.

16. **QUESTION:** Can I cultivate marijuana onsite?

Answer: The City Council directed staff to draft a resolution allowing for limited cultivation. There are no details yet.

17. **QUESTION:** What if my dispensary cannot meet the requirements?

Answer: Your dispensary should close. It is not legal under City law and is subject to a court order for its closure.

18. **QUESTION:** Who do I call if I have additional questions?

Answer: Contact Joanna Altman, Administrative Analyst II  
707-648-4362  
[Joanna.Altman@CityofVallejo.net](mailto:Joanna.Altman@CityofVallejo.net)