

5.19.280 Enforcement and Penalties.

A. It is unlawful to:

1. ~~Own, operate, set up, conduct, maintain, facilitate,~~ or direct Commercial Cannabis Activity in the City without a valid City License authorizing such Commercial Cannabis Activity;

2. ~~Own, set up, operate, or maintain a Commercial Cannabis Business in the City without a valid City License;~~

~~3. Participate as an employee, contractor, agent, intern, volunteer, or in any other capacity in a Commercial Cannabis business-Activity in the City without a valid City License;~~

3. Use any parcel or any portion of parcel of land ~~foras a~~ Commercial Cannabis Business Activity without a valid City License;

4. Lease, rent to, or otherwise allow ~~a Commercial Cannabis Business~~Commercial Cannabis Activity to occupy or access any parcel or portion of parcel of land in the City without a valid City License.

B. It shall be unlawful for any person to violate any provision, or to fail to comply with the requirements, of this Chapter or any regulation adopted hereunder. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Chapter or any regulation adopted hereunder shall be guilty of a misdemeanor punishable by a fine of not more than \$1,000.00 or imprisonment for a period of not more than six months, or by both a fine and imprisonment. Each day that a violation continues is deemed to be a new and separate offense. No proof of knowledge, intent, or other mental state is required to establish a violation.

C. Any condition caused or allowed to exist in violation of any of the provisions of this Chapter or any regulation adopted hereunder is a public nuisance and may be abated by the City, or by the City Attorney on behalf of the people of the State of California, as a nuisance by means of a restraining order, injunction, or any other order or judgment in law or equity issued by a court of competent jurisdiction. The City, or the City Attorney on behalf of the people of the State of California, may seek injunctive relief to enjoin violations of, or to compel compliance with this Chapter or seek any other relief or remedy available at law or equity, including the imposition of monetary civil penalties. Each day that a violation continues is deemed to be a new and separate offense. and subject to a maximum civil penalty of Civil penalties for violations of this Chapter may be assessed at a rate not to exceed \$10,000 for each and every offenseper violation per day.

D. Whenever in this Chapter any act or omission is made unlawful, it shall include causing, aiding, abetting, suffering, or concealing the fact of such act or omission.

E. The remedies specified in this Section are cumulative and in addition to any other remedies available under State or local law for a violation of this Code.

F. Nothing in this Section shall be construed as requiring the City to allow, permit, license, authorize, or otherwise regulate Commercial Cannabis Activity, or as abridging the City's police power with respect to enforcement regarding Commercial Cannabis Activity.