

Glendale News Press

Marijuana Dispensary ban likely to continue

Council is expected to extend moratorium on sites that sell marijuana.

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CITY HALL — A temporary ban on pot dispensaries in Glendale will likely continue after the City Council on Tuesday considers extending the current moratorium.

Medical marijuana dispensaries are prohibited under the city's current zoning codes, but the City Council approved a moratorium last year to close Glendale's borders to the shops as city attorneys analyzed a complicated legal landscape.

City attorneys on Tuesday will recommend that the City Council extend the moratorium for an additional year as they await an appellate court ruling on an Anaheim ban and the results of a November ballot initiative to legalize and tax marijuana sales.

Because of those pending developments and the conflict between state and federal law, there is a "lack of certainty in the ability to ban or heavily regulate marijuana dispensaries," said City Atty. Scott Howard.

But that hasn't stopped Mayor Ara Najarian from expressing his opposition to allowing the stores in Glendale.

"A recent double homicide in Los Angeles highlights the point that there is a lot of inappropriate and unsavory activities that go on around those dispensaries," he said Friday. "They really increase the likelihood of abuse and inappropriate sales."

Citing similar reasoning, cities across the state have tried to regulate the proliferation of the shops, including a recent crackdown in Los Angeles. Other agencies have chosen to ban them altogether, with the most recent regulations proposed by Los Angeles County Supervisor Mike Antonovich for the county's unincorporated areas.

In touting the ban, Antonovich cited the explosive growth of pot dispensaries in the region and difficulties enforcing restrictions on existing clubs.

Medical marijuana advocates counter that the increasing dispensary bans violate state law and hurt legitimate prescription users of the drug.

"Dispensaries serve a critical function for our most seriously ill and should be encouraged, not banned," Kris Hermes, a spokesman for Americans for Safe Access, said in a statement.

"Thousands of patients in California cannot cultivate their own medical marijuana, and rely on local dispensaries for safer access than the illicit market."

City attorneys expect some legal clarity on the contentious issue from the 4th District Court of Appeal, which is expected to issue a ruling on Anaheim's ban later this month.

But that clarity could still be muddled if California voters in November approve Proposition 19, which would legalize marijuana sales, Howard said.

Once the two looming issues are resolved, the City Council can then consider whether to ban, regulate or allow the stores, officials said.

"We will be conducting ourselves and our ordinances and zoning restrictions accordingly," Najarian said. "But generally I don't think it's right for Glendale."