

Medical Pot Is Bringing L.A. Together

In the increasingly acrimonious pot wars, all sides agree City Hall is incompetent

By: Patrick Range McDonald and Jill Stewart

When Los Angeles Superior Court Judge James C. Chalfant ruled on October 19 that the Los Angeles City Council's two-year moratorium on medical-marijuana dispensaries was illegal, invalidating the ban, few legal experts seemed surprised — including City Attorney Carmen Trutanich whose aide promptly admitted that the City Council had indeed been in the wrong.

The judge issued an injunction banning L.A. from enforcing its moratorium against Green Oasis, a popular pot shop in Playa Vista. That decision is widely expected to prevent City Hall from enforcing its ban throughout Los Angeles.

Now the 15-member City Council and the Villaraigosa administration are struggling to explain why L.A., apparently alone among big California cities, failed to follow state law by approving local medicinal-pot regulations, and then adopted an illegal moratorium that badly backfired, feeding a proliferation of pot stores citywide.

The controversy has split Los Angeles' citizenry roughly into three camps, with pot advocates applauding the situation as an apparent backdoor legalization of marijuana, even as medical-marijuana advocates for the seriously ill voice anger that the flamboyant drug dealers openly selling pot for profit in L.A. are ruining their legitimate, hard-fought medical-marijuana movement.

A third group is angry about the crime and sleazy trappings that for-profit pot shops bring to its neighborhoods. The mostly Latino members of the Panorama City Neighborhood City Council, representing a working-class area of the San Fernando Valley for example, voted last month to oppose pot shops, while the Mid-Wilshire Neighborhood Council demanded last May that the city enforce its failing moratorium. The Melrose-Fairfax Neighborhood Watch and Eagle Rock Neighborhood Council have been vocal in insisting that city officials control pot-shop proliferation.

But these disparate groups in the pot debate agree on one thing: Los Angeles City Hall has been almost comically inept at complying with simple state deadlines for municipalities to create rules for medicinal marijuana — unmet deadlines that Villaraigosa, City Council President Eric Garcetti and former City Attorney Rocky Delgadillo had known for years were approaching.

Instead, a gridlocked Council adopted an illegal two-year moratorium to buy more time. During the moratorium, more than 800 pot sellers used a city-provided form to claim they would face a “hardship” if they could not open for business, and then hundreds of those applicants opened

without permission — many of them not even bothering to get the certificate of occupancy required of all businesses.

The maneuver blind-sided Villaraigosa, Garcetti and the now-departed Delgadillo. Now, with recently elected City Attorney Trutanich and Los Angeles County District Attorney Steve Cooley threatening to go after stores that operate for profit or otherwise break state medicinal-marijuana laws, the pot wars are providing fuel to critics who see L.A. as a failed government.

As the activist Joseph Mailander argues on the CityWatch Web site, L.A. “now resembles New York City in the [1970s]: a nearly bankrupt, fully corrupt, failing city-state.” After listing numerous City Hall blunders and miscues, Mailander declares: “The council has even attempted to raise fees on farmers markets even while letting medical-marijuana dispensaries skate without fees. And through it all, travesties like developer doormat Gail Goldberg an amateur from San Diego whose Planning Department actually publishes how-to brochures for zoning easements, are still found in top city slots.”

Now, as the celebrants and critics of L.A.’s rapidly expanding pot industry weigh in on the court ruling, Los Angeles City Council is preparing to meet once again. Its goal: to adopt local rules for medical marijuana.