



CITY OF RIVERBANK ADMINISTRATIVE CANNABIS PERMIT APPLICATION

SUBMITTAL CHECKLIST

The City of Riverbank will review your submitted Administrative Cannabis Permit ("ACP") application for completeness and schedule an inspection with you once the application is deemed complete. The purpose of this inspection is to ensure all health and safety codes are followed for your safety and that of your family. Please submit the following:

- ☐ Completed Planning Application (below)
- ☐ \$120.00 yearly fee (covers one (1) inspection and staff processing time). If a second inspection is needed after corrections are made, a \$50.00 fee is required.
- ☐ Floor plan of the indoor cannabis site
- ☐ Site photo(s) of the indoor cannabis site
- ☐ List of fertilizers and pesticides to be used on site
- ☐ Building Permit application and plans, if necessary. For example, to build a greenhouse over 120 square feet or construct a wall to secure your third garage bay.

PLEASE PRINT IN BLUE OR BLACK INK ONLY

Applicant: _____

Email address: _____

Applicant Address: _____

Contact phone number: _____

Applicant signature: _____

- I certify that I am familiar with Chapter 120 of the Riverbank Municipal Code "Cannabis Regulations" and agree to comply with all regulations.

Property Owner (if other than applicant): _____

Email address: _____

Owner's address: _____

Contact phone number: _____

Property Owner signature: _____

- I certify that I am the property owner and am familiar with Chapter 120 of the Riverbank Municipal Code "Cannabis Regulations."

Location of indoor cannabis area: _____

THIS SIDE OFFICE USE ONLY

Date application received: _____

Date application approved (**Renewal Date**): _____

File Notes: _____

REGULATIONS FOR CULTIVATION OF CANNABIS FOR PERSONAL USE

§ 120.04 CULTIVATION OF CANNABIS FOR PERSONAL USE: ADMINISTRATIVE CULTIVATION PERMIT.

- (A) It shall be unlawful for any person to cultivate cannabis outdoors for personal use within the City.
- (B) It shall be unlawful for any person to cultivate cannabis for personal use within a private residence without first having secured an Administrative Cultivation Permit from the Community Development Department.
- (C) A person shall be limited to a maximum of one (1) Administrative Cultivation Permit at a time.
- (D) An Administrative Cultivation Permit is not transferable. The Administrative Cultivation Permit shall only be used by the permittee to whom it is issued.
- (E) Administrative Cultivation Permit shall expire one (1) year from the date of approval and may be renewed annually.

§ 120.05 APPLICATION FOR ADMINISTRATIVE CULTIVATION PERMIT.

- (A) An applicant shall be at least twenty-one (21) years of age.
- (B) The Administrative Cultivation Permit application shall require all of the following:
 - a. Written consent signed by the legal property owner of the intended cultivation.
 - b. Identification of any chemicals, fertilizers, or pesticides that will be used to cultivate plants to aid public safety officials in case of an emergency response to the location.
- (C) An Applicant shall pay a nonrefundable Administrative Cultivation Permit application fee as established by resolution of the City Council.
- (D) Within sixty (60) calendar days, the city will provide written notification of the complete application to the applicant, indicating whether the application has been approved or denied.

§ 120.06 REGULATIONS FOR ADMINISTRATIVE CULTIVATION PERMIT.

- (A) A private residence shall not include more than one cultivation site.
- (B) A person shall not cultivate more than six (6) living plants at a private residence. All marijuana plants and anything produced by the plants shall be kept within the permit holder's private residence, or upon the grounds of that private residence, and not be visible by normal unaided vision from a public place.
- (C) A private residence shall not also be used for a day care, youth center, or group home. The private residence shall remain occupied and is required to maintain a functioning kitchen, bathroom(s), and the use of the two-car garage for their intended purposes.
- (D) Each of the following shall apply to the cultivation site:
 - 1. The cultivation site shall be located within the private residence.
 - 2. To prevent safety hazards, the private residence shall not have plumbing,

- electrical, or other utilities that violate applicable local or state regulations.
3. To prevent persons under twenty one (21) years of age from entering the cultivation site, the cultivation site shall have lockable door(s).
 4. The cultivation site shall not produce odors, sounds, or other emissions that are detectable by persons with reasonable sensitivity.
- (E) All of the following shall be prohibited in the cultivation site:
1. Volatile solvents including, but not limited to explosive gases, such as Butane, Propane, Xylene, Styrene, Gasoline, Kerosene, O2 or H2.
 2. Dangerous poisons, toxins, or carcinogens, such as Methanol, Iso-propyl Alcohol, Methylene Chloride, Acetone, Benzene, Toluene, and Trichloroethylene, unless evidence of a current license to operate such solvents is provided.
 3. Generators or gas products used to power electrical or lighting fixtures or equipment.
- (F) Not more than six (6) living plants may be planted, cultivated, harvested, dried, or processed within a single private residence at any one (1) time.
- (G) Each applicant shall pass an initial inspection of their cultivation site by a city inspector to ensure that the private residence meets the requirements of § 120.07 and does not pose a health or safety risk to the Applicant or public. If the inspection is denied, the applicant will have ten (10) calendar days to have the cultivation site re-inspected.

§ 120.07 EXPIRATION AND RENEWAL OF AN ADMINISTRATIVE CULTIVATION PERMIT.

- (A) An Administrative Cultivation Permit may be renewed no sooner than sixty (60) days of expiration.
- (B) The Administrative Cultivation Permit holder may be subject to ~~shall pass~~ a re-inspection of the cultivation site by the city inspector upon twenty-four (24) hours' notice.
- (C) Renewal of an Administrative Cultivation Permit is subject to a renewal fee as approved by resolution by the City Council.

§ 120.08. SUSPENSION AND TERMINATION.

- (A) The City may suspend or terminate an Administrative Cultivation Permit at any time for failure to comply with this chapter or state law or regulation.
- (B) If a person's Administrative Cultivation Permit is suspended, terminated, or expired, the permit holder's marijuana plants that exceed 28.5 grams may be assessed fines by the City until both of the following are met:
1. The person reinstates their Administrative Cultivation Permit.
 2. The person pays an administration penalty pursuant to § 120.15 PENALTIES.
- (C) A person may appeal any suspension or termination of an Administrative Cultivation Permit pursuant to § 120.14 APPEALS PROCEDURE.

§ 120.09 MULTIPLE ADMINISTRATIVE CULTIVATION PERMIT APPLICATIONS.

(A) Application for Administrative Cultivation Permit in a New Private Residence.

1. An Administrative Cultivation Permit holder may apply for an Administrative Cultivation Permit for a private residence other than the private residence specified on the existing permit. If the application is approved, the former Administrative Cultivation Permit shall be immediately null and void. If the application is denied, the existing Administrative Cultivation Permit shall continue under its applicable terms and conditions. If the applicant appeals a denial of the application, the existing Administrative Cultivation Permit shall continue under its applicable terms and conditions.

(B) Application for a Different Cultivation Site within the Same Private Residence.

1. If a current Administrative Cultivation Permit holder applies for an Administrative Cultivation Permit for the private residence on the existing permit but for a cultivation site other than specified on the existing permit, the existing permit will terminate upon approval of the application.

(C) Application for the Same Cultivation Site in Same Private Residence.

1. If an additional person applies for an Administrative Cultivation Permit for the same cultivation site within the same private residence of a current Administrative Cultivation Permit holder, a permit shall not be issued if the existing permit has been terminated or suspended. If the Administrative Cultivation Permit is approved for the additional Applicant, the total number of marijuana plants within a single private residence shall be limited to six (6). In no event shall the number of marijuana plants exceed six (6).
2. An additional Administrative Cultivation Permit for the same cultivation site shall only be issued if all Administrative Cultivation Permits related to that cultivation site are in good standing with the City.