

FILLMORE

Fillmore council votes to put medical marijuana tax on November ballot



Sunshine Johnston squeezes a bit of oil from a cannabis bud to smell for quality.

By Tony Biasotti, Special to The Star

Posted: 11:45 a.m.

The Fillmore City Council voted 5-0 to place on the November ballot a measure that would allow the City Council to tax marijuana sales at a rate of up to 15 percent, and to assess taxes on commercial cultivation of as much as \$30 per square foot of growing area for the first 3,000 square feet, and \$15 per square foot thereafter.

Those taxes would be on top of the standard sales tax of 7.5 percent.

The council could choose to set lower tax rates, but state law requires voters to approve the maximum level of any new city taxes.

Fillmore is the first city in Ventura County to seek voter approval for marijuana taxes; a handful of other cities in the state have done so, and the measures have typically passed by wide margins.

Fillmore does not allow any cultivation or sale of marijuana, medical or otherwise, and the tax measure would do nothing to change that.

Council members and City Manager Dave Rowlands said they wanted to get ahead of the curve and have a tax authorized in case Fillmore either chooses to allow dispensaries and grow operations, or is forced to allow them under state law.

The council has been discussing allowing some amount of cultivation and delivery of medical marijuana, and plans to revisit that topic at its Aug. 9 meeting.

It is also looking ahead to the possible approval in November of the Adult Use of Marijuana Act, a ballot measure that would legalize marijuana in California for nonmedical purposes and establish a 15 percent state tax on all sales.

If the measure passes, cities that don't have a tax authority in place would have to wait until the next general election, in 2018, to ask voters for one.

"We need to protect our right to tax these type of businesses," Rowlands told the council. "This is being proactive, in my opinion. You're not recommending to have cultivation or have dispensaries, but you have this on the books in case you're forced to have them, or if a city council in the future decides to allow them."

Tuesday's meeting drew medical marijuana users, patient advocates and representatives of dispensaries and delivery services from around Ventura County, some of them Fillmore residents. They urged the council to permit medicinal marijuana deliveries in Fillmore, and some

of them said the tax levels in the city ballot measure are too high.

"The taxes proposed are dangerously high and will only prevent legitimate providers from entering your city limits, and will encourage black market activity," said Mari Scott, the CEO of the California Emerald Club, a dispensary that delivers medical marijuana in Ventura County.

The per-square-foot taxes on cultivation, she said, are "the highest I've ever heard of."

Scott is also the CEO of the Ventura County Cannabis Alliance, a local industry and patient group. After the council vote, Scott and other providers and advocates said they're pleased with the direction Fillmore is going, even if they weren't happy with the idea of extra taxes on medical marijuana.

Fillmore is the first city in Ventura County to discuss taxing legal marijuana. It is also one of six cities with complete bans on growing and selling medical marijuana, but it is the only one of those to seriously consider lifting its ban, said Chelsea Sutula, the CEO of Sespe Creek Collective, another local delivery service, and the chair of the Cannabis Alliance's industry committee.

"They've been very open to meeting with us and very open to learning more about the issue," Sutula said. "They've been a little more proactive than some other council members in other cities."

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<http://www.vcstar.com/news/local/fillmore/fillmore-council-votes-to-put-medical-marijuana-tax-on-november-ballot-3554e863-f32e-4375-e053-01000-383306431.html>

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