

Monday, November 19, 2007

# HB bans medical marijuana dispensaries

## Council members had voted in 2005 to permit medical marijuana dispensaries to comply with the state law.

BY CINDY CARCAMO

THE ORANGE COUNTY REGISTER

HUNTINGTON BEACH Medical marijuana dispensaries are no longer legally allowed in Surf City after council members voted Monday to adopt an ordinance that essentially bans them from opening.

Surf City joined the increasing number of cities in Southern California that prohibit medical marijuana dispensaries after council members voted 5 to 2 to change the ordinance, after one person spoke against the ban.

Councilwomen Debbie Cook and Jill Hardy voted against the ban.

"People should have access to whatever medication to relieve their pain," Cook said.

One person spoke against the ordinance, stating that the ban would be "turning back the clock," adding that the ban would ignore the will of Californians who voted for the Compassionate Use Act about 11 years ago.

Huntington Beach is one of several cities that in the past several years have shied from a law that allows medical marijuana dispensaries to open and operate in the state.

"Yes. It's not perfect legislation...", said Derek Bercher, of Huntington Beach. "I would suggest that you wait and tell folks that we're open to compassion."

A handful of people spoke against the ban at a Nov. 5 public hearing tried to convince council member to regulate dispensaries instead of banning them. At the same meeting, Police Chief Kenneth Small gave a slide presentation on what he said were the dangers of medical marijuana dispensaries.

Huntington Beach has no medical marijuana dispensaries.

The closest legal medical marijuana dispensaries are in Los Angeles, lobbyists for medical marijuana said. Small said he knew of one operating in Anaheim.

People still had the option to cultivate marijuana for medicinal purposes, Small added.

Councilman Joe Carchio, who voted against the ban said he sympathized with those in pain but then added, "I do believe this is not a good mix for Huntington Beach."

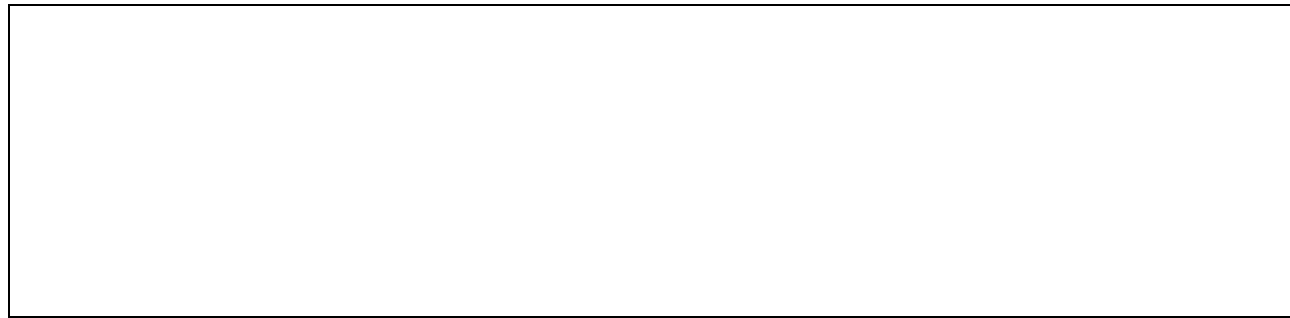
The City Council voted in 2005 to permit medical marijuana dispensaries in specified locations to comply with the state's Compassionate Use Act, which allowed people to use medical marijuana in California.

At the time, a U.S. Supreme Court decision was pending on the state act's relationship to the Federal Controlled Substances Act. In June of that year, the court upheld the federal act.

A month after the City Council voted to permit medical marijuana dispensaries, Coerper asked the council to reverse the city's laws.

Contact the writer: [ccarcamo@ocregister.com](mailto:ccarcamo@ocregister.com) or 714-445-6688

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