

### IMPARTIAL ANALYSIS OF MEASURE B

Measure B is proposed by voters in Butte County who signed an initiative petition. The measure is a proposed ordinance which implements restrictions on medical marijuana cultivation in Butte County. The proposed ordinance would:

1. Repeal Chapter 34A of the Butte County Code which regulates the cultivation of medical marijuana;
2. Impose the following cultivation limits by lot size and plant count:

<u>Lot size (acres)</u>	<u>Plants permitted</u>
0-0.5	Indoor only (detached structure 120 square feet maximum);
0.5-1.5	6 mature/12 immature plants;
1.5-3.0	18 mature/36 immature plants;
3.0-5.0	24 mature/48 immature plants;
5.0-10.0	48 mature/96 immature plants;
10.0-20.0	66 mature/99 immature plants;
20.0-40.0	72 mature/99 immature plants; and
40.0 plus	99 plants maximum;

3. Permit cultivation indoors or outdoors on lots greater than one-half of an acre;
4. Impose the following cultivation setbacks from property lines:

<u>Lot size (acres)</u>	<u>Setback (feet)</u>
0-0.5	15;
0.5-1.5	15;
1.5-3.0	20;
3.0-5.0	25;
5.0-10.0	50;
10.0-20.0	75;
20.0-40.0	100; and
40.0 plus	100;

5. Require that persons complaining about ordinance violations must (a) provide their name and address and (b) reside within 1,500 feet of the property that is the subject of the complaint with exceptions for schools, churches and similar facilities. The names of complainants shall be kept confidential at any hearing regarding the complaint;
6. Require that growers reside in Butte County for one year prior to cultivating;
7. Require that collective members be Butte County residents or an immediate family member or primary caregiver of a Butte County resident;
8. Require growers have a permitted permanent water well or connection to a municipal water source, not engage in unpermitted drawing of water and not permit illegal discharges of water from the premises;
9. Prohibit cultivation:

- within 1,000 feet of a school, park or similar facility;
  - within 600 feet of a school bus stop;
  - within 100 feet of an occupied residential structure on an adjacent parcel, with exceptions;
  - in any location where plants are visible from a public right of way; and
  - in certain designated zones.
10. Require growers to obtain landlord's written consent to cultivate;
  11. Require fencing unless the cultivation occurs on five acres or more and is not within public view;
  12. Impose civil penalties of \$500 per day for the first violation and \$1,000 per day for each subsequent violation; and
  13. Prohibit the Board of Supervisors from amending the proposed ordinance without voter approval.

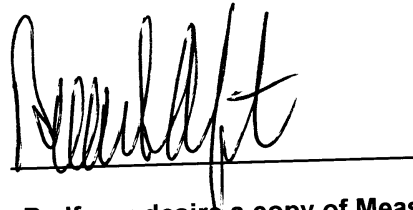
A "yes" vote is in favor of the proposed ordinance which would repeal Butte County's current regulations regarding the cultivation of medical marijuana and adopt the above provisions.

A "no" vote is a vote to reject the proposed ordinance and maintain Butte County's current regulations regarding the cultivation of medical marijuana.

This measure must be approved by a majority of the voters to take effect.

Bruce S. Alpert

Butte County Counsel

A handwritten signature in black ink, appearing to read 'Bruce S. Alpert', is written over a horizontal line.

**The above is an impartial analysis of Measure B. If you desire a copy of Measure B, please visit <http://buttevotes.net> or contact the Butte County Elections Office as 25 County Center Drive, Suite 110, Oroville, CA 95965, (530) 538-7761 or (800) 894-7761 within Butte County and a copy will be mailed to you at no cost.**