

VOTER'S BOOKLET

MEASURES, ANALYSES AND ARGUMENTS

(whichever is applicable to your ballot)

Arguments in support of, or in opposition to, the proposed laws are the opinions of the authors.

**MEASURE A
COUNTY OF BUTTE**

Shall Ordinance 4075, an ordinance amending Sections 34A-4, 34A-5 and 34A-8 to Article I, Chapter 34A entitled, "Restrictions on Cultivation of Medical Marijuana" of the Butte County Code, be adopted?

Yes

No

IMPARTIAL ANALYSIS OF MEASURE A

Measure A is a referendum on Ordinance 4075 adopted by the Butte County Board of Supervisors. A referendum submits a Board-adopted ordinance to a vote of the County's registered voters. On February 11, 2014, the Board of Supervisors adopted Ordinance 4075, amending Chapter 34A of the Butte County Code. A referendum petition to either repeal Ordinance 4075 or submit it to the voters received the required number of signatures. On June 10, 2014, the Board of Supervisors chose to submit the Ordinance to the voters. If approved by the voters, Ordinance 4075 would:

- 1. Set cultivation limits based on cultivation area, by lot size:

<u>Lot size (acres)</u>	<u>Cultivation area</u>
0-0.5	Indoor only (detached structure 120 square feet maximum);
0.5 - less than 5.0	50 square feet;
5.0 - less than 10.0	100 square feet; and
10.0 plus	150 square feet.

- 2. Permit cultivation indoors or outdoors on lots greater than 0.5 acre;
- 3. Require minimum recommendations:
 - lots 0.5 – 5.0 acres in size must have one or more recommendations associated with the plants;
 - lots 5.0 – 10.0 acres in size must have two or more recommendations associated with the plants; and
 - lots 10.0 or more acres in size must have three or more recommendations associated with the plants.

- 4. Require a single cultivation area, length and width of the cultivation area shall not exceed a ratio of 2:1;
- 5. Require cultivation and harvesting setbacks from property lines (with exceptions for unusual hardships):

<u>Lot size (acres)</u>	<u>Setback (feet)</u>
0-0.5	15;
0.5 - less than 5.0	50;
5.0 - less than 10.0	75; and
10.0 plus	150.

- 6. Provide that any person may make a complaint relating to violations;
- 7. Require that growers reside in Butte County for one year prior to cultivating;
- 8. Require growers have a permitted permanent water well or connection to municipal water, not engage in unpermitted drawing of water and not permit illegal discharges of water;
- 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 grown on 5 acres or more and not in public view;
- 12. Impose civil penalties of \$500 per day for the first violation and \$1,000 per day for each subsequent violation.

A "yes" vote means you support implementing these provisions.

A "no" vote means you do not support implementing these provisions.

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IMPARTIAL ANALYSIS, CONT.

If a majority of the votes cast on the measure are "yes", then the measure will be approved and Ordinance 4075 will become effective. If a majority of the votes cast on the measure are "no", then the measure will not be approved and Ordinance 4075 will not become effective.

/s/ Bruce S. Alpert
Butte County Counsel

The above is an impartial analysis of Measure A. If you desire a copy of Measure A, 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.

ARGUMENT IN FAVOR OF MEASURE A

Please join us in voting Yes on Measure A.

Measure A will preserve Butte County's rural quality of life by preventing large-scale commercial marijuana cultivation. It does Not affect patient access to medical marijuana.

Measure A establishes reasonable regulations to limit marijuana grows and combat the abusive practices being perpetrated by commercial marijuana growers-many of whom don't live here.

Quality Of Life: The Butte County Board of Supervisors unanimously passed the Comprehensive Marijuana Cultivation Ordinance-Measure A-in February to protect Butte County residents and communities from the intimidation and violence associated with large commercial marijuana grows.

Public Safety: Measure A prohibits outdoor marijuana grows in most residential neighborhoods to keep commercial drug activities away from our children and families. It improves law enforcement capabilities to safeguard our public lands and toughens security requirements at marijuana sites to better protect public safety.

Patient Access: Measure A protects patients who need medical marijuana in compliance with the Compassionate Use Act by permitting limited indoor grows.

Environment: Measure A strengthens environmental protections for our water and public lands. It will preserve local wildlife like the Fisher Martin which is being threatened by toxic chemicals from large marijuana grows.

Measure A stops out-of-town marijuana growers from profiteering at the expense of Butte County residents.

Measure A is a responsible solution to preserve Butte County's quality of life and ensure patient access to medical marijuana.

Vote Yes on Measure A to take back our neighborhoods. Vote Yes on Measure A to stop marijuana grower abuses. Vote Yes on Measure A to preserve our quality of life.

/s/ Michael L. Ramsey, Butte County District Attorney
/s/ Maureen A Kirk, Butte County Supervisor
/s/ Jerry W. Smith, Retired Butte County Sheriff
/s/ Sean Early, President, Butte County Cattlemen
/s/ Irv Leen, President, Butte County Farm Bureau

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE A

The district attorney and the sheriff have not been truthful in their arguments. Measure A would drastically impact both your property rights and qualified patient access to Medical Cannabis, by cutting back the number of plants allowed to almost nothing. Measure A is an ill-conceived extremist measure designed to stamp out cultivation of Medical Cannabis in Butte County.

The existing Cannabis cultivation ordinance protects residential neighborhoods, by requiring an approved, occupied home and an approved well on each parcel on which Medical Cannabis is grown. The existing Cannabis cultivation ordinance also has a one-year residency requirement. Measure A would Not Change Any of these requirements.

Measure A does nothing to protect the environment. The existing Cannabis cultivation ordinance has environmental provisions which strictly regulate water use, garden runoff, and use of pesticides. Measure A would Not Change Any of these requirements.

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REBUTTAL TO ARGUMENT IN FAVOR OF, CONT.

The D.A. and the sheriff want you to believe that all Medical Cannabis gardens cause problems. This is not true. The vast majority of Medical Cannabis growers in the County are good neighbors and good stewards of their land. They grow their own medical Cannabis to make sure they know exactly what is in it. They would never harm their land or their bodies, by introducing toxic chemicals into either. Why should everyone be punished, because of a few bad apples?

County officials have been very successful this year in obtaining compliance with the existing ordinance. Don't buy the fear campaign. Vote No on Measure A.

- /s/Andrew T. Holcombe, Attorney/Former Chico Mayor
- /s/Daniel Salmon Sr., Scooters Cafe Owner
- /s/Denice A Lessgard, Disabled Patient
- /s/Philip G. Seals, Disabled Patient

ARGUMENT AGAINST MEASURE A

Reasonable restrictions on cultivation are fine, but Measure A goes way overboard. Measure A is an effort to make growing medical Cannabis in Butte County almost impossible. Measure A would be the first Butte County ordinance to limit your right to grow a crop on your land to a small square footage.

Measure A would also be the first Butte County ordinance to authorize the Butte County Sheriff to conduct repeated warrantless trespasses to check for a medical Cannabis grow on your private property.

Measure A would limit your right to grow a crop on only 50 sq. ft. of parcels of less than 5 acres or smaller. Even if you own one of the largest parcels in the County, you could only grow a crop of medical Cannabis on 150 sq. ft of your land.

Butte County wants you to think that all Cannabis gardens are nuisances, in order to scare you. Butte County's existing nuisance ordinance is more than adequate to address any medical cannabis grow which becomes a nuisance. Under Butte County's existing Cannabis cultivation ordinance (which is identical to Measure B), only a 72-hour notice need be given before Butte County can take enforcement action.

Butte County also wants you to believe there are no environmental regulations in the existing Cannabis

cultivation ordinance. However, under the existing Cannabis cultivation ordinance and other County ordinances, water use, garden runoff, pesticides and grading are all strictly regulated. The existing ordinance isn't broken and doesn't need fixing.

Don't buy Butte County's fear campaign. Measure A lives in the past, just like the policy behind the federal War Against Marijuana, which has been a failure for 40 years. Stand up for your rights. Vote No on Measure A. For more information, go to www.bcaig.org

- /s/Andrew T. Holcombe, Attorney, Former Chico Mayor
- /s/ Denice Lessard, Patient
- /s/Anne Murphy, Patient
- /s/Philip G. Seals, Patient

REBUTTAL TO ARGUMENT AGAINST MEASURE A

Don't be fooled by the dubious claims being made by commercial marijuana growers.

Measure A does Not limit the ability of patients to get legal medical cannabis. The 50-square foot growing limitation contained in Measure A provides more than enough cannabis to accommodate the legitimate medical needs of any patient.

Measure A does Not weaken property rights. Instead, it protects private property and public lands from being "squatted on" and stolen by marijuana growers!

Local Control: Measure A stops abusive industrial-scale commercial marijuana cultivation that destroys our quality of life, pollutes our environment and jeopardizes our safety.

Economy: Measure A protects local jobs, farms and businesses. Marijuana mercenaries have already wrecked the economies of several other rural Northern California counties—including Lake and Mendocino. We can't afford to let it happen here!

Public Lands: Measure A gives Law Enforcement the tools to protect our environment from abusive practices of marijuana growers—who poison our water and threaten the ability of local residents and tourists to enjoy Butte County's public lands.

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REBUTTAL TO ARGUMENT AGAINST, CONT.

Water: Measure A prevents our water supplies from being diverted Away from local residents and farms to benefit out-of-town commercial marijuana growers.

Measure A is Local Control for Local Residents. The out-of-town marijuana growers opposing this Measure don't care about the quality of life in our communities. They just want to profit at our expense.

Butte County is a great place to call home. Voting Yes on Measure A will keep it that way.

www.ProtectButteCounty.com

/s/ Irv Leen, President, Butte County Farm Bureau
/s/ Michael L. Ramsey, Butte County District Attorney
/s/ Jerry W Smith, Retired Butte County Sheriff
/s/ Maureen Kirk, Butte County Supervisor