

**Amended Conditions of Approval for the Marin Alliance Medicinal
Marijuana Dispensary Use Permit Number 97-UP-2, Approved on
August 15, 2002**

1. The dispensary is to be operated in an area zoned as Limited Commercial (CL). A dispensary will not be located in a residential area.
2. No dispensary shall be operated within 500ft of any public or private school.
3. No dispensary shall be operated after 9:00 PM at night or before 9:00AM in the morning.
4. The dispensary shall not be in operation when there is any organized youth activity occurring within 500ft of the dispensary for which the dispensary has received at least 7 days prior notice. It shall be the responsibility of the permittee to prohibit dispensary clients from being on the parcel of real property that is the subject of the Use Permit at any time an organized youth activity is occurring within 500ft of the dispensary for which the alliance has received 7 days prior notice from the youth activity organizer.
5. Neither live marijuana plants nor cultivation of marijuana is permitted in the dispensary.
6. Except as provided in items 47 through 52, there shall be not transportation of medicinal marijuana.
7. No amount of medicinal marijuana which is unduly disproportionate to the average number of patients served by the dispensary may be stored in the dispensary.
8. All clients of the Marin Alliance for Medical Marijuana are required to possess a valid and current Marijuana for Medical Purposes identification card from the County of Marin Department of Health Services, the City and County of San Francisco Department of Public Health, or the City of Oakland Department of Public Health. The permittee will contract a licensed physician to conduct an audit of client records prior to the close of any six month use permit compliance period, and report the findings of the audit to the Town of Fairfax to ensure compliance with this condition.
9. Should the patient be a minor, the record shall include the signed consent of the parent or legal guardian of the minor.
10. Gravely ill, homebound patients may have a designated care-giver on record that shall be entitled to obtain marijuana on behalf of the patient.

11. Any designated care giver of a client of the Marin Alliance shall comply with any and all requirements as set forth by the health department grantee (either the Marin Department of Health and Human Services, the San Francisco Department of Public Health, or the City of Oakland Department of Public Health) from which the client has valid current identification card for the use of marijuana for medical purposes.
12. Prior to commencing business each day, the dispensary operator will record the total gross weight of all marijuana possessed at the dispensary which is no longer affixed to any living marijuana plant.
13. At the close the business each day, operators of the dispensary will record the total gross weight of marijuana dispensed on that date and the total gross weight of all marijuana possessed at the dispensary which is no longer affixed to any living marijuana plant.
14. The proprietor(s), as primary care givers, shall record upon an individual receipt and retain each transaction whether or not funds were exchanged during, or were involved in, the transaction.
15. Receipts will show the name of the person obtaining the marijuana.
16. Receipts will show the date, time and amount of marijuana dispensed.
17. Receipts will show the amount paid for the marijuana, if any.
18. Proprietor(s) shall maintain financial records identifying information for all savings accounts, checking accounts, investment accounts and trusts associated with the operation of the dispensary.
19. The proprietor(s) shall maintain ledgers documenting all credits and debits affecting said accounts.
20. Proprietor(s) shall maintain records documenting all parties involved in, amounts of and purposes, for all cash transactions.
21. Proprietor(s) shall maintain records of all transactions related to the operation of the dispensary, including but not limited to rent, utilities, inventory, insurance and payroll.
22. Proprietor(s) shall maintain the records regarding the actual address, including Assessor's Parcel Number, of each site that medicinal marijuana is cultivated, grown and/or harvested on behalf of the dispensary.
23. Proprietor(s) shall maintain the records regarding the estimated yield that the growth will provide during each harvest.
24. The dispensary shall not obtain marijuana from any other source.

25. The cultivation site(s) used as the source for medicinal marijuana shall not be designated in areas zoned as residential.
26. Proprietor(s) shall maintain all of the required records at the dispensary site at all times.
27. Unless the proprietor(s) use the alternatives set forth in items 36 – 38, below, all required records shall be subject to inspection by the Chief of Police, or his designee, without warrant and without notice, during the time the dispensary is open for business.
28. These records shall be subject to inspection by the Chief of Police, or his designees, without warrant and with reasonable notice at all other times.
29. Nothing in this section shall prohibit the discovery of seizure of records pursuant to court process.
30. Proprietor(s) may use alternatives for inspection of designated records. Records not specifically exempted herein shall be available to police inspection under the provisions of items 23 through 34.
31. As an alternative to police inspection and with the consent of the Marin County Department of Health and Human Services, the Marin County Department of Health and Human Services shall conduct the patient and care giver records inspection. With this alternative the proprietor(s) as primary care givers will maintain, for police inspection, the letter of consent and a letter verifying that an inspection has been conducted within 6 months. The letter of verification shall also contain the number of patients, and the estimated total marijuana by weight that is necessary to support patient requirements.
32. As an alternative to police inspection, receipts and financial records will be audited on a semiannual basis by a Certified Public Accountant (CPA). With this alternative the proprietor(s) as primary care givers will maintain, for police inspection, a financial summary of the report.
33. As an alternative to police inspection and with the consent of the Marin County Department of Agriculture, the Marin County Department of Agriculture shall inspect grower records and inspect the actual agricultural site. With this alternative the proprietor(s) as primary care givers will maintain, for police inspection, the letter of consent and a letter verifying that an inspection of the records and the growing site has been conducted within four months. The letter of verification shall contain the number of growing sites and the estimated yield, by weight, of medicinal marijuana.
34. The patient may transport no more medicinal marijuana than is recommended for use during the period of one week.
35. The medicinal marijuana shall be transported only between the dispensary and the patient's home.

36. A designated care-giver may transport medicinal marijuana to a patient only when the patient is so gravely disabled that the patient is not capable of traveling to the dispensary.
37. A designated care-giver may transport no more medicinal marijuana that is approved for each patient on the delivery route on the day that delivery is to be made.
38. The medicinal marijuana shall be transported only between the dispensary and the home(s) of the patient(s).
39. No amount of medicinal marijuana which is unduly disproportionate to the average number of patients served by the dispensary may be brought to the dispensary location.
40. When a patient or care-giver is in possession of medicinal marijuana, the person shall also be in possession of the identification card as specified in condition 8.
41. No medicinal marijuana will be used or consumed at the dispensary site.
42. No person shall use or consume medical marijuana in any public place or place open to the public.
43. No person shall use or consume medical marijuana in any private place without the consent of the property owners or agent in charge.
44. Proprietor(s) shall not distribute medicinal marijuana to any person without confirming the patient's lawful ability to obtain marijuana in compliance with Health and Safety Code Section 11362.5.
45. Proprietor(s) shall not provide medicinal marijuana to any person without confirming the patient's or care giver's identity by means of valid government issued identification which bears a photograph of the patient or care giver obtaining the marijuana.
46. Proprietor(s) shall not distribute any amount of medicinal marijuana which exceeds one ounce to, or on behalf of, any one person during any consecutive seven day period.
47. Any marijuana that is dispensed shall be in sealed containers. Commercially manufactured child-resistant containers shall be available.
48. The medicinal marijuana dispensary shall be equipped with an operable alarm system. This alarm system, at a minimum, will protect the perimeter of the dispensary and the location within the structure where medicinal marijuana is stored, packaged or dispensed.
49. The alarm is to be monitored by a professional alarm company at all times when the dispensary is closed for business.
50. All doors and windows of the premises shall be equipped with adequate security devices.

51. All medicinal marijuana and cash shall be stored in a locked safe at all times which the dispensary is closed for business.
52. This safe will be retained at the dispensary at all times.
53. The police department crime prevention officer is available to provide advice.
54. All medicinal marijuana and cash shall be stored in a locked safe at all times when the dispensary is closed for business.
55. This safe will be retained at the dispensary at all times.
56. Proprietor(s) shall notify the Fairfax Police Department of all criminal activity which is occurring at, or adjacent to, the dispensary.
57. This activity shall be reported as it is occurring, or when first discovered by the proprietor(s), and shall include all activity which can reasonably be determined to be criminal in nature.
58. For the purpose of these requirements the term: a) "Proprietor(s)" is defined to include, but not be limited to, all owners, directors, advisors, consultants, contractors, employees and volunteers engaged in, or assisting in the operation of a medicinal marijuana dispensary, whether operated for profit or not.
59. "Operator(s)" is deemed to be synonymous with the term "Proprietor(s)".
60. "Premises" is defined to include, but not be limited to, all offices, rooms, storage facilities, lockers, stationary conveyances, outbuildings, parking lots and ground, whether open to the public or not.
61. Any violation of these conditions shall be cause for revocation of the use permit.
62. The use must be conducted in compliance with the provisions of Proposition 215.
63. No persons under the age of 18 shall be permitted in the dispensary at any time.
64. No retail sales of any products other than medical marijuana will be permitted at the dispensary.
65. The hours of the dispensary will be limited to 9:00AM to 9:00PM.
66. The operator and/or property owners will be required to report any illegal activity occurring on the site or associated with the dispensary immediately. In addition, any application for such a use permit requires the written consent of the property owner as well as the proposed operator.

67. The dispensary is required to have a display on the front door and within the waiting room advising its clientele that no person under the age of 18 is permitted onto the premises.
68. The use shall be subject to all State adopted guidelines immediately upon adoption of such guidelines.
69. The use permit shall be revoked if any final judicial decision is made rendering the use illegal.
70. The applicant shall make a good faith effort to obtain any and all required permits and/or licenses from the State of County agencies having jurisdiction over this type of use (i.e. Marin County Health Department, State Board of Equalization, etc.).
71. There shall be no alcohol used on the premises of the dispensary.
72. The use permit is subject to a 6 month review by the Fairfax Planning Commission.