

APPENDIX B

**Notice to Operator of Intent to Notify State of Non-Compliance
State Template for Notice of Subsequent Non-Compliance**

County Of Santa Barbara

Mona Miyasato
County Executive Officer

105 East Anapamu Street
Room 406
Santa Barbara, California 93101
805-568-3400 • Fax 805-568-3414
www.countyofsb.org



Assistant County Executive Officers
Nancy Anderson
Jeff Frapwell
Terri Nisich

Executive Office

[DATE]

[Owner/Operator]

[Address]

Re: Notice of County's Intent to Send Letter to State Licensing Authority of Cannabis Operator's Lack of Compliance with Local Laws/Regulations

Dear [Owner/Operator]:

The County of Santa Barbara's County Executive Office (CEO) intends to send a letter to the State Licensing Authority within 30 calendar days of date of this letter to notify the State, in accordance with Business and Professions Code section 26055, that your cannabis operation does not comply with local laws and/or regulations.

Specifically, it has come to the CEO's attention that your cannabis operation:

- No longer has a land use application pending with the Santa Barbara County Planning and Development Department, as required to maintain legal nonconforming use status, and has not obtained a land entitlement
- Failed to file the required quarterly tax reports for two or more consecutive quarters as reported by the County Office of Treasurer-Tax Collector
- Failed to make appropriate progress through the Land Use Permitting Process as required by the Planning and Development Department
- Land use application or business license application has been rejected or denied
- Subject of a law enforcement investigation resulting in evidence suggesting violation of criminal or administrative statutes
- Subject of repeated neighborhood complaints describing actions detrimental to the quality of life in the surrounding neighborhood (e.g. odor complaints focused on a specific property)
- Other _____

If you disagree with this determination, you are entitled to schedule a meeting with County Staff within 10 calendar days from the date listed in this letter. At that meeting, you are welcome to offer explanations and/or evidence that would mitigate the concerns raised in this letter.

Should that meeting fail to resolve the issues in question, you will have the opportunity to request a hearing by submitting a written request at the County Executive Office at: 105 E. Anapamu Street, Room 406, Santa Barbara, CA 93101. The CEO's office will schedule a hearing with a neutral hearing officer. All decisions of the Hearing Officer are considered final. Enclosed is a copy of the County's State Licensing Contact Protocol that is also posted on the County's cannabis website at: <http://cannabis.countyofsb.org>.

You are not required to meet with the County Staff nor are you required to have a hearing. However, you are entitled to both steps in that process to ensure that your position is fully explained prior to a final decision to submit a notice of withdrawal to the State.

Sincerely,

Brittany Heaton
Local Compliance Officer
Principal Analyst – Cannabis Program
805-568-3409
brheaton@countyofsb.org

Notification of Local Non-Compliance

Template for the Local Jurisdiction to Communicate a Subsequent Non-Compliance Status for State ANNUAL and PROVISIONAL Licenses

Please use this form to notify the state if a licensee is no longer compliant with local ordinances. Based upon the notification provided, CalCannabis may subsequently initiate proceedings against the associated state license.

Primary Contact for Requests: cdfa.calcannabis_local_verification@cdfa.ca.gov

Submitted By: **Local POC**

Date Submitted: _____

Premises City Name: _____ Premises County: _____

Local Jurisdiction Point-of-Contact (POC) First and Last Name: _____

Local POC Title: _____

Local Permit No. _____ CDFA License Number: CCL#: _____
(i.e. CCL18-000100, CCL19-000101, CCL20-000102)

Local Permit Expiration Date: _____

Owner Names: _____

Legal Business Name: _____

Premises Street Address(es): _____

Premises APN(s) List here: _____

Please check box to note what action the local authority took against the local permit:

Local Action Type: Denied Revoked Suspended If so, How long? _____
 Other _____

Can Local Action be Appealed? Y N

If so, have all appeals been exhausted? Y N

Reason(s) for non-compliance must be included in the space provided below.

Attach supporting documentation in the form of the denial, suspension, revocation, or any other notice of non-compliance issued to the owner/business. If an appeal has been requested/resolved, please send appeal documentation.

e-Signature By Local Authority: _____ Date: _____