

ORDINANCE NO. 2026-842

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING REPEALING AND REPLACING CHAPTER 17.03, SECTION 17.03.070, OF TITLE 17 OF THE KING CITY MUNICIPAL CODE PERTAINING TO COMMERCIAL CANNABIS ACTIVITY

WHEREAS, the City of King (“the City”) has the authority, under its police power, to enact regulations for the public peace, morals, and welfare of the City, California Constitution Article XI, section 7; and

WHEREAS, pursuant to the City’s express statutory authority and its inherent police power, the City desires to repeal the employee work permitting requirements of Chapter 17.03, Section 17.03.070, of Title 17.

NOW THEREFORE, the City Council of the City of King does hereby ordain as follows:

SECTION 1. The above recitals are incorporated hereto by reference as if fully restated.

SECTION 2. The Ordinance is exempt from the California Environmental Quality Act (“CEQA”) because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. (CEQA Guidelines § 15061(b)(3).) Further, the adoption and implementation of this Ordinance is not a project, as defined in CEQA Guidelines section 15378, because it has no potential for resulting in physical change to the environment, either directly or indirectly, and is therefore not subject to environmental review under CEQA pursuant to CEQA Guidelines section 15060(c)(3).

SECTION 3. Chapter 17.03, Section 17.03.070, of Title 17, of the King City Municipal Code is hereby repealed and replaced to read as follows:

Chapter 17.03

COMMERCIAL CANNABIS ACTIVITY

Section 17.03.070 ~~Employee work permits.~~ (Reserved)

~~(a) — Every employee or independent contractor working at a commercial cannabis business or involved in the transportation related services for a commercial cannabis business shall obtain an employee work permit issued by the city. It shall be the responsibility of the commercial cannabis business permit holder to ensure that the employee or independent contractor has received their work permit from the city prior to commencing any work. Persons who are listed as the commercial cannabis permit holder shall not be required to obtain an employee work permit if such person also serves as an employee or contractor.~~

~~———— (b) — Each prospective employee or independent contractor shall be required to submit an application to the city manager so that a background check can be performed by the chief of police. The application shall contain the following:~~

~~———— (1) Name, current resident address, and telephone number.~~

~~———— (2) Date of birth.~~

~~———— (3) Social security number, tax identification number or state of California identification card.~~

~~————(4) Height, weight, eye color and hair color.~~

~~————(5) Photographs for identification purposes (photographs may be taken by the King City police department or the prospective employee may provide the city with a United States Passport quality photograph).~~

~~————(6) Be fingerprinted by the King City police department or the California Department of Justice LiveScan system and agree to a criminal history records check conducted by the city manager based upon their fingerprints.~~

~~————(7) Such other identification and information as deemed necessary by the chief of police and pertinent to the employee work permit.~~

~~————(8) Authorization for the city manager to seek verification of the information contained within the application, including, but not limited to, the prospective employee's criminal arrest and credit history.~~

~~————(9) The name of the commercial cannabis permit holder for which the applicant is seeking to work.~~

~~————(c) ——— Every applicant for an employee work permit shall provide the city with a non-refundable fee, as established by resolution of the city council, to process their application. The fee shall include an amount to cover the costs of fingerprinting, photographing, background checks as well as general review and processing of the application. In the alternative, the applicant may provide the city manager with a completed background check performed by a third party vendor approved by the city.~~

~~————(d) ——— The city manager, upon receiving a properly completed application and payment of the application fee or a completed third party background check, shall conduct an investigation into the information provided by the applicant. The background check and investigation or review shall be complete within thirty days of receiving the properly completed application and completed background check. The city manager shall provide the applicant with notice either approving or denying the requested employee work permit within fifteen days of completing the background check and investigation. The city manager, in their sole discretion, may conditionally approve the issuance of an employee work permit pending completion of the background check and investigation. Notice of the decision shall be personally served or mailed to the applicant via U.S. mail. Notice of the decision is presumed served upon the applicant at the time it is deposited within the U.S. mail. The decision of the city manager on an employee permit shall be~~

~~————(e) ——— An employee work permit shall be denied based upon any of the following grounds:~~

~~————(1) The applicant has been issued a local or state permit or license to conduct commercial cannabis activities at any other location within the state of California or another state and the permit or license was suspended or revoked, or the applicant has had disciplinary action relating to the permit or license.~~

~~————(2) The applicant has been convicted of a serious or violent offense as listed within California Penal Code Sections 667.5 and 1192.7(c).~~

~~————(3) The applicant has been convicted of any offense listed within Business and Professions Code Section 19323.~~

~~———— (4) The applicant has been convicted of a misdemeanor involving theft, dishonesty, fraud, narcotics sales or narcotic trafficking within the five years preceding the date of the application.~~

~~———— (5) The applicant has been convicted of a felony involving the illegal use, possession, transportation, distribution or similar activities related to controlled substances, as defined within the Federal Controlled Substance Act, unless the applicant received a Certificate of Rehabilitation as defined in the Act.~~

~~———— (6) The applicant has engage in misconduct related to the qualifications, functions or duties of their position with the commercial cannabis business.~~

~~———— (7) The applicant has engaged in unlawful, fraudulent, unfair, or deceptive business practices as defined by the King City Municipal Code and/or state or federal law.~~

~~———— (8) The applicant is under the age of twenty one, or any age as may be set by state law.~~

~~———— (9) The applicant meets any of the conditions identified within Business and Professions Code Section 26057(b).~~

~~———— (f) The city manager may suspend or revoke an employee work permit when the employee or independent contractor has committed any of the following acts:~~

~~———— (1) Any action which would be grounds for denial of an employee work permit.~~

~~———— (2) Any violation of this chapter, the King City Municipal Code, or any other applicable state or federal law governing the commercial cannabis business or activity.~~

~~———— (3) An employee or independent contractor working for a commercial cannabis testing facility is also employed or volunteers at any commercial cannabis business engaging in non-testing commercial cannabis activities.~~

~~———— (g) Prior to suspending or revoking an employee work permit, the city manager shall conduct a hearing. Written notice of the hearing shall be provided to the employee or independent contractor at least five calendar days prior to the hearing. The notice shall contain the basis for suspending or revoking the employee work permit. Notice may be provided by either personal service or U.S. mail. After the hearing, the city manager shall provide notice of the decision whether to suspend or revoke the employee work permit. The decision of the city manager shall be final, subject to judicial review. The employee or independent contractor has no right to appeal the decision to the city council.~~

~~———— (h) The city manager may immediately suspend an employee work permit without notice or hearing, subject to appeal rights as set forth in this chapter, under the following circumstances:~~

~~———— (1) The employee or independent contractor is convicted of a public offense in any court for the violation of any law which would be grounds for denial of an employee work permit.~~

~~———— (2) The chief of police determines immediate suspension is necessary to protect the health, safety and welfare of the community. The city manager shall provide notice of the grounds for immediate suspension of the employee work permit and the suspension shall only be for as long as reasonably necessary to address the grounds which led to the suspension.~~

~~——(i)—— An employee work permit shall expire two years from the date it was issued by the city. An employee work permit shall authorize the individual to work for any commercial cannabis business within the city limits of the city of King.~~

SECTION 4: EFFECTIVE DATE.

This Ordinance shall take effect and be in full force and effect from and after thirty (30) calendar days after its final passage and adoption. Within fifteen (15) calendar days after its adoption, the Ordinance, or a summary of the Ordinance, shall be published once in a newspaper of general circulation.

I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the ____ day of _____ 2026, and adopted the Ordinance after the second reading at a regular meeting held on the ____ day of _____ 2026, by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST

Erica Sonne, City Clerk

CITY OF KING

By: _____
MIKE LEBARRE, Mayor

APPROVED AS TO FORM:

By: _____
ROY C. SANTOS, City Attorney
Burke, Willians & Sorensen, LLP

I, _____, City Clerk of the City of King, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Ordinance passed and adopted by the City Council of the City of King on the date and by the vote indicated herein.