



Medical Marijuana Collective /Cooperative Regulatory Safety Permit - FAQ

Where do I find the application forms?

All forms related to the regulatory safety permit process can be found online at <http://www.santa-ana.org/cannabiscollectives/> or at the Santa Ana Police Department, located at 60 Civic Center Plaza, Santa Ana.

Who do I submit my application to?

All regulatory safety permits are processed through the Office of the Chief of Police. All applications must be submitted in person. To schedule an appointment to submit your application call (714) 245-8003 or email RegulatorySafetyPermits@santa-ana.org

What forms of payment are accepted?

Cashier's check or money order, made payable to the City of Santa Ana, are the only acceptable forms of payment.

Is my application fee refundable if I am not issued a permit or if my application is otherwise disqualified?

Your payment will not be refunded.

What forms do I have to complete?

The completed background packet consists of three forms (and any required attachments):

1. Regulatory Safety Permit Application
2. Individual Employee/Volunteer Application (one for each employee/volunteer)
3. Acknowledgement of Operating Standards

Note: A reference "application checklist" is also available for review on the website, <http://www.santa-ana.org/cannabiscollectives/>. However, this form is a reference for permitting staff use only and is not required for the regulatory safety permit. It is intended to provide applicants additional guidance regarding the regulatory safety permit application process.

How long will the background process take?

Upon receipt of a completed application, the background process will be concluded within 60 calendar days. The background process will not begin until the permitting staff deems your application complete.

Does every employee / volunteer / manager / operator need to submit a background check?

Yes, every employee / volunteer / manager will need to complete the employee / volunteer application and provided all required documents, including verification of livescan.

Where can I go for a livescan?

Livescans for all employees, volunteers, managers, and collective operator(s) will be conducted at the Santa Ana Police Department by Department personnel.

How long is the permit valid?

1 year.

When can I renew the permit?

You must notify the Santa Ana Police Department of your intent to renew at least 60 days before expiration of the regulatory safety permit. No temporary permits will be issued.

How will I be notified of permit approval?

Results of the regulatory safety permit process will be mailed via U.S. Postal Service Certified Mail to the agent for services of process.

What types of business structure can a Medical Marijuana Collective/Cooperative form to legitimately operate within the City in accordance with Measure BB?

To be permitted to operate within the City a Medical Marijuana Collective/ Cooperative should be formed on a nonprofit/not for profit basis as:

1. A Consumer Cooperative Corporation †
2. An Agricultural Cooperative Cooperation †
3. A Mutual Benefits Corporation
4. An Unincorporated Nonprofit Association whose Articles of Association and By-Laws clearly establish the nonprofit/not for profit aims of the association.

† No Medical Marijuana Collective/Cooperative may use “cooperative” or “coop” as part of their name unless organized as a Consumer Cooperative Corporation or Agricultural Cooperative Cooperation.

Special Note: Medical Marijuana Collectives/Cooperatives claiming status as an Internal Revenue Code Section 501 “Nonprofit Organization” must provide all information required to validate the claim of nonprofit organization status including but not limited to a determination of such status by the California Franchise Tax Board and/or IRS. Failure to fully validate a claim of nonprofit organization status may result in a denial of applicant’s Regulatory Safety Permit.

What are the requirements for the ventilation system?

1. Mechanical Plans are required to be submitted to the Building Division.
2. Exhaust fans are required to be installed that will provide a minimum of (10) air changes an hour.
3. The exhaust fans shall have a means of replacing the exhausted air with makeup air. Either interlocked mechanically or negative pressure natural ventilation.
4. Calculations will be required on the plans to show that the exhaust fans will be creating a negative pressure in the business so as to draw in fresh ventilation air.
5. The inlet of each exhaust will have a carbon filter installed. The filters will have a monthly replacement schedule. Owner/Operator shall maintain written service records and provide them to the City upon request.
6. Each exhaust fan will be independently ducted out through the roof of the business.
7. Penetrations larger than (96) square inches will require Police department approval before rough mechanical inspection can be approved.
8. New and existing roof top units shall have their filters upgraded to a minimum of MERV 8 and shall have a replacement schedule of monthly. Owner/Operator shall maintain written service records and provide them to the City upon request.

How does the waitlist operate?

The wait list can be thought of in a few ways. The first is in overall numbers. If a collective/cooperative was the 250th number drawn, that entity would be 250th on the wait list. Second, a cooperative/collective is also waitlisted in context with a specific location. If a waitlisted entity is the 1st waitlisted number behind a selected location, should the selected applicant fall out of the Regulatory Safety Permit for that location, the waitlisted entity is eligible for that location unless there is an eligible applicant for a different location that is higher on the wait list and meets the separation criteria, but was not one of the first 20 applications.

For more information, additional forms and a copy of the ordinance please visit <http://www.santa-ana.org/cannabiscollectives/>

FAQ Addendum (Annual Certified Audit)

When and how do I file my certified annual audit?

The certified annual audit required under Santa Ana Municipal Code (SAMC) section 18-617.5 [Audits] is due by February 15th of each year. The certified annual audit must reflect your Medical Marijuana Collective/Cooperative operations occurring during your declared fiscal year ending on or before December 31st of the preceding year and must address the criteria established under SAMC section 18.617.4 [Maintenance of records]. The certified annual audit must be received by the Office of the Chief of Police on or before February 15th and should be marked. The certified annual audit may be delivered in person, or sent via Certified United States Mail, or by Express Carrier (FedEx / UPS). To send via Certified United States Mail or by Express Carrier, please address as follows:

Santa Ana Police Department
Office of the Chief (M-18)
60 Civic Center Plaza
Santa Ana, CA 92701
Attn: Commander Jose Gonzalez

The following examples illustrate when your certified annual audit will be due.

Example #1 (Calendar Quarter Ending Fiscal Year): ABC Medical Marijuana Collective/Cooperative began legal operations on August 3, 2015. ABC Medical Marijuana Collective/Cooperative operates on a calendar fiscal year beginning January 1st and ending December 31st. As a result, ABC Medical Marijuana Collective/Cooperative must file a copy of a certified annual audit of its operational fiscal year that concluded concurrent with the end of the previous calendar year (December 31, 2015). Therefore, ABC Medical Marijuana Collective/Cooperative will be required to file a copy of a certified annual audit for the period of August 3, 2015 through December 31, 2015; due by February 15, 2016.

Example #2 (Non-calendar Quarterly Ending Fiscal Years): JKL Medical Marijuana Dispensary, QRS Medical Marijuana Collective/Cooperative, and XYZ Medical Marijuana Collective/Cooperative all separately began legal operations on November 2, 2015.

- JKL Medical Marijuana Collective/Cooperative operates on an April 1st through March 31st fiscal year,
- QRS Medical Marijuana Collective/Cooperative operates on a July 1st through June 30th fiscal year; and
- XYZ Medical Marijuana Collective/Cooperative operates on an October 1st through September 30th fiscal year.

Consequently, all three Medical Marijuana Collective/Cooperatives must file a copy of a certified annual audit of their operations from November 2, 2015 through to the end of their respective operational fiscal years which conclude during the course of the 2016 calendar year. Their certified annual audit copies will be due by February 15, 2017.

[SAMC Sec.18.617.4 - Maintenance of records.](#)

[SAMC Sec.18.617.5 - Audits.](#)