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## Medical marijuana dispensaries banned

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 Medical marijuana dispensaries won't be allowed to open in Contra Costa's unincorporated areas as county supervisors Tuesday unanimously agreed to ban them.

Too often dispensaries are a gateway for people with questionable medical ailments to obtain marijuana and then sell it on the streets, supervisors said.

"While I am empathetic to patients with serious and terminal illness, the marijuana dispensaries have attracted both criminal and nuisance problems to the communities where they operate," said Supervisor Mary Piepho of Discovery Bay.

Such facilities have been prohibited since the county approved a temporary moratorium in April 2006. But that moratorium expires April 10, which is why supervisors fast-tracked the permanent ordinance banning land uses that violate state or federal law.

Using marijuana -- even for medical purposes -- is illegal under federal law, according to a 2005 U.S. Supreme Court ruling. This conflicts with a state law voters passed in 1996 that permits residents with certain medical conditions to use marijuana with a doctor's recommendation.

M.E.D.'s Dispensary in El Sobrante -- the only legal medical marijuana business in the

unincorporated county -- can remain open since it applied for a land-use permit before the 2006 moratorium.

Banning new facilities will inspire a black market for medical marijuana sales, patient advocates told supervisors.

"The smart thing to do would be to regulate these (dispensaries) and have a safe environment rather than people having to go through backdoor means," said Armando Soto with Americans for Safe Access, a medical marijuana advocacy group.

Demetrio Ramirez, who used to run a Pacheco dispensary, yelled at the supervisors and had to be asked repeatedly to sit down after his three-minute speaking limit was up. County officials shut down his dispensary -- called Maricare -- last year because it violated the moratorium and didn't have a proper zoning permit.

"Maricare provides care for terminally ill patients," Ramirez said. "You have signed a death warrant."

Supervisors said that patients are still free to smoke marijuana in their homes for medical purposes or grow it themselves, as permitted by state law.

"The use of (medical) marijuana is allowed by patients who qualify," said Supervisor Susan Bonilla of Concord. "We're not changing that provision."

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