Lot of hot air from council stalls S. Tahoe pot ordinance

By Kathryn Reed

South Lake Tahoe is running out of time to approve a medical marijuana ordinance. The two-year moratorium allowing the three collectives that operate here expires in November.

The City Council on Aug. 2 got a little closer to telling staff what they want – even though the discussion has been going on for years. On this particular day three hours were devoted to the topic.

If the city doesn't approve an ordinance, the situation returns to pre-November 2009.

"Anyone could ask for a business license and open up shop," City Attorney Patrick Enright told *Lake Tahoe News* after the meeting as to what happens if the council stalls.

While it doesn't sound like any of the five council members is enthralled with the collectives being in town, they support the concept of medicinal marijuana. But more to the point, they don't want more shops opening.

The major sticking point Tuesday was whether a collective could be sold or how a successor would take over or if that should even be allowed.

At the Aug. 23 meeting the electeds will likely have two scenarios presented by counsel – prohibit the transfer of operations or allow it under defined circumstances.

Chris Ziegler was at the meeting this week. He has tried to be the fourth dispensary – Mountain Collective. He hired former

City Attorney Jacqueline Mittelstadt to represent him. However, the city is trying to deny that case from going forward by having her removed instead of fighting the case on its merits.

The issue with Mittelstadt is similar to what she went through (and won) with the State Bar when Councilman Bruce Grego and then Mayor Kathay Lovell tried to have her sanctioned.

Enright said the city is able to limit the number of pot shops because of secondary issues associated with them – namely the federal government doesn't recognize marijuana as a legal drug under any circumstance.

What the council did decide was the collectives should stay in their respective locations and not be moved to the industrial area.