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COMMERICAL CANNABIS BUSINESS PERMIT APPLICATION

For details about the information required as part of the application process, please see the Application Procedure Guidelines and additional requirements to complete the application process. All documents can be found on the Colfax website: www.colfax-ca.gov. All signatures must be wet and in blue ink.

APPLICANT (ENTITY) INFORMATION

APPLICANT (ENTITY) NAME: _____ DBA: _____

Business Address: _____ City: _____ State: _____ Zip: _____

PRIMARY CONTACT (Same as above? Yes No): _____

Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Business Formation Documentation: Describe how the business is organized (**attach related documents**).

Sole Proprietor Partnership Corporation LLC Limited Partnership Other (Describe Below)

COMMERCIAL CANNABIS BUSINESS ACTIVITY TYPE

1. Permit Type Sought (Select all that Apply)

Cultivation Distribution Manufacturing Testing

PROPOSED LOCATION

PROPERTY OWNER NAME: _____

Physical Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Zoning Verification Letter (**Please attach**): Yes No

Proposed Building(s) Square Footage: _____

CITY STAFF USE ONLY

APPLICATION # _____ SUBMITTAL DATE _____ FEE AMOUNT PAID \$ _____

OWNER INFORMATION

This Section must be completed by all business owners. Total ownership percentage must equal 100%.

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

Add more pages as necessary to accommodate all Commercial Cannabis Business Owners

DISCLOSURES

Have licenses or permits for commercial cannabis activities similar to those requested in this application been issued to, or suspended or revoked from, any applicant or owner in any jurisdiction? If yes, please provide (1) the name of the jurisdiction, (2) the type of license or permit in each jurisdiction, (3) the current status of each such license or permit, and (4) if a permit or license in any jurisdiction has been suspended or revoked, a detailed explanation of the basis for suspension or revocation. Attach a separate page for explanation if necessary.

List all Owners who have been convicted of a felony or have engaged in misconduct that is substantially related to the qualifications, functions or duties of a cannabis operator, applicant, owner or employee. A conviction within this section means a plea or verdict of guilty, or a conviction following a plea of no contest. Attach a separate page for explanation if necessary.

APPLICATION CERTIFICATION

I hereby certify, under penalty of perjury, on behalf of myself and all owners, managers and supervisors identified in this application that the statements and information furnished in this application and the attached materials present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. I understand that a misrepresentation of fact is cause for rejection of this application, denial of the permit, or revocation of a permit issued.

In addition, I understand that the filing of this application grants the City of Colfax permission to reproduce submitted materials for distribution to City staff, the City’s consultant, the City Attorney and City Council Members. All information in the application and any documents and information submitted therewith that cannot be obtained by a public record search shall be deemed confidential and proprietary and shall not be disclosed to the public.

Furthermore, by submitting this application, I understand and agree that any business resulting from an approval shall be maintained and operated in accordance with requirements of the City of Colfax and State law.

Under penalty of perjury, I hereby declare that the information contained in and submitted with the application is true, complete, and accurate. I understand that a misrepresentation of the facts is cause for rejection of this application, denial of a license or revocation of an issued license.

Applicant Name

Applicant Signature
(Wet signature in blue ink)

Title

Date

PROPERTY OWNER CONSENT

If applicant is other than the property owner(s), the owner(s) must provide a signed statement consenting to filing pursuant the requirements of the Colfax Municipal Code. **Wet signatures in blue ink only.**

The undersigned owner(s) of the subject property consent to the filing of this application and use of the property for the purposes described therein. We further consent and hereby authorize City representative(s) to enter upon the property for the purpose of examining and inspecting the property, preparing any reports and/or environmental review, and for all other purposes the City requires for processing the application.

_____	_____
Name	Signature (Wet signature in blue Ink)
_____	_____
Title	Date

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, 2020, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

Colfax Limitations on City's Liability and Certifications, Assurances and Warranties

(Must be completed by all applicants)

a. WAIVER AND RELEASE OF LIABILITY AND AGREEMENT TO INDEMNIFY THE CITY OF COLFAX

The applicant and all owners and operators of any commercial cannabis business operating pursuant to any permit, license or approval issued by the City of Colfax hereby waive and release the City and its subordinate and affiliated agencies, together with its elected officials, officers, permitting officials, agents, employees, insurers and attorneys (collectively and hereafter in this document "Releasees") from and against any and all liability, claims, demands, losses, damages, expenses and costs (including without limitation costs and fees of litigation) of every kind and nature whatsoever that arise from, or pertain to, or relate to the City's Commercial Cannabis Business permitting process, the application for a Commercial Cannabis Business permit, the issuance of any Commercial Cannabis Business permit, the failure or refusal of the City to issue a Commercial Cannabis Business permit, the conduct or operation of the Commercial Cannabis Business in the City, the enforcement of the conditions of any Commercial Cannabis Business permit, and the investigation, arrest, prosecution or conviction of Commercial Cannabis Business owners, operators, employees, agents, clients or customers of the applicant/permittee for a violation of state, federal or local laws, rules, ordinances or regulations related thereto. The applicant certifies that under no circumstances shall the applicant cause any lawsuit or cause of action for monetary damages to be filed or prosecuted against any of the Releasees that arises from, pertains to or relates to any application it may make or has made for a Commercial Cannabis Business permit, the issuance of any Commercial Cannabis Business permit, or the enforcement of the conditions of any Commercial Cannabis Business permit or any laws, rules, regulations and ordinances related thereto.

b. RELEASE CITY OF COLFAX FROM LIABILITY FOR ISSUING OR DENYING A PERMIT

The applicant/permittee, owners and operators of any commercial cannabis business authorized or permitted by the City, and each of them, waive and release the Releasees, and each of them, from any and all liability, claims, demands, losses, damages, expenses and costs (including without limitation costs and fees of litigation) of every kind and nature whatsoever that arise from, or pertain to, or relate to the City's Commercial Cannabis Business permitting process, the application for a Commercial Cannabis Business permit, the issuance of any Commercial Cannabis Business permit, the failure or refusal of the City to issue a Commercial Cannabis Business permit, the conduct or operation of the Commercial Cannabis Business in the City, the enforcement of the conditions of any Commercial Cannabis Business permit, and the investigation, arrest, prosecution or conviction of Commercial Cannabis Business owners, operators, employees, agents, clients or customers of the applicant/permittee for a violation of state, federal or local laws, rules, ordinances or regulations related thereto.

c. AGREEMENT TO INDEMNIFY CITY OF COLFAX

To the greatest extent permitted by law, the undersigned, jointly and severally, shall hold harmless, defend and indemnify the Releasees, and each of them, from and against any and all liability, claims, demands, losses, damages, expenses and costs (including without limitation costs and fees of litigation) of every kind and nature whatsoever that arise from, or pertain to, or relate to the City's Commercial Cannabis Business permitting process, the issuance of a Commercial Cannabis Business permit by the City, the failure or refusal of the City to issue a Commercial Cannabis Business permit, the conduct or operation of the Commercial Cannabis Business in the City, the enforcement of the conditions of any Commercial Cannabis Business permit, and the investigation, arrest, prosecution or conviction of Commercial Cannabis Business owners, operators, employees, agents, patients, clients or customers of the applicant/permittee for a violation of state, federal or local laws, rules, ordinances or regulations related thereto.

related thereto, except to the extent such injury, loss or damage is caused by the active negligence or willful misconduct of the Releasees.

- d. The commercial cannabis business applicant, manager, and anyone with an ownership interest in the business referenced herein represents and certifies they have submitted to a background check no earlier than 30 days prior to the date of this application.
- e. For renewals, the applicant represents and certifies that they continue to hold in good standing any permit/license required by the City, County, and State where applicable for a commercial cannabis business operation.
- f. The applicant understands that operators, employees, and members of the commercial cannabis business may be subject to prosecution under Federal Laws.
- g. The person whose signature appears below is authorized to sign this application on behalf of the commercial cannabis business and has submitted this information and all attachments as required by the application process to obtain a commercial cannabis permit from the City of Colfax.

I declare under penalty of perjury that the information provided on this form is true and correct and do hereby apply for a permit pursuant to Colfax Municipal Code Chapter 5.32 and in compliance with and all other applicable laws, rules, regulations and ordinances.

Applicant Signature
(Wet signature in blue ink)

Printed Name and Title

Date

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, 2020, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

APPLICATION SUBMITTAL CHECKLIST

Applications failing to submit any of the following items will be determined ineligible and will not move forward to Phase 2 of the Application Process:

- Complete and signed (**wet signature in blue ink**) Commercial Cannabis Business Application (pages 1-3)
- Property Owner Consent form. This shall be notarized. (page 4)
 - Proof of property ownership, proof of executed lease or purchase agreement, or a notarized letter of the owner's willingness to lease or sell the property.
- Limitations on City's Liability Waiver. This shall be notarized. (pages 5-6)
- Proof of payment of Application Fees (Phases 1-3, Zoning Verification, Owner Background Check)
- Organizational structure documents (e.g., Articles of Incorporation, bylaws, partnership agreements, etc.)
- Zoning Verification Letter
- Business Owner(s) Information:
 - Color copy of Driver's License or other valid government-issued photo identification.
 - Color copy of Social Security Card
 - Proof of address (DMV issued ID/Driver's License and/or recent utility bill under Business Owner's name)
- Business Owner(s) Background Application and Intelifi Background Waiver
- Phase 2 – Third-Party Submittal Items (outlined on Application Procedure Guideline)
 - Qualification of Owners/Managers (1.1 – 1.3)
 - Plans, Location, and Other Diagrams (2.1 – 2.4)
 - Business Plan (3.1 – 3.13)
 - Operations Plan (4.1 – 4.5)
 - Safety Plan (5.1 – 5.9)
 - Security Plan (6.1 – 6.5)
 - Neighborhood Compatibility Plan (7.1 – 7.5)
 - Community Benefits Plan (8.1)
 - Labor and Employment (9.1 – 9.3)