

NOTICE OF RESCHEDULED PUBLIC HEARING

1515 Dwight Way - Public Nuisance

NOTE DATE CHANGE: TUESDAY, JUNE 4, 2013, at 7:00 PM,

The above public hearing, previously scheduled for April 30, 2013, has been rescheduled. A public hearing will be conducted on **June 4, 2013** pursuant to Berkeley Municipal Code section 23B.64.030, to make a factual determination based on current evidence as to whether 1515 Dwight Way is in violation of: 1) BMC Chapter 12.26 The Patients Access to Medical Cannabis Act of 2008; 2) BMC Section 23A.12.010; 3) Health and Safety Code Section 11362.765(a); and 4) a Public Nuisance under BMC Section 23B.64.020 and order the use enjoined and terminated.

The public hearing will be held in council chambers at 2134 Martin Luther King Jr. Way.

For further information, please contact: Gregory Daniel, Code Enforcement, (510) 981-2482

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, in order to ensure delivery to all Councilmembers and inclusion in the agenda packet. Comments received no later than **Tuesday MAY 21, 2013**, will be included in the Council agenda packets. Communications received after that date, up to 5:00 p.m. on Tuesday, May 28, 2013 will be distributed to Council in Supplemental Packet 1 five days before the meeting. Communications received less than seven days before the Council meeting but prior to noon on the day of the meeting, will be distributed in Supplemental Packet 2 at the Council meeting. Comments received thereafter will be submitted to Council at the meeting and compiled into Supplemental Packet 3 the day after the meeting. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If the communication includes maps or photos or any other material not reproducible on a copy machine, fifteen copies should be provided to the City Clerk. For further information, call Mark Numainville, City Clerk, 981-6900. FAX: (510) 981-6901. TDD: (510) 981-6903.



Mark Numainville, CMC, City Clerk

NOTICE CONCERNING YOUR LEGAL RIGHTS: *If you object to a decision by the City Council, the following requirements and restrictions apply: 1) Pursuant to Code of Civil Procedure Section 1094.6, no lawsuit challenging a City decision may be filed and served on the City more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*