

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CODE OF THE CITY OF MARGATE, FLORIDA, PROVIDING FOR A SIX MONTH MORATORIUM ON THE APPROVAL OF ANY MEDICAL MARIJUANA DISPENSARY AND SIMILAR TYPE BUSINESSES WITHIN THE CITY OF MARGATE; PROVIDING FOR NOVEMBER REFERENDUM RESULTS; PROVIDING FOR CLARIFICATION FROM THE LEGISLATURE FOR DEFINITIONS AND USE CLASSIFICATIONS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 8, 2016, voters in the State of Florida will vote on a proposed constitutional amendment regarding legalization of the use of medical marijuana in the State of Florida; and

WHEREAS, the State Legislature will be providing further clarification regarding the definitions and use classifications, and further guidance associated with medical marijuana dispensaries and regulation authority of municipalities; and

WHEREAS, the City Commission finds that it is necessary to wait until after the results of the November 8, 2016 referendum and clarification by the State Legislature before approving medical marijuana dispensaries and similar type businesses in the City; and

WHEREAS, the City Commission finds that this Ordinance is necessary for the preservation of the public health, safety and welfare of the City's residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: That the City Commission deems it to be in the best interest of the health, safety, and

welfare of the citizens of the City of Margate that a six month moratorium be imposed on all real property within the City of Margate pertaining to the approval of any medical marijuana dispensary, or similar type business as described above, including Local Business Tax Receipts, Certificates of Occupancy, or any other development approval.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3: If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 4: This Ordinance shall become effective immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS 19TH day of OCTOBER, 2016.

PASSED ON SECOND READING THIS 2ND day of NOVEMBER, 2016.

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

MAYOR TOMMY RUZZANO

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RECORD OF VOTE - 1ST READING RECORD OF VOTE - 2ND READING

Simone	<u>YES</u>	Simone	<u> </u>
Peerman	<u>YES</u>	Peerman	<u> </u>
Talerico	<u>YES</u>	Talerico	<u> </u>
Ruzzano	<u>YES</u>	Bryan	<u> </u>
Bryan	<u>YES</u>	Ruzzano	<u> </u>