

ORDINANCE NO. 2017-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING ORDINANCE NO. 2016-47 TO EXTEND THE TEMPORARY MORATORIUM ON THE SUBMITTAL, PROCESSING, AND ISSUANCE OF LOCAL BUSINESS TAX RECEIPTS AND/OR LAND USE APPROVALS FOR MARIJUANA DISPENSING ORGANIZATIONS/MEDICAL MARIJUANA TREATMENT CENTERS FOR NINETY (90) DAYS AS CONTEMPLATED IN THE ENACTING ORDINANCE; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 8, 2016, the City enacted Ordinance No. 2016-47, establishing a temporary moratorium on the submittal, processing, and issuance of local business tax receipts and/or land use approvals for marijuana dispensing organizations/medical marijuana treatment centers for a period of ninety (90) days from the date of adoption of said ordinance; and

WHEREAS, Section 4: "Duration of moratorium/extension," of Ordinance No. 2016-47, provides for an extension up to two (2) times for a period not to exceed ninety (90) days each; and

WHEREAS, the City Commission finds that the problems giving rise to the need for the temporary moratorium established by Ordinance No. 2016-47 continue to exist, and that the ninety (90) day extension contemplated therein for the temporary moratorium on the submittal, processing, and issuance of local business tax receipts and/or land use approvals for marijuana dispensing organizations/medical marijuana treatment centers should be activated in order to allow City staff sufficient time to determine what uses are best suited to particular zoning categories and how to best formulate land development regulations that appropriately govern the use of real property for purposes of cultivating, processing, distributing or selling marijuana, or related activities; and

WHEREAS, the City Commission finds that the ninety (90) day extension is in the best interests of the residents of Coconut Creek.

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

Section 1: Ratification. That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2: Extension. That the temporary moratorium imposed on the establishment and operation of Medical Marijuana Dispensing Organizations and Medical Marijuana Treatment Centers by Ordinance 2016-47 is hereby extended for ninety (90) days within the corporate limits of the City of Coconut Creek.

Section 3: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 4: Severability. That should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 5: Effective Date. That this Ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 9th DAY OF MARCH, 2017.

PASSED SECOND READING THIS 23rd DAY OF MARCH, 2017.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, City Clerk

	<u>1st</u>		<u>2nd</u>
Belvedere	<u>Aye</u>	Tooley	<u>Aye</u>
Rydell	<u>Aye</u>	Rydell	<u>Aye</u>
Sarbone	<u>Aye</u>	Sarbone	<u>Aye</u>
Tooley	<u>Aye</u>	Belvedere	<u>Aye</u>
Welch	<u>Aye</u>	Welch	<u>Aye</u>