

ORDINANCE NO. 17-04

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, EXTENDING THE TEMPORARY MORATORIUM ON THE OPERATION OF MEDICAL MARIJUANA TREATMENT CENTERS AND DISPENSING ORGANIZATIONS WITHIN THE TOWN FOR A PERIOD OF THREE (3) MONTHS; PROVIDING FOR EXEMPTION; PROVIDING A SEVERABILITY CLAUSE, CONFLICTS CLAUSE AND AN EFFECTIVE DATE; AND OTHER PURPOSES.

WHEREAS, on November 8, 2016, Florida voters adopted an amendment to the Florida Constitution (“Amendment 2”) entitled “Use of Marijuana for Debilitating Medical Conditions;” and

WHEREAS, the Town Council of the Town of Lake Clarke Shores (the “Town”) adopted Ordinance No. 2017-02, on February 14, 2017, imposing a temporary moratorium on the operation of medical marijuana treatment centers and dispensing organizations within the Town for a period of six (6) months; and

WHEREAS, the Florida Legislature recently amended Section 381.986, Florida Statutes, authorizing municipalities to determine by ordinance the location of Medical Marijuana Treatment Centers Dispensing Facilities, and in the alternative, authorizing municipalities to ban Medical Marijuana Treatment Center Dispensing Facilities within its boundaries; and

WHEREAS, the Town is in the process of developing land development regulations governing the use of real property for purposes of cultivating, processing, distributing or selling marijuana or related activities; and

WHEREAS, said land development regulations cannot be adopted by the Town, and will not be effective, prior to the expiration of the temporary moratorium.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AS FOLLOWS:

SECTION 1. EXTENSION OF MORATORIUM. Ordinance No. 2017-02, imposing the temporary moratorium on the operation of medical marijuana treatment centers and dispensing organizations within the Town, is hereby extended for a period of three (3) months from its original date of termination.

SECTION 2. SEVERABILITY. If any section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of the ordinance.

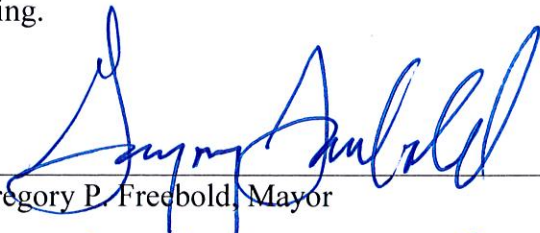
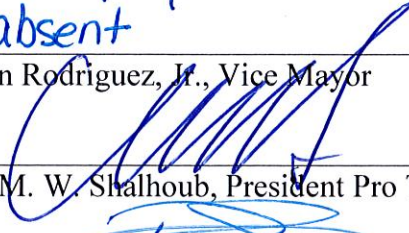

SECTION 3. CONFLICT. All of Ordinance No. 2017-02, except for the date of termination, as extended by this ordinance, shall remain in full force and effect. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective immediately upon its passage on second and final reading.

PASSED AND ADOPTED the 11th day of July, 2017, on first reading.

PUBLISHED the 20th day of July, 2017, in the Lake Worth Herald/Coastal Observer.

PASSED AND ADOPTED this 8th day of August, 2017, on second and final reading.

	FOR	AGAINST
By: <u></u> Gregory P. Freebold, Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>absent</u> Valentin Rodriguez, Jr., Vice Mayor	<input type="checkbox"/>	<input type="checkbox"/>
<u></u> Robert M. W. Shalhoub, President Pro Tem	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u></u> Paul R. Shalhoub, Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u></u> John Studdard, Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ATTESTED:


Mary Pinkerman, Town Clerk