

Sponsored by: Senmartin
Public Hearing Date: July 11, 2017
August 8, 2017
Enactment date: August 8, 2017

**CITY OF MARATHON, FLORIDA
ORDINANCE 2017-06**

**AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA
EXTENDING THE TEMPORARY MORATORIUM ON THE
OPENING OF ANY NEW MARIJUANA DISPENSING
FACILITIES OR MEDICAL MARIJUANA TREATMENT
CENTERS WITHIN THE CITY OF MARATHON FOR A PERIOD
OF ONE HUNDRED EIGHTY (180) DAYS FROM THE DATE OF
ADOPTION OF THIS ORDINANCE; PROVIDING FOR
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, on February 14, 2017, the City Council of the City of Marathon adopted Ordinance 2017-01 placing a temporary moratorium on the opening of any new marijuana dispensing facilities or medical marijuana treatment centers within the City of Marathon for a period of one hundred eighty (180) days to allow the City to legally review and promulgate reasonable amendments to its Land Development Regulations regarding marijuana dispensaries/medical marijuana treatment centers zoning; and

WHEREAS, on June 9, 2017, in a special session of the Florida Legislature, Senate Bill 8A regulating medical uses of marijuana passed both houses of the Legislature; and

WHEREAS, Senate Bill 8A was approved by the Governor on June 23, 2017 and immediately took effect as Chapter 2017-232, Laws of Florida; and

WHEREAS, the City Council of the City of Marathon hereby finds that a 180-day extension to the temporary moratorium imposed by Ordinance 2017-01 is necessary to give the City the time reasonably necessary to investigate the impacts of the new law, and if necessary, to promulgate reasonable regulations relating to medical marijuana establishments.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF MARATHON, FLORIDA:**

Section 1. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this ordinance.

Section 2. Beginning on the effective date of this Ordinance and continuing for a period of 180 days, or less if provided by an ordinance of the City Council, the moratorium is hereby extended on the opening of any new marijuana dispensing facilities or medical marijuana treatment centers within the City of Marathon.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Effective date. This Ordinance shall be effective immediately upon approval of the second public hearing.

**ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON,
FLORIDA, THIS 8TH DAY OF AUGUST, 2017.**

THE CITY OF MARATHON, FLORIDA


Dr. Daniel Zieg, Mayor

AYES: Coldiron, Cook, Bartus, Zieg
NOES: None
ABSENT: Senmartin
ABSTAIN: None

ATTEST:


Diane Clavier, City Clerk

APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:


David Migut, City Attorney