

## Legislation Text

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**File #:** 17-529, **Version:** 1

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**P.H. 2017-76: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING ORDINANCE NO. 2017-42; AMENDING CHAPTER 115, "MISCELLANEOUS BUSINESSES," BY CREATING SECTION 115.28, "MEDICAL MARIJUANA," TO BAN MEDICAL MARIJUANA USES WITHIN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**TABLED FROM JULY 11, 2017**

(**Staff Contact:** David Recor/Jean Dolan)

**Summary Explanation/Background:**

On July 11, 2017, the City Commission postponed consideration of an Ordinance (Option A to this agenda item) rescinding Pompano's Medical Marijuana Ordinance 2017-42 and instituting a full ban on all medical marijuana establishments. It was noted by the City Attorney at the hearing on July 11, 2017 that a partial ban could also be considered under the original advertised item for the total ban.

Pompano's Medical Marijuana Ordinance 2017-42 provides regulations for three categories of uses: Retail (dispensing); Industrial (growing) and Health Care (prescribing). An option to a total ban was to amend the Ordinance to simply delete regulations related to dispensing and ban those uses, allowing the other regulations on Industrial (growing) and Health Care (prescribing) to remain.

The attached Ordinance (Option B to this agenda item) was prepared which partially rescinds Ordinance 2017-42 relative to dispensaries (retail) and amends the proposed ban in Chapter 115.28 to medical marijuana dispensaries (retail) uses only. This approach retains the City's regulations on marijuana related industrial and health care uses while bringing the Ordinance more into compliance with State Law relative to dispensing establishments.

**Origin of request for this action:** Development Services

**Fiscal impact and source of funding:** N/A

