BEFORE THE TOWN COUNCIL OF
THE TOWN OF OCEAN BREEZE, FLORIDA
Ordinance Number 252-2017

AN ORDINANCE OF THE TOWN OF OCEAN BREEZE, FLORIDA
ESTABLISHING A TWELVE (12) MONTH MORATORIUM ON
MEDICAL MARIJUANA TREATMENT CENTERS; PROVIDING FOR AN
EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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WHEREAS, in light of the fact that implementing regulations, resulting from the
Voters' November, 2016 approval of Medical Marijuana Treatment Centers, have yet to be
promulgated by the State of Florida; and

WHEREAS, promulgation of these regulations is likely to take several months; and

WHEREAS, in the meantime it is important to provide Town staff with time to
undertake a study of appropriate distance separation requirements, appropriate locations
and other regulations of medical marijuana treatment centers; and

WHEREAS, a moratorium on applications for, or approval of, any permits or
development orders for medical marijuana treatment centers and facilities with similar
functions will maintain the status quo during the course of the study and planning process; and

WHEREAS, the Ocean Breeze Town Council finds it is in the best interest of the
citizens of the Town of Ocean Breeze to adopt a moratorium on applications for, or
approval of, any permits for medical marijuana treatment centers and facilities with similar
functions.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
OCEAN BREEZE, FLORIDA that:

SECTION 1:

Effective February 28, 2017 there shall be a twelve (12) month moratorium on the placement
of medical marijuana treatment centers and facilities with similar functions within the Town
during which no permit(s), licenses or other development orders of any kind shall be issued
for medical marijuana treatment centers and facilities with similar functions.
SECTION 2: All ordinances or parts of ordinances herewith are hereby repealed to the extent of such conflict.

SECTION 3: If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 4: This ordinance shall take effect upon adoption.

PASSED on First Reading this 13th day of February, 2017. Vice President De Angeles offered the foregoing ordinance and moved its adoption. The motion was seconded by Council Member Collins, and upon being put to a roll call vote, the vote was as follows:

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<th>ANN KAGDIS, PRESIDENT</th>
<th>NO</th>
<th>ABSENT</th>
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<td>KEN DE ANGELES, VICE PRESIDENT</td>
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<td>JERRY COLLINS, COUNCIL MEMBER</td>
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<td>RICHARD GEROLD, COUNCIL MEMBER</td>
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<td>TERRY LOCATIS, COUNCIL MEMBER</td>
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<td>DAVID WAGNER, COUNCIL MEMBER</td>
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ADOPTED on Second Reading this 28th day of February, 2017.

ATTEST:

PAM ORR
PAM ORR
TOWN CLERK

ANN G. KAGDIS
PRESIDENT

APPROVED AS TO FORM:

WILLIAM F. CRARY, II
TOWN ATTORNEY

KAREN M. OSTRAND
MAYOR