



**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SECTION 2: All ordinances or parts of ordinances herewith are hereby repealed to the extent of such conflict.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 13<sup>th</sup> 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:

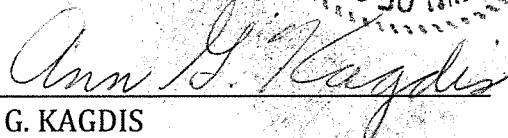
ANN KAGDIS, PRESIDENT  
KEN DE ANGELES, VICE PRESIDENT  
JERRY COLLINS, COUNCIL MEMBER  
RICHARD GEROLD, COUNCIL MEMBER  
TERRY LOCATIS, COUNCIL MEMBER  
DAVID WAGNER, COUNCIL MEMBER

YES	NO	ABSENT
X		
X		
X		
X		
X		
X		


ADOPTED on Second Reading this 28<sup>th</sup> day of February, 2017.

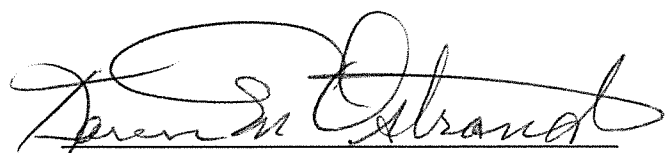
ATTEST:

  
\_\_\_\_\_  
PAM ORR  
TOWN CLERK

  
\_\_\_\_\_  
ANN G. KAGDIS  
PRESIDENT

APPROVED AS TO FORM:

  
\_\_\_\_\_  
WILLIAM F. CRARY, II  
TOWN ATTORNEY

  
\_\_\_\_\_  
KAREN M. OSTRAND  
MAYOR

