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 AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RATIFYING ORDINANCE NO. 2017-03's PROHIBITION OF CANNABIS-RELATED USES IN THE TOWN OF SOUTHWEST RANCHES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

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Ordinance No. 2017-<u>009</u>

New text is underlined and deleted text is stricken

of Southwest Ranches, Florida amended its list of permitted, conditional, and prohibited uses set forth in the ULDC; and

WHEREAS, on February 23, 2017, pursuant to Ordinance No. 2017-03, the Town

WHEREAS, since the Florida Legislature had not yet enacted rules and regulation for cannabis dispensaries, the Town listed them as a prohibited use in all zoning categories, but agreed to revisit the matter once the Legislature had acted; and

WHEREAS, on June 23, 2017, Governor Scott signed Senate Bill 8A into law;

WHEREAS, although Senate Bill 8A prohibits municipalities from establishing distance requirements between cannabis dispensaries, it allows municipalities to ban them completely; and

WHEREAS, the Town of Southwest Ranches is a rural municipality with limited police resources; and

WHEREAS, cannabis-related uses are generally an all cash business, which has resulted in them being targeted for illicit activity; and

WHEREAS, municipalities in both Colorado and Nevada have seen a substantial increase in robberies at cannabis dispensaries; and

1	WHEREAS, as a direct result of the Town's fiscal inability to provide additional
2	public safety personnel to help protect this use and the general public, and the Town's
3	inability to control the locations for this use, the Town believes that it is in the best interest
4	of the health, safety, and welfare of its residents to maintain its complete ban or
5	cannabis-related uses.
6	NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:
8	Section 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed
9	as being true and correct, and are hereby incorporated herein and made a part hereof.
10 11	Section 2: The Town hereby ratifies Ordinance No. 2017-03, and it maintains its complete ban on cannabis-related uses.
12	Section 3: Conflicts. All Ordinances or parts of Ordinances, Resolutions or
13 14	parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.
15	Section 4: Severability. If any word, phrase, clause, sentence or section of
16 17	this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.
18 19	<u>Section 5:</u> Effective Date. This Ordinance shall take effect immediately upon passage and adoption.
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25	[Signatures on Following Page]

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1	PASSED ON FIRST READING this <u>27th</u> day of <u>July</u> , 2017 on a motion
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3	made by <u>Council Member Jablonski</u> and seconded by <u>Council Member Schroeder</u> .
4	PASSED AND ADOPTED ON SECOND READING this 10^{th} day of <u>August</u> , 2017
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6	on a motion made by Court Head plantand seconded by Viewby British
7	
8 9 10 11 12	McKay Breitkreuz Fisikelli Jablonski Schroeder Mayes Nays Absent Abstaining
14 15	Doug McKay Mayor
16 17 18	Musal Want
19	Russell Muñiz, Assistant Town Administrator/Town Clerk
20 21	Approved as to Form and Correctness:
22 23	Approved as to Form and correctness.
24	Keith Poliakoff, J.D., Town Attorney
25 26	114203356.1

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