

AN ORDINANCE OF THE CITY OF CLINTON ESTABLISHING A NEW ARTICLE IN TITLE 6 CHAPTER 1, ARTICLE B FOR THE RESTRICTION OF SMOKABLE MEDICAL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, on June 26, 2018, the people of Oklahoma considered and approved State Question 788 which will permit the cultivation, processing, and retail sale of Medical Marijuana; and

WHEREAS, local jurisdictions such as Clinton have the opportunity to amend their Municipal Code to permit or disallow such uses to the extent which they are preempted by Title 63, Sections 420-426 of the Oklahoma Statutes; and

WHEREAS, the Council of the City of Clinton finds that the regulation of the cultivation, processing and retail sale of medical marijuana is necessary for the public health, safety, and welfare of Clinton.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLINTON OKLAHOMA:

SECTION 1.

That Title 6, Chapter 1, Article B, § 6-1B-7 shall be established to read as follows:

6-1B-7 Restrictions on Smokable Medical Marijuana and Medical Marijuana Products

- (a) All smokable, vaporized, vapable and e-cigarette medical marijuana and medical marijuana products ingested, smoked, or consumed by a patient license holder is subject to the same restrictions for tobacco under Section 1-1521 *et. seq.* of Title 63 of Oklahoma Statutes, commonly referred to as the “Smoking in Public Places and Indoor Workplaces Act.”
- (b) All smokable, vaporized, vapable and e-cigarette medical marijuana and medical marijuana products consumed or smoked by a patient medical marijuana license holder shall not be smoked nor consumed in the presence of a minor under the age of eighteen (18).

SECTION 2.

All Ordinances, or parts of Ordinances, in conflict with the provisions of this Ordinance are hereby repealed and replaced.

SECTION 3.

If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter, or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance.

SECTION 4.

An emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately from and after its passage, approval and publication.

PASSED, APPROVED and ADOPTED THIS _____ day of _____, 2018.

MAYOR

CITY CLERK