

AN ORDINANCE OF THE CITY OF CLINTON AMENDING TITLE 11, CHAPTER 1 AND CHAPTER 6 OF THE CLINTON CITY CODE; DEFINING CERTAIN LAND USES RELATED TO THE CULTIVATION, PROCESSING AND RETAIL SALE OF MEDICAL MARIJUANA, PROVIDING FOR THE DISTANCES FROM PUBLIC AND PRIVATE SCHOOLS; AMENDING PERMITTED LAND USE TABLE TO PERMIT THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES IN SPECIFIC ZONING DISTRICTS; 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 11, Chapter 1, § 11-1-5 is hereby amended to include the following definitions:

11-1-5 Definition of Terms

1. "Medical Marijuana Cultivation" means an establishment licensed under Title 63, Section 422 of the Oklahoma Statutes whereby the growing of medical marijuana is conducted on the premises and then sold to a licensed retailer or processor.
2. "Medical Marijuana Dispensary" means an establishment licensed under Title 63, Section 421 of the Oklahoma Statutes whereby the retail sale of medical marijuana is conducted on the premises.

3. "Medical Marijuana Processor" means an establishment licensed under Title 63, Section 423 of the Oklahoma Statutes, whereby marijuana plants are processed (packaged) into concentrates, edible, and other forms for consumption.

SECTION 2.

That Title 11, Chapter 6A, § 11-6A-2(B) is hereby amended to include:

Medical Marijuana Dispensaries.

SECTION 3.

All Ordinances, or parts of Ordinances, in conflict with the provisions of this Ordinance are hereby repealed and replaced.

SECTION 4.

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 5.

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