

- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42
- 43
- 44
- 45

Sec. 10-428. Upon the effective date of this ordinance and continuing for a period of 120 days, a moratorium is hereby imposed on the establishment of any Medical Marijuana

46 Treatment Center (MMTC) or cannabis dispensing facility, and on the expansion or
47 relocation of any existing cannabis dispensing facility, within the City of Tallahassee.
48

49 (a) During the moratorium, it shall be unlawful to establish, open or cause to be
50 opened any MMTC or cannabis dispensing facility within the City of Tallahassee.
51 Existing and established cannabis dispensaries located in the City of Tallahassee and
52 operating as of the date of this moratorium, specifically including the Trulieve and
53 Surterra Therapeutics dispensaries, are exempted from this subsection (a).
54

55 (b) During the moratorium, it shall be unlawful to relocate or cause to be relocated
56 any MMTC or cannabis dispensing facility within the City of Tallahassee.
57

58 (c) During the moratorium, it shall be unlawful to expand or cause to be expanded
59 any MMTC or cannabis dispensing facility within the City of Tallahassee. For purposes
60 of this subsection, expand shall mean an increase in the physical size of a facility.
61

62 (d) During the moratorium, the City of Tallahassee will not take any action on any
63 application for development permit or issue any development order or take other official
64 action which would have the effect of allowing or permitting the development of any
65 MMTC or cannabis dispensing facility, except as provided in this ordinance.
66

67 (e) During the moratorium, any applicant for any development permit, development
68 order or any other official City action, which would facilitate the establishment of a
69 MMTC or cannabis dispensing facility, shall be required to disclose the intention to
70 establish such a facility. In the event that it is determined by the City that an applicant for
71 a permit has failed to disclose the intent to establish a MMTC or cannabis dispensing
72 facility, the City shall be authorized to take any of the following actions:
73

74 (i) revoke or suspend any development permit, development order, certificate of
75 occupancy or license granted after the date of this ordinance;
76

77 (ii) suspend action on any application for any development permit, development
78 order or other official action, which would have the effect of allowing or
79 permitting the development of a MMTC or cannabis dispensing facility; and
80

81 (iii) take any and all such further action necessary to enforce this ordinance.
82

83 (f) The City Commission may lift or dissolve the moratorium imposed by this section
84 upon proper notice and a single public hearing.
85

86 Section 2. Conflict with Other Ordinances and Codes. All ordinances or parts of
87 ordinances of the City of Tallahassee, Florida, in conflict with the provisions of this ordinance
88 are hereby repealed to the extent of such conflict.
89

Section 3. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 4. Effective Date. This ordinance shall take effect immediately upon passage.

INTRODUCED to the City Commission on the 14th day of December, 2016.

PASSED by the City Commission on the 25th day of January, 2017.

CITY OF TALLAHASSEE

By: _____
Andrew D. Gillum
Mayor

ATTEST:

APPROVED AS TO FORM

By: _____
James O. Cooke, IV
City Treasurer-Clerk

By: _____
Lewis E. Shelley
City Attorney