

ORDINANCE 10-18-22
AUTHORIZING THE OPERATION OF MEDICAL CANNABIS DISPENSING SITES

WHEREAS, in the 2021 Legislative Session, the State of Alabama Legislature passed Act No. 21-450 (sometimes referred to as the “Act”) legalizing and creating a regulatory framework for medical cannabis; and,

WHEREAS, the Alabama Legislature made the following findings of fact:

1. “Medical research indicates that the administration of medical cannabis can successfully treat various medical conditions and alleviate the symptoms of various medical conditions.”
2. “There are residents in Alabama suffering from a number of medical conditions whose symptoms could be alleviated by the administration of medical cannabis products if used in a controlled setting under supervision of a physician licensed in this state.”
3. “Establishing a program providing for the administration of cannabis derivatives for medical use in this state will not only benefit patients by providing relief to pain and other debilitating symptoms, but also provide opportunities for patients with these debilitating conditions to function and have a better quality of life and provide employment and business opportunities for farmers and other residents of this state and revenue to state and local governments.”

WHEREAS, this Act requires the governing body of any municipality to authorize by ordinance the operation of the dispensing sites within the corporate limits of the municipality; and,

WHEREAS, a dispensary would be required to purchase a business license and pay sales tax to the City of Enterprise, thus increasing revenue; and,

WHEREAS, the City of Enterprise wishes to authorize the operation of medical cannabis dispensing sites within the corporate limits of the City of Enterprise to assure its citizens can benefit from the medical and economic benefits of medical cannabis.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Enterprise, Alabama, as follows:

Section 1 – Authorization. In accordance with Alabama Code §20-2A-51, a holder of a license granted by the State of Alabama pursuant to Act 21-450 is hereby authorized to operate a medical cannabis dispensing site within the corporate limits of the City of Enterprise subject to the provisions of Act 21-450 and any relevant provisions of the code, ordinances, resolutions, rules and regulations of the City of Enterprise.

Section 2 – Other Rules, Regulations, etc. The operation of dispensing sites within the corporate limits of the City of Enterprise is hereby authorized subject to any applicable zoning restrictions the City of Enterprise may adopt pursuant to §20-2A-51(c)(3), and such operations may be further subject to any other laws, rules, regulations, resolutions and/or ordinances which may exist or be hereafter adopted.

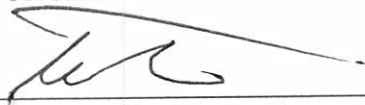
Section 3. – Conflicting Ordinances/Resolutions. All code sections, ordinances, resolutions, rules and regulations, or parts of the same, of the City of Enterprise, which are in conflict with this Ordinance, are to the extent of such conflict, hereby repealed. Otherwise, unless in such conflict with any said code, ordinance, resolution, rule or regulation of the City, or parts thereof, this Ordinance supplements the same.

Section 4. – Provisions Severable. The provisions of this Ordinance are severable. If any section, subsection or provision shall be declared to be invalid or unconstitutional by judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any other section, subsection or provision of this Ordinance.

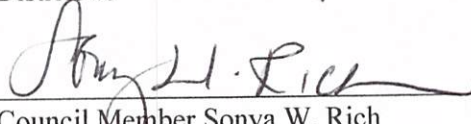
Section 5. – Effective Date. This ordinance shall take effect upon its approval by the City Council, or upon its otherwise becoming law, but shall nevertheless be published as required by law.

Duly Passed and Adopted this 14th day of November, 2022.

COUNCIL:



Council President Turner Townsend
District #5



Council Member Sonya W. Rich
District #1



Eugene Goolsby
Council Member Eugene Goolsby
District #2

Oppose
Council Member Greg Padgett
District #3

Scotty Johnson
Council Member Scotty Johnson
District #4

ATTEST:
Beverly Sweeney
Beverly Sweeney
City Clerk

Transmitted to the Mayor this 2nd day of November, 2022.

Beverly Sweeney
Beverly Sweeney
City Clerk

ACTION OF THE MAYOR:

Approved this 2nd day of November, 2022.

William E. Cooper
William E. Cooper
Mayor

ATTEST:
Beverly Sweeney
Beverly Sweeney
City Clerk

