

ORDINANCE NO. 2022- 14

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PHENIX CITY, ALABAMA, CHAPTER 46 – LICENSES, TAXATION, AND MISCELLANEOUS BUSINESS REGULATIONS, AND ADDING ARTICLE XVIII – MEDICAL CANNABIS

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

WHEREAS, the Alabama Legislature made a number of findings of fact, including:

“Medical research indicates that the administration of medical cannabis can successfully treat various medical conditions and alleviate the symptoms of various medical conditions.”

“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 the supervision of a physician licensed in this state.”

“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, the Act authorizes and requires the Medical Cannabis Commission to regulate dispensary operations, thus addressing any health, safety or welfare concerns for the citizens of the City of Phenix City; and

WHEREAS, the Act requires the governing body of any municipality by ordinance to authorize 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 Phenix City thus increasing revenue; and

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


NOW THEREFORE BE IT ORDAINED by the City Council of the City of Phenix City, Alabama, that Chapter 46 – Licenses, Taxation, And Miscellaneous Business Regulations be amended by adding Article XVIII – Medical Cannabis.

BE IT FURTHER ORDAINED, in accordance with Alabama Code §20-2A-51, a holder of a license granted by the State of Alabama pursuant to Act No. 21-450 is hereby authorized to operate a medical cannabis dispensing site within the corporate limits of the City of Phenix City subject to the provisions of Act No. 21-450, any relevant provisions of the *Code of Ordinances* of the City of Phenix City and any applicable zoning restrictions the City of Phenix City may adopt pursuant to §20-2A-51(c)(3), *Code of Alabama*.

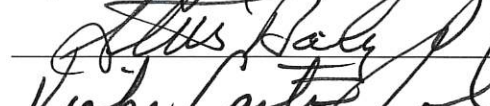
BE IT FURTHER ORDAINED, that any business license or sales tax revenue generated by medical cannabis dispensaries authorized by this Ordinance shall be deposited to the general fund.

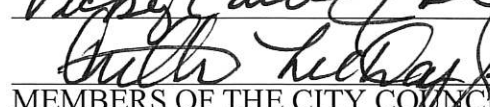
BE IT FURTHER ORDAINED, that this Ordinance shall become effective immediately upon its adoption, approval and publication as required by law.

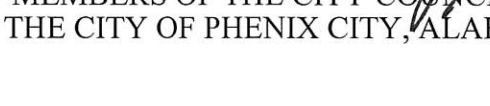
PASSED, APPROVED AND ADOPTED this 15th day of November, 2022.


MAYOR








MEMBERS OF THE CITY COUNCIL OF
THE CITY OF PHENIX CITY, ALABAMA

ATTEST:


CITY CLERK