

# ORDINANCE NO. 2022 – 1205

CITY OF RIVERSIDE  
COUNTY OF ST. CLAIR  
STATE OF ALABAMA

## AN ORDINANCE OF THE CITY OF RIVERSIDE, ALABAMA TO AUTHORIZE THE OPERATION OF MEDICAL CANNABIS DISPENSARIES WITHIN THE CORPORATE LIMITS OF THE CITY OF RIVERSIDE

**WHEREAS**, on May 17, 2021, the Governor of the State of Alabama signed into law the Darren Wesley “Ato” Hall Compassion Act, codified at Ala. Code, 1975, § 20-2A-1, et seq. (the Act), authorizes the cultivation, processing, and sales of cannabis products for medical use by patients with a qualifying medical condition and a valid medical cannabis card; and

**WHEREAS**, the Act requires the Alabama Medical Cannabis Commission to adopt rules that ensure safety, security, and integrity of the operation of medical cannabis facilities and protect the health, safety, and security of the public, thus heavily regulating all aspects of the medical cannabis industry, including dispensary operations, (See §§ 20-2A-50 – 20-2A-68, Code of Alabama); and,

**WHEREAS**, a dispensary, including a dispensary under an Integrated Facility License, may only operate in a municipality if the municipality has passed an ordinance authorizing the operation of dispensaries within the municipality’s corporate limits; and

**WHEREAS**, the operation of a medial cannabis dispensary in the City of Riverside will provide new revenue through business licensing and other taxes; and,

**WHEREAS**, the Council finds that it is in the best interest of the public health, safety, and welfare to authorize the operation of medical cannabis dispensing facilities within the City of Riverside, subject to the strict regulation and oversight of the Act and the Alabama Medical Cannabis Commission.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the City of Riverside as follows:

### SECTION 1.

- (a) The operation of medical cannabis dispensaries within the corporate limits of the City of Riverside is authorized, subject to any applicable zoning restrictions the City may adopt pursuant to Ala. Code, 1975, § 20-2A-51(c)(3).
- (b) The operation of any facility, regardless of type, licensed by the Alabama Medical Cannabis Commission within the City of Riverside shall comply with the Commission’s strict regulation and oversight and shall comply with all laws and ordinances for the operation of a business within the City, including, but not limited to business licensing and other required taxes, and with all applicable ordinances and codes for location, construction, and sanitation of business premises within the City of Riverside.
- (c) This ordinance shall be interpreted with respect to the Darren Wesley “Ato” Hall Compassion Act, Ala. Code, 1975, § 20-2A-1, et seq. and the rules of the Alabama Medical Cannabis Commission, as either is now or may hereafter be amended.

**SECTION 2.**

A certified copy of this ordinance shall be submitted within seven days of its adoption to the Alabama Medical Cannabis Commission by the City Clerk, as provided in Ala. Code, 1975, § 20-2A-51(c)(2).

**SECTION 3. SEVERABILITY.** The provisions of this ordinance are severable. If any part of this ordinance is determined by a court of competent jurisdiction to be invalid, unenforceable, or unconstitutional, such determination shall not affect any other part of this ordinance.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be effective when published as required by law.

**ORDAINED and ADOPTED** this 5<sup>th</sup> day of December, 2022.

  
\_\_\_\_\_  
Rusty Jessup, Mayor



ATTEST:   
\_\_\_\_\_  
Candace Smith, City Clerk

CERTIFICATION:

I, Candace Smith, as City Clerk of the City of Riverside, Alabama, hereby certify that the above Ordinance is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Riverside on the 5<sup>th</sup> day of December, 2022, as same appears in the official records of said City.

Posted at Riverside City Hall, Riverside Post Office, and Riverside Landing this the 6<sup>th</sup> day of December, 2022, in accordance with law.

  
Candace Smith

COUNCIL ACTION	
INTRODUCED	<u>11/21/2022</u> 
2ND READING	<u>12/05/2022</u>
AMENDED	_____
TABLED	_____
PASSED	<u>12/05/2022</u> 
FAILED	_____
OTHER	_____