

CITY OF BAYOU LA BATRE ORDINANCE 2023-001

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An Ordinance Authorizing the Operation of Medical Cannabis Dispensing Sites
within the City of Bayou La Batre
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WHEREAS, on May 17, 2021 Alabama Governor Kay Ivey signed the Darren Wesley "Ato" Hall Compassion Act ("the Act") into law, legalizing and creating a regulatory framework for medical cannabis, and such Act has been codified as Code of Alabama, §§20-2A-1, *et seq.*; and

WHEREAS, the Act provides for the medical use of medical grade products that contain a derivative of cannabis by patients with a qualifying medical condition and a valid medical cannabis card; and

WHEREAS, the Act authorizes and requires the Medical Cannabis Commission to heavily regulate dispensary operations, thus addressing any health, safety, or welfare concerns of the citizens of the City of Bayou La Batre; and

WHEREAS, the location of a dispensary within the corporate limits of Bayou La Batre will bring the potential of new employment opportunities for Bayou La Batre's citizens; and

WHEREAS, a dispensary would be required to obtain a business license and remit sales tax to the City of Bayou La Batre, thus creating new revenue; and

WHEREAS, the City Council of the City of Bayou La Batre previously adopted Resolution 2022-005 on October 6, 2022, to authorize medical cannabis dispensaries within the City of Bayou La Batre, but upon further review it has been determined that the Act requires that the governing body of a municipality must adopt an ordinance authorizing the operation of such dispensaries before any such business can operate in the municipality; and

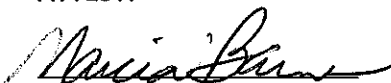
WHEREAS, the City of Bayou La Batre wishes to ratify its prior action by adopting this Ordinance authorizing the operation of medical cannabis dispensing sites within the corporate limits of the City of Bayou La Batre, subject to business license and other revenue and police requirements.

NOW, THEREFORE, BE IT ORDAINE BY THE CITY COUNCIL OF THE CITY OF BAYOU LABATRE, ALABAMA, that, in accordance with the Act, a holder of a license granted by the State of Alabama pursuant to the Act is hereby authorized to operate a medical cannabis dispensing site within the corporate limits of the City of Bayou La Batre, subject to the provisions of the Act and other applicable state law, and further subject to any applicable ordinance of the City of Bayou LA Batre, including, without limitation, applicable business license requirements as the same are applied to other businesses operating a pharmacy

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BAYOU LA BATRE, ALABAMA, THIS 5th DAY OF JANUARY, 2023.


Henry D. Barnes, Sr., Mayor

ATTEST:


Marcia Barnes, City Clerk