

BCC Mtg. Date: April 25, 2017

EFFECTIVE DATE: May 2, 2017

ORDINANCE NO. 2017-08

**AN ORDINANCE AMENDING SECTION 38-80, ORANGE
COUNTY CODE, TO EXTEND A TEMPORARY MORATORIUM
ON ANY AND ALL MEDICAL CANNABIS ACTIVITIES DURING
THE MORATORIUM PERIOD FOR ANY PROPERTY WITHIN
ANY UNINCORPORATED AREAS OF ORANGE COUNTY; AND
PROVIDING AN EFFECTIVE DATE**

WHEREAS, on August 23, 2016, the Board of County Commissioners adopted Ordinance No. 2016-18, effective on August 25, 2016, to place a temporary moratorium on Medical Cannabis Activities, as defined therein, for a period of time reasonably necessary for the County to determine the best way to regulate Medical Cannabis Activities for the benefit of the public health, safety, and welfare and to promulgate reasonable regulations relating to such activities if deemed advisable by the County; and

WHEREAS, in 2016 Florida voters approved Amendment 2, codified as Section 29, Article X of the Florida Constitution, which legalized medical marijuana for a broader group of patients than had previously been authorized under Florida law; and

WHEREAS, prior to the start of the 2017 legislative session, the Florida Legislature introduced at least six bills proposing to amend existing laws regulating the use of medical marijuana; and

WHEREAS, pursuant to Amendment 2, the Department of Health was given six months to undertake and complete rulemaking to implement Amendment 2; and

WHEREAS, given the rapidly changing laws regarding medical marijuana, and pending bills in the Florida Legislature proposing to amend existing laws regulating medical marijuana, the Board of County Commissioners hereby finds that this ordinance to extend the existing moratorium is in the best interest of the public health, safety, and welfare.

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE
COUNTY:**

Section 1. Amendment to Section 38-80. The Orange County Code, Section 38-80, Moratorium Regarding Medical Cannabis Activities Within Unincorporated Areas of Orange County, is hereby amended as set forth below, with the new language indicated by underlining and the deleted language being struck through:

Sec. 38-80. Moratorium Regarding Medical Cannabis Activities Within Unincorporated Areas of Orange County.

* * *

(c) *Moratorium Period.* Until the effective date of an ordinance establishing new or amended land development regulations concerning Medical Cannabis Activities within unincorporated Orange County, or until ~~May~~ November 23, 2017, whichever date is earlier, no development permits shall be issued for any Medical Cannabis Activities. Furthermore, the review of any applications for such Medical Cannabis Activities that may be pending on August 23, 2016, the date of adoption of this ordinance, shall be abated, and no new applications for such permits shall be accepted or processed during the moratorium period.

Section 2. Effective date. This ordinance shall become effective pursuant to general law.

ADOPTED THIS 25th DAY OF APRIL, 2017.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Teresa Jacobs*
Teresa Jacobs, Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk to the Board of County Commissioners

By: *Jennifer Lane-Clardy*
Deputy Clerk

