

PROPOSED

ORDINANCE NO. 2017-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO MEDICAL MARIJUANA; CREATING SECTIONS 1-309 THROUGH 1-313 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), ESTABLISHING A MEDICAL MARIJUANA ADVISORY BOARD; PROVIDING FOR THE BOARD'S MEMBERSHIP, MEETINGS, DUTIES, AND FUNCTIONS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Mark D. Bogen)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Chapter 1, Article XVI, of the Broward County Code of Ordinances is hereby created to read as follows:

[UNDERLINING OMITTED]

ARTICLE XVI. MEDICAL MARIJUANA ADVISORY BOARD

Sec. 1-309. Creation.

There is hereby created and established an advisory board to be known as the Medical Marijuana Advisory Board ("MMAB").

Sec. 1-310. Membership.

(a) The MMAB shall consist of eleven (11) members to be appointed by the Board of County Commissioners ("Board"). The Board shall appoint two (2) members at large to the MMAB. Additionally, each County Commissioner shall appoint one (1) member from the following categories:

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

- 1 (1) One (1) person with knowledge of the medical marijuana industry outside
- 2 Florida;
- 3 (2) One (1) person with knowledge of the Broward County public and private
- 4 educational system and the Broward County School Board;
- 5 (3) One (1) representative from the Broward Sheriff's Office;
- 6 (4) Two (2) representatives, nominated by academic institutions, with
- 7 appropriate scientific knowledge and experience in issues related to
- 8 medical marijuana;
- 9 (5) One (1) representative from the hospital districts in Broward County;
- 10 (6) Two (2) representatives from the business and economic development
- 11 community; and
- 12 (7) One (1) representative from the State of Florida Department of Health,
- 13 Broward County.

14 (b) Unless otherwise provided for in this article, members of the MMAB shall
15 serve in accordance with Section 1-233 of the Broward County Code of Ordinances.

16 **Sec. 1-311. Meetings; organization; and quorum.**

17 (a) The MMAB shall establish the time and place for holding its meetings and
18 shall adopt rules of organization and procedures as may be required, consistent with the
19 Broward County Code of Ordinances. The MMAB shall hold regular meetings as
20 needed to fulfill its duties and, at a minimum, shall hold quarterly meetings each year.
21 Public notices of all meetings shall be given in accordance with legal requirements and
22 all meetings shall be held in a public building.

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1 (b) Special meetings of the MMAB may be called by the Chair of the MMAB
2 or by initiative of a majority of its members, in accordance with Section 1-233 of the
3 Broward County Code of Ordinances.

4 (c) The MMAB shall elect one (1) of its members to serve as Chair and one
5 (1) member to serve as Vice-Chair, each of whom shall serve for one (1) year, or until a
6 successor is chosen. Initially, the member appointed to the category requiring a
7 representative of the medical marijuana industry outside Florida shall serve as Chair.

8 (d) A majority of the total members of the MMAB shall constitute a quorum. A
9 simple majority of votes by the members present and constituting a quorum shall be
10 necessary in order to adopt any measure.

11 **Sec. 1-312. Duties and functions.**

12 The MMAB's duties and functions shall include:

13 (a) Advising and making recommendations to the Board for improving
14 operations and services for growing, processing, and selling medical marijuana for
15 qualified patients and users of medical marijuana;

16 (b) Obtaining information concerning medical marijuana and related matters
17 within Broward County and advising the Board on same;

18 (c) Providing recommendations to the Board regarding regulations and fees
19 related to medical marijuana treatment centers;

20 (d) Developing programs to educate the citizens of Broward County as to the
21 benefits and disadvantages of the use of medical marijuana; and

22 (e) Such other tasks as may be assigned by the Board.
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1 **Sec. 1-313. Compensation and staff support.**

2 The members of the MMAB shall receive no compensation for the performance
3 of their duties hereunder. The Director of the Environmental Protection and Growth
4 Management Department, or designee, shall provide staff support to the MMAB.

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6 Section 2. SEVERABILITY.

7 If any portion of this Ordinance is determined by any Court to be invalid, the
8 invalid portion shall be stricken, and such striking shall not affect the validity of the
9 remainder of this Ordinance. If any Court determines that this Ordinance, or any portion
10 hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies),
11 or circumstance(s), such determination shall not affect the applicability hereof to any
12 other individual, group, entity, property, or circumstance.

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14 Section 3. INCLUSION IN CODE.

15 It is the intention of the Board of County Commissioners that the provisions of
16 this Ordinance shall become and be made a part of the Broward County Code; and that
17 the sections of this Ordinance may be renumbered or relettered and the word
18 "ordinance" may be changed to "section," "article," or such other appropriate word or
19 phrase in order to accomplish such intentions.

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Section 4. EFFECTIVE DATE.

This Ordinance shall become effective as provided by law.

PROPOSED

ENACTED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Joni Armstrong Coffey, County Attorney

By /s/ Maite Azcoitia 08/01/17
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
08/01/17
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