

# PROPOSED

## ORDINANCE NO. 2018-

1 AN ORDINANCE OF THE BOARD OF COUNTY  
2 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,  
3 PERTAINING TO THE MEDICAL MARIJUANA ADVISORY  
4 BOARD; AMENDING SECTION 1-310 OF THE BROWARD  
5 COUNTY CODE OF ORDINANCES ("CODE"), REPLACING  
6 THE MEMBER REPRESENTING THE STATE  
7 DEPARTMENT OF HEALTH WITH A QUALIFIED  
8 PHYSICIAN WITH EXPERIENCE IN TREATING  
9 QUALIFIED PATIENTS; AND PROVIDING FOR  
10 SEVERABILITY, INCLUSION IN THE CODE, AND AN  
11 EFFECTIVE DATE.

(Sponsored by Commissioner Nan H. Rich)

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

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16 Section 1. Section 1-310 of the Broward County Code of Ordinances is hereby  
17 amended to read as follows:

18 **Sec. 1-310. Membership.**

19 (a) The MMAB shall consist of twelve (12) members to be appointed by the  
20 Board of County Commissioners ("Board"). The Board shall appoint one (1) member  
21 who shall be a qualified patient advocate and two (2) members at large to the MMAB.  
22 The qualified patient advocate shall be a "qualified patient," "caregiver," or "close  
23 relative" of a qualified patient, as defined by Section 381.986, Florida Statutes.  
24 Additionally, each County Commissioner shall appoint one (1) member from one (1) of  
the following categories:

1 . . .

2 (7) One (1) ~~representative from the State of Florida Department of Health,~~  
3 ~~Broward County~~ "qualified physician" with experience in ordering medical  
4 marijuana for the treatment of "qualified patients," as those terms are  
5 defined in Section 381.986, Florida Statutes.

6 . . .

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8 Section 2. SEVERABILITY.

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

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16 Section 3. INCLUSION IN CODE.

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

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

**PROPOSED**

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Section 4. EFFECTIVE DATE.

This Ordinance shall become effective as provided by law.

ENACTED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:  
Andrew J. Meyers, County Attorney

By /s/ Maite Azcoitia 05/10/18  
Maite Azcoitia (date)  
Deputy County Attorney

MA/gmb  
05/10/18  
Medical Marijuana Advisory Board Qualifying Physician Ord.doc  
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