

ORDINANCE 2023-014

AN ORDINANCE AMENDING ORDINANCE 2018-010, AN ORDINANCE OF THE TOWN OF FORT GIBSON, OKLAHOMA AUTHORIZING AND PERMITTING COMMERCIAL MEDICAL MARIJUANA FACILITIES AT SECTION 5, OPERATIONAL REQUIREMENTS – COMMERCIAL MEDIAL MARIJUANA FACILITIES, PARAGRAPH 5, REQUIRED SPACING, AND REPEALING ORDINANCE 2022-002, SECTION 1.

THE BOARD OF TRUSTEES OF THE TOWN OF FORT GIBSON FIND:

That, Ordinance 2020-002 amended the language of Ordinance 2018-010, SECTION 5. Operational Requirements – Commercial Medical Marijuana Facilities by striking language prohibiting commercial medical marijuana facilities be located within one thousand feet (1000') from any college or university, church, house of worship or other religious facility, public or private park;

That, the Board of Trustees for the Town of Fort Gibson (hereafter “Board” or “the Board”), in an effort to provide additional protections to the children of the Town of Fort Gibson from potential exposure to controlled dangerous substances, the Board is hereby readdressing certain provisions of Ordinance 2018-010 regarding spacing requirements for commercial medical marijuana facilities.

That, the Board finds it is necessary to restrict and prohibit operations of commercial medical marijuana facilities from being located within one thousand feet (1000') from any educational institution or school, whether public or private, church, house of worship or other religious facility, child daycare or public park, with the minimum distance required herein stated being measured from the nearest entrance door of such educational institution or school, church, house of worship or other religious facility, child daycare, or public park entrance in a straight line to the front door or primary entrance of such commercial medical marijuana facility.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSEES OF THE TOWN OF FORT GIBSON THE FOLLOWING AMENDMENT TO THE ABOVE STATED ORDINANCE:

Section 5. Operational Requirements – Commercial Medical Marijuana Facilities.

5. Required Spacing. No commercial medical marijuana facility shall be located within one thousand feet (1000') from any educational institution or school, whether public or private, church, house of worship or other religious facility, child daycare or public park, with the minimum distance required herein stated being measured from the nearest entrance door of such educational institution or school, church, house of worship or other religious facility, child daycare, or public park entrance in a straight line to the front door or primary entrance of such commercial medical marijuana facility.

6. **Exception.** Any commercial medical marijuana business existing or having filed for a business license to operate within the Town limits at the time of enactment of this Ordinance shall not be affected thereby and is hereby exempt from the requirements hereof.

IT IS FURTHER ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FORT GIBSON THAT NO OTHER PROVISION OF ORDINANCE 2018-010, AS AMENDED, IS AFFECTED.

PASSED AND APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FORT GIBSON, OKLAHOMA, THIS 27 DAY OF March, 2023.



Tim Smith, Mayor



ATTEST: 
Nicole Sloat, Town Clerk

As amended on March 27, 2023, and effective April 5, 2023.