

Ordinance # 947(20)

AN ORDINANCE OF THE CITY OF MOORE, OKLAHOMA AMENDING PART 8, HEALTH AND NUISANCES, CHAPTER 12, MEDICAL MARIJUANA, SECTION 8-1210 LEGAL NONCONFORMING CLAUSE; PROVIDING FOR REPEALER AND SEVERABILITY.

NOW THEREFORE, BE IT ORDAINED BY THE City Council of the City of Moore, Oklahoma:

SECTION 1. Part 8, Chapter 12 Health and Nuisances shall be amended as follows, to-wit:

Sec. 8-1210. LEGAL NON-CONFORMING CLAUSE:

A. Any commercial medical marijuana business that has filed for a Certificate of Occupancy by January 1, 2020 and is in possession of a State issued medical marijuana license indicating the business activity being performed, yet is not zoned in compliance with the zoning restrictions contained in this chapter, will be allowed as legal nonconforming for purposes of the state required Certificate of Compliance.

B. If the entity is not in possession of an appropriate State issued medical marijuana license at the time of the filing of the Certificate of Occupancy by the January 1, 2020 deadline, and is not zoned in compliance with the zoning restrictions contained in this chapter, the proposed activity will be allowed as legal non-conforming for purposes of the state required Certificate of Compliance. The legal non-conforming status indicated on the Certificate of Compliance is subject to the entity providing an appropriate State of Oklahoma issued commercial medical marijuana license issued to that entity at the address indicated on the Certificate of Occupancy by June 1, 2020. If the entity has applied for and has been issued a commercial remodel permit between the dates of December 2, 2019 and June 1, 2020, the legal non-conforming status of the entity is subject to the entity obtaining all the needed signatures of the City by September 15, 2020 that is required by the State's Certificate of Compliance in order for that entity to obtain the State of Oklahoma issued Medical Marijuana License.

Once in possession of the state issued medical marijuana license, legal nonconforming status may continue so long as the use remains otherwise lawful, subject to the following provisions:

(1) No such legal nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied after January 1, 2020.

(2) No such legal nonconforming use shall be enlarged or increased or extended to occupy a greater area of land than was occupied as of January 1, 2020.

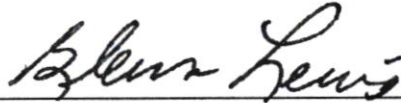
(3) If the legal nonconforming use ceases for any reason for a period of more than 30 days, any subsequent use of land shall conform to the zoning regulations contained in this section.

SECTION 2. CODIFICATION. The City Clerk is hereby directed to enter the added section into the appropriate place in the City of Moore Code as authorized and approved by this Ordinance.

SECTION 3. SEVERABILITY. If any provision, paragraph, word, section of article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

SECTION 4. REPEALER. All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

PASSED AND APPROVED BY THE CITY OF MOORE CITY COUNCIL OF THE CITY OF MOORE, OKLAHOMA,
THIS 6 DAY OF JULY, 2020.

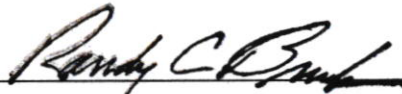


Glenn Lewis, Mayor

ATTEST

Vanessa Kemp, City Clerk

Approved as to form and legality this 6 day of JULY, 2020.



Randy Brink, City Attorney