Marana Ordinance No. 2019.024

Relating to Development; Amending Marana Town Code Title 17 (Land Development) by revising section 17‑6‑14 (medical marijuana dispensary) to extend the permissible hours of operation for medical marijuana dispensaries from the current hours of 7:00 a.m. to 7:00 p.m. to 7:00 a.m. to 10:00 p.m.

WHEREAS pursuant to Land Development Code (LDC) Section 17-3-1(A), any person seeking an amendment to the LDC must submit an application designating the change desired and the reasons therefor; and

WHEREAS Arizona Golden Leaf Wellness, LLC, a medical marijuana dispensary located in the Town, has submitted an application to amend LDC Section 17-6-14(C)(7) to extend the permissible operating hours for dispensaries; and

WHEREAS at its November 20, 2019 meeting, the Planning Commission voted 5‑0 to recommend adoption of the amendment to Section 17-6-14(C)(7) extending the hours of operation for medical marijuana dispensaries to 7:00 a.m. to 10:00 p.m.; and

WHEREAS the Town Council finds that adoption of this ordinance is in the best interests of the Town and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Marana Town Code Title 17 (Land Development) is hereby amended by revising section 17‑6‑14 (medical marijuana dispensary) as follows (with deletions shown with ~~strikeouts~~ and additions shown with double underlining):

[Paragraphs A and B are unchanged.]

* + - 1. A medical marijuana dispensary shall:

[Subparagraphs 1 through 6 are unchanged]

* + - * 1. Have operating hours not earlier than 7:00 a.m. and not later than ~~7:00~~ 10:00 p.m.

[Paragraphs D through F are unchanged]

SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. This ordinance shall be effective on the 31st day after its adoption.

Passed and adopted by the Mayor and Council of the Town of Marana, Arizona, this 17th day of December, 2019.

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|  | Mayor Ed Honea |
| ATTEST:    Cherry L. Lawson, Town Clerk | APPROVED AS TO FORM:    Frank Cassidy, Town Attorney |