



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 339

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING CHAPTER 110 OF THE CODE OF ORDINANCES OF THE CITY OF SAN LUIS, ARIZONA, TO PROVIDE FOR THE OCCUPATIONAL LICENSING OF MEDICAL MARIJUANA BUSINESSES; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

Whereas, the City Council of the City of San Luis, Arizona desires to make provision for the licensing of businesses dispensing or cultivating medical marijuana;

Whereas, the State of Arizona requires medical marijuana businesses to be nonprofit under A.R.S. §36-2804.06; and

Whereas, current Code of Ordinances of the City of San Luis Section 110.03(B) (passed as Ordinance 229) prohibits the City of San Luis from charging certain non-profit entities an annual license fee.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AS FOLLOWS:

Section 1. Section 110.03 (B) of the Code of Ordinances of the City of San Luis, Arizona is hereby amended to read as follows:

Any nonprofit entity, save and except entities engaged in the business of medical marijuana dispensary or medical marijuana dispensary offsite cultivation location, which has tax-exempt status under the Internal Revenue Code §501(c)(3), as certified by the Internal Revenue Service, and which is not exempt from obtaining a BOP license under § 110.02(B) is required to obtain a BOP license. The nonprofit entity shall furnish a copy of its tax-exempt certification with its application, and the entity shall not be charged a license fee. Entities engaged in the business of medical marijuana dispensary or medical marijuana dispensary offsite cultivation location, shall be charged a license fee.

Section 2. In the event of a conflict between the provisions of this ordinance and any other ordinance, resolution, regulation, or policy within the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this ordinance” shall govern.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or said referenced regulations

PASSED AND ADOPTED by the Mayor and City Council of the City of San Luis,
Arizona, this _____ day of _____, 2015

Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio, City Clerk

APPROVED AS TO FORM

Glenn J. Gimbut, City Attorney