



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 409

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AMENDING THE SAN LUIS CITY CODE SECTION 133.04 REGARDING MARIJUANA ESTABLISHMENTS WITHOUT DUAL LICENSE WITH MEDICAL MARIJUANA; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, the City of San Luis (“City”) seeks to protect public health, safety, and welfare by enacting reasonable regulations;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of San Luis, Arizona, as follows:

Section 1. Section 133.04 of the City Code is hereby amended to read as follows:

Operations of Marijuana Establishment or Medical Marijuana Dispensary or both to be in compliance with Zoning, Building, and Fire Codes:

- A. Marijuana establishments shall be regulated as outlined in Section 152.225 of the City Code.
- B. Any marijuana establishment, dual licensee, or medical marijuana dispensary shall be located in compliance with the City’s zoning regulations. Any such marijuana establishment, dual licensee, or medical marijuana dispensary shall conduct any cultivation, processing, or manufacturing in compliance with the most current regulations of the building and fire codes of the City as adopted in Chapter 150 of the City Code.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 3. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. Declaring an Emergency

Whereas the Arizona Department of Health Services (“ADHS”) will accept early applications at the latest on March 9, 2021, for Marijuana Establishment Licenses from applicant entities seeking to operate in a county with fewer than two registered Nonprofit Medical Marijuana Dispensaries; without declaring an emergency, this ordinance will become effective on March 12, 2021; it is necessary for the preservation of the peace, health and safety of the City of San Luis, Arizona, an emergency is declared to exist. This ordinance shall become immediately operative and in force from and after the date of the posting of this ordinance.

PASSED, ADOPTED and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona this ____ day of February 2021

Gerardo Sanchez, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney