

ORDINANCE NO. 21-03

AN ORDINANCE OF THE CITY OF PURCELL AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 123 (RETAIL MARIJUANA ESTABLISHMENTS) BY ADDING A SECTION 123-10 (MARIJUANA PROCESSING FACILITIES); REPEALING ALL OTHER CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PURCELL, OKLAHOMA:

That, Chapter 123 of the Purcell City Code is amended by adding a Section 123-10 which shall read in its entirety as follows:

SECTION I.

- A. Marijuana Processing Facilities are allowed in the City of Purcell but must acquire a city business license from the City Clerk. The fee shall be seven hundred fifty Dollars (\$ 750.00) per year, or other amount as set periodically by Council resolution. This fee shall be used to offset municipal expenses covering costs related to licensing, inspection, administration, and enforcement of regulations for Marijuana Processing Facilities. The license provide for herein shall run from July 1 to June 30 and the same will not be prorated for any license obtained after July 1 of any year.
- B. A Marijuana Processing Facility License will not be granted to any applicant where the proposed location is located outside an industrially zoned area of the corporate city limits of Purcell.
- C. Location Restrictions on Marijuana Processing Facilities
 - 1. A Marijuana Processing Facility License will not be granted to any applicant where the proposed location would be located within one thousand (1,000) feet from any entrance of the proposed permitted location to any entrance of the following property location, including streets and alleys:
 - a. private or public preschool, elementary, secondary, vocational or trade school, college or university;
 - 2. In all sections referencing places of worship or religious assemblies the location distance in feet between the place of worship or religious assembly and a marijuana processing facility, regardless of the nature of said

- establishment, shall be measured in a straight line from the nearest door of the marijuana processing facility to the nearest door of the church or religious assembly. The distance shall remain 750 feet.
3. A Marijuana Processing Facility License will not be granted to any applicant where the proposed location would be located within seven hundred fifty (750) feet of any of the following locations with said distance computed by direct measurement in a straight line from the nearest property line of the parcel of land on which the use is located to the nearest property line of the building or unit in which the proposed retail marijuana establishment would be located, including streets and alleys:
 - a. A library or museum;
 - b. A public playground;
 - c. A child care center;
 - d. A public park, pool, or recreation facility;
 - e. A juvenile or adult halfway house, correctional facility or substance abuse rehabilitation or treatment center;
 4. A Marijuana Processing Facility License will not be granted to any applicant where the proposed location would be located within two hundred (200) feet of any of the following locations with said distance computed by direct measurement in a straight line from the nearest property line of the parcel of land on which the use is located to the nearest property line of the building or unit in which the proposed marijuana processing facility would be located, including streets and alleys:
 - a. A residentially zoned district
- D. Buildings where marijuana is stored or dispensed must be equipped with ventilation/air filtration systems so that no odors are detectable off premises.
 - E. Marijuana Processing Facilities must collect the applicable sales tax on all sales.
 - F. Any violation of this section may result in the revocation of the Marijuana Processing Facility License for a period of up to two (2) years from the date of revocation. Determination of violations that result in revocation shall be made by the City Manager or his/her designee.

SECTION II. REPEALER

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III. SEVERABILITY


If any part of this Ordinance shall be held to be invalid or ineffective, the remaining portions shall not be affected.

SECTION IV. EMERGENCY

Whereas, it being immediately necessary for the preservation of the peace, health, welfare and safety of the City of Purcell, Oklahoma and the inhabitants thereof that the provisions of the ordinance be put into full force and effect, an emergency is hereby declared to exist by virtue hereof; this ordinance shall be in full force and effect from and after its approval, passage and publication.

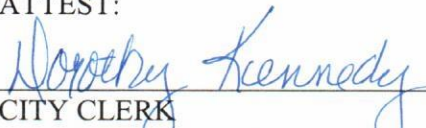
ADOPTED AND PASSED by the Council of the City of Purcell, Oklahoma, on the 3rd day of March, 2021.

SIGNED by the Mayor of the City of Purcell, Oklahoma, on the 3rd day of March, 2021.



Mayor

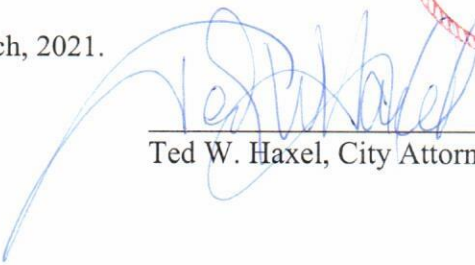
ATTEST:



CITY CLERK Date 03-03-2021



Approved as to form this 3rd day of March, 2021.



Ted W. Haxel, City Attorney