

ORDINANCE NO. 24-923

AN ORDINANCE OF THE CITY OF ANNA MARIA, FLORIDA, AMENDING SECTION 34-2 “GROWING, PROCESSING, DISTRIBUTING AND SALE OF MARIJUANA PROHIBITED” IN CHAPTER 34, “OFFENSES”, OF THE CODE OF THE CITY OF ANNA MARIA, FLORIDA, BY ALLOWING GRANDFATHERING OF CERTAIN SALES; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ANNA MARIA, FLORIDA:

SECTION 1: Section 34-2 “Growing, processing, distributing and sale of marijuana prohibited” of Chapter 34, of the Code of the City of Anna Maria, is hereby amended to read as follows:

Sec. 34-2. Growing, distributing and sale of marijuana prohibited; grandfather provision.

(a) The growing, processing, distributing and sale of marijuana within the city limits of Anna Maria is hereby prohibited. Marijuana shall be defined for purposes of this section to include all parts of any plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including but not limited to "low-THC cannabis," as defined in F.S., § 381.986. A violation of this section shall be punished as set forth in section 1-12 of this Code of Ordinances.

(b) Businesses with a business location in the City of Anna Maria (not to include mobile sales) that, as of April 1, 2024, regularly sold product that would otherwise have been prohibited under subsection (a) hereof, shall be eligible to receive grandfather status to continue such sales, but not to increase the volume of such sales, in accordance with procedures set forth in a Resolution to be adopted by the city commission.

(c) Nothing in this ordinance shall be construed to allow the sale of any product, the sale of which is otherwise prohibited by Florida law as then applicable.

SECTION 2. CONFLICTS. All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

SECTION 3. CODIFICATION. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Anna Maria. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 4. SEVERABILITY. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance on which shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage and adoption.

PASSED AND ADOPTED, by the City Commission of the City of Anna Maria, Florida,

in regular session assembled, this _____ day of _____, 2024.

Mark Short, Commissioner

Gary McMullen, Commissioner

Charles Salem, Commissioner

Kathleen Morgan-Johnson, Commissioner

Jonathan Crane, Commissioner

Mark Short, Chairperson

I hereby approve this Ordinance:

Dan Murphy, Mayor

, 2024

ATTEST: Approved as to form and legality for
the use and reliance of the City of

Anna Maria only

LeAnne Addy, City Clerk

Gretchen R. H. "Becky" Vose

City Attorney