

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 46-3 BY INCLUDING A DEFINITION OF MARIJUANA DISPENSARY AND AMENDING THE USE TABLE PROVIDED IN SECTION 46-118 BY PERMITTING MARIJUANA DISPENSARIES IN B-2 ZONES AND BY AMENDING SECTION 46-146 AS A USE STANDARD FOR MARIJUANA DISPENSARIES.

WHEREAS, on March 18, 2019, this Council adopted an ordinance approving medical marijuana dispensaries in the B-2 zoning district within the City of Moberly; and

WHEREAS, on November 8, 2022, Amendment 3 was approved by Missouri voters legalizing the sale and use of recreational marijuana; and

WHEREAS, the State of Missouri has considered and is actively considering the licensing of marijuana dispensaries in the City of Moberly and therefore City Staff recommends amending the previously approved medical marijuana ordinance to apply to recreational marijuana facilities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBERLY, MISSOURI TO WIT:

SECTION ONE: Article I, Section 46-3. Definitions. is hereby amended by removing the term “Medical Marijuana Dispensary” and replacing it with the following:

Marijuana Dispensary means a state licensed facility for the retail sale of medical marijuana and other recreational marijuana related products.

SECTION TWO: Article III, Section 46-118. Use Table. *Commercial Uses*. is amended by removing the term “Medical Marijuana Dispensary” and replacing it with the following:

Marijuana Dispensary	Permitted	B-2
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SECTION THREE: Section 46-146 is hereby amended as follows:

Sec. 46-146. Marijuana Dispensary.

Marijuana Dispensary facilities are to be no closer than 100 feet to a public park, church, school, or licensed daycare facility unless the City Council consents in writing to a lesser distance. Marijuana dispensary locations must take necessary precautions to limit the detection of odor related to the cannabis plants and products beyond the boundary of private property. No odors shall be detected within the public way by a person with a normal sense of smell.

SECTION FOUR: This Ordinance shall take effect immediately upon passage by the Moberly City Council.

PASSED AND ADOPTED by the Council of the City of Moberly, Missouri, this 7th day of October, 2024.

Presiding Officer at Meeting

ATTEST:

Shannon Hance, MRCC, City Clerk