

RESOLUTION

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, OPTING OUT OF THE CULTIVATION, PROCESSING, SALE, AND DISTRIBUTION OF MEDICAL CANNABIS AND CANNABIS PRODUCTS WITHIN THE GEOGRAPHICAL LIMITS OF THE CITY AS AUTHORIZED UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT; AND FOR RELATED PURPOSES.

WHEREAS, the Mississippi Medical Cannabis Act, effective February 2, 2022 (the "Effective Date"), authorizes the cultivation, processing, sale and distribution of medical cannabis and cannabis products in every county and municipality in the State of Mississippi (the "State"); and

WHEREAS, Section 30 the Mississippi Medical Cannabis Act also authorizes and empowers local governments to opt out of the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, within ninety (90) days of the Effective Date; and

WHEREAS, state agencies responsible for the promulgation of regulations will not complete those regulations before the opt out date; and

WHEREAS, by opting out the City Council will be able to monitor the social, economic and financial effects of the cultivation, processing, sale and distribution of medical cannabis and cannabis products in other parts of the State and will be able to opt in at any time in the future pursuant to the provisions of the Mississippi Medical Cannabis Act; and

WHEREAS, it is in the best interest of the citizens of the City for the City Council to opt out of the **CULTIVATION, PROCESSING AND SALE AND DISTRIBUTION** of medical cannabis and cannabis products within the geographical limits of the City; and

WHEREAS, the City Council has provided due notice of this meeting as required by the Mississippi Medical Cannabis Act and said notice complies with Sections 25-41-1 *et seq.*, Mississippi Code of 1972, as amended and/or supplemented from time to time (the "Open Meetings Act"); and

WHEREAS, all conditions, acts and things required by the Mississippi Medical Cannabis Act, Open Meetings Act and the Constitution and laws of the State to have existed, to have happened and to have been performed precedent to and in connection with the adoption of this resolution (the "Resolution"), have happened and have been performed in regular and due time, form and manner as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. All statements, findings and determinations set forth in the above and foregoing recitations are hereby declared to be true and correct and are incorporated herein as facts.

SECTION 2. The City Council hereby opts out of the **CULTIVATION, PROCESSING and SALE AND DISTRIBUTION** of medical cannabis and cannabis products within the geographical limits of the City.

SECTION 3. The City Council, acting for and on behalf of the City, hereby reserves the right to opt in at any time in the future and allow the **CULTIVATION, PROCESSING or SALE AND DISTRIBUTION** of medical cannabis and cannabis products within the geographical limits of the City upon a vote of the City Council or upon an election of qualified electors duly held in accordance with the Mississippi Medical Cannabis Act.

SECTION 4. If any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

SECTION 5. This Resolution shall be in effect immediately upon its passage and enactment according to law, or at the earliest date of effect under law, and shall be spread upon the minutes of the City Council of the City of Tupelo.

After a reading of this resolution, Council Member _____ moved that the foregoing Resolution be adopted and said motion was seconded by Council Member _____. After a discussion of this matter and upon the question being put to a vote, the results were as follows:

Councilmember Mims voted	_____
Councilmember L. Bryan voted	_____
Councilmember Beard voted	_____
Councilmember Davis voted	_____
Councilmember Palmer voted	_____
Councilmember Gaston voted	_____
Councilmember Jones voted	_____

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted.

WHEREUPON, the foregoing Resolution was declared, passed and adopted at a regular meeting of the Council on this the _____ day of _____, 2022.

CITY OF TUPELO, MISSISSIPPI

By: _____
BUDDY PALMER
City Council President

ATTEST:

MISSY SHELTON
Clerk of the Council

APPROVED:

TODD JORDAN, Mayor

DATE