



## Legislation Details (With Text)

**File #:** ID 20-815      **Version:** 1      **Name:**  
**Type:** City Council Item      **Status:** Agenda Ready  
**File created:** 4/23/2020      **In control:** City Council  
**On agenda:** 5/4/2020      **Final action:** 5/4/2020  
**Title:** Finding of Sufficiency - Petition for an Ordinance Banning Recreational Marijuana

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Legal Opinion dated January 15, 2020, 2. Supervisor of Elections Certification, 3. Sufficiency Certification

Date	Ver.	Action By	Action	Result
5/4/2020	1	City Council	Approved	Pass

Agenda Item: 12(c)	Prepared By: Laura Litzan, City Clerk
Business: Discussion	Department: Executive

**Subject:**

Finding of Sufficiency - Petition for an Ordinance Banning Recreational Marijuana

### BACKGROUND:

In July 2019, the City Clerk received the necessary documents to form a new political committee, the Ban Recreational Marijuana PAC (Committee).

In January 2020, the Committee submitted a petition to the City Attorney for review, calling for the adoption of an ordinance prohibiting the sale, manufacturing, cultivation, distribution, and warehousing of recreational marijuana in all zoning districts in the City. On January 15, 2020, the City Attorney opined that the Committee's petition was technically sufficient pursuant to Section 6.03 of the City Charter, and the Committee began circulating the petition. (Legal opinion dated January 15, 2020 attached.)

On April 15, 2020, the Collier County Supervisor of Elections certified that the Committee had submitted valid petitions equal to 10% of the 12,746 registered voters. On April 22, 2020, in accordance with Section 6.03(2) of the Charter, the City Manager issued the attached Sufficiency Certification and outlined the next steps to be taken by City Council pursuant to Section 6.05.

Should the Council direct that the matter be placed before the electorate at the primary election on August 18, 2020, the Supervisor of Elections will require that the ballot language be submitted to her office no later than June 12.

**FUNDING SOURCE / FISCAL IMPACT:** N / A

**RECOMMENDATION:** Schedule the proposed initiative ordinance for a vote of the electorate.

**POTENTIAL MOTION:** “I move to direct the City Attorney to prepare a resolution for Council’s consideration at the May 18 meeting, placing the question before the voters on the August 18, 2020 primary election ballot.”