

ORDINANCE NO.

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF CARLISLE WITH RESPECT TO CHAPTER 255, ZONING, TO PROVIDE FOR THE PRODUCTION AND PROCESSING OF MEDICAL MARIJUANA IN THE I-1 GENERAL INDUSTRIAL ZONING DISTRICT.

IT IS HEREBY ENACTED AND ORDAINED by the Borough Council of the Borough of Carlisle, Cumberland County, Pennsylvania, as follows

SECTION 1: The definitions of the terms "Medical Marijuana" and "Grower/Processor" as set forth below are hereby inserted in Section 255-12 [Definitions] of Article II [Definitions and Interpretation] of Chapter 255 [Zoning] of the Code of the Borough of Carlisle in appropriate alphabetical order as follows:

MEDICAL MARIJUANA - Marijuana for certified medical use as set forth in Pennsylvania Act 16 of 2016.

GROWER/PROCESSOR - A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit from the Department of Health of the Commonwealth under Pennsylvania Act 16 of 2016, to grow and process medical marijuana. The term does not include a health care medical marijuana organization under Chapter 19, Research Program.

SECTION 2: Paragraph B of Section 255-96 [Uses Permitted by right] of Article XIV [I-1 General Industrial District] of Chapter 255 [Zoning] is hereby amended to include the following additional use permitted by right:

(28) Medical Marijuana Grower/Processor, subject to compliance with all Pennsylvania statutory laws and regulations and zoning and land use requirements of the Borough of Carlisle.

SECTION 3: In all other respects, Chapter 255 [Zoning] of the Code of the Borough of Carlisle shall remain as previously enacted and amended, which Chapter, as amended, is hereby re-enacted in its entirety.

SECTION 4: All other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5: The provisions of this Ordinance shall be severable. If any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, that decision shall not affect the remaining provisions of the Ordinance or any other provision, section, article or chapter of the Code of the Borough of Carlisle.

SECTION 6: This Ordinance shall become effective upon adoption.

ENACTED AND ORDAINED this 8th day of December, 2016.

ATTEST:

BOROUGH OF CARLISLE

Joyce E. Stone, Secretary

Timothy A. Scott, Mayor

(Borough Seal)