

**PICTURE ROCKS BOROUGH
LYCOMING COUNTY, PENNSYLVANIA**

ORDINANCE 2017 - 01

**AN ORDINANCE OF THE BOROUGH OF PICTURE ROCKS, LYCOMING COUNTY,
PENNSYLVANIA AMENDING THE PICTURE ROCKS BOROUGH ZONING ORDINANCE
OF 2007, ADOPTED DECEMBER 3, 2007; PROVIDING FOR MEDICAL MARIJUANA
GROWERS AND PROCESSORS AS A CONDITIONAL USE IN OPEN SPACE DISTRICTS
AND PROVIDING FOR MEDICAL MARIJUANA DISPENSARIES AS A CONDITIONAL USE
IN BOROUGH CENTER DISTRICTS**

BE IT ENACTED AND ORDAINED, by the Council of the Borough of Picture Rocks, Lycoming County, Pennsylvania as follows:

ARTICLE I

Article 3, Section 302 BOROUGH CENTER DISTRICT, Conditional Uses and Structures is hereby amended to add the following:

17. Medical Marijuana Dispensaries. (See 433)

ARTICLE II

Article 3, Section 304, OPEN SPACE DISTRICT, Conditional Uses and Structures is hereby amended to add the following:

13. Medical Marijuana Growers and Processors. (See 433)

ARTICLE III

Article 4, SUPPLEMENTARY USE REGULATIONS, is hereby amended to add the following:

433 MEDICAL MARIJUANA ORGANIZATIONS AND DISPENSARIES

- A. DEFINITION: As defined in the Pennsylvania Medical Marijuana Act of April 17, 2016, P.L. 84, Act 16 as amended from time to time. (Also Known As: Act 16)
- B. MEDICAL MARIJUANA ORGANIZATIONS AND DISPENSARIES wishing to operate within the Borough of Picture Rocks must meet all requirements of Act 16, The Pennsylvania State Department of Health and, in addition,
 1. Submit to the Borough Zoning Officer a copy of the approved Pennsylvania State application to operate as a grower, processor and/or dispensor of medical marijuana, a cover letter requesting a permit to operate in the Borough of Picture Rocks and an application fee (See Section 1205). This fee is non-refundable.

2. Upon receipt of the cover letter, application and fee, the Borough Zoning Officer will follow applicable protocol. (See Section 1101)
 3. Upon approval of the Picture Rocks Borough Council, the Zoning Officer may issue a permit which will be valid for one year from the date of issue.
 4. An annual renewal request shall be submitted with an application fee. (See Section 1205). This fee is non-refundable. The Borough Zoning Officer may issue an annual renewal permit after review of an approved Pennsylvania State renewal application.
 5. Upon revocation, cancellation and/or expiration of a Pennsylvania State issued permit to operate a Medical Marijuana Organization (grower, processor and/or dispensary), the Borough issued permit shall be invalid.
- C. HEALTH CARE MEDICAL MARIJUANA ORGANIZATIONS and ACADEMIC CLINICAL RESEARCH CENTERS are not permitted uses within the boundaries of the Borough of Picture Rocks due to the limited population and the limited space available within the Borough.
- D. LOCATION: A medical marijuana organization may not operate a growing, processing or dispensing facility within 1,000 (one thousand) feet of a school, house of worship or playground and/or municipal park within the Borough of Picture Rocks. In addition, see Sections 302 and 304 for any additional location requirements.
- E. SECURITY: All security, tracking and reporting requirements of Act 16 shall be met. Any violation of these requirements shall be grounds for a cease and desist order from the Borough Zoning Officer and immediate revocation of any Borough issued permit.

ARTICLE IV

This ordinance shall be effective immediately.

DULY ENACTED AND ORDAINED this 3rd day of April, 2017 by the Borough Council of Picture Rocks, Lycoming County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BOROUGH OF PICTURE ROCKS

By: William N. Dorman
William N. Dorman, Secretary

By: Eugene R. Otterbein, Sr.
Eugene R. Otterbein, Sr., Council President

DULY Approved this 3rd day of April, 2017

By: David Bender
David Bender, Mayor