

## RESOLUTION #35-19-20

WHEREAS, the State of Oklahoma has adopted the Oklahoma Medical Marijuana Act (OMMA) legalizing the business activities of growing, processing, dispensing, and transporting marijuana within the State under certain guidelines and restrictions as set forth in said Act;

WHEREAS, the Act imposes the duty upon all political subdivision in the Oklahoma to review and certify to the Oklahoma Medical Marijuana Authority certain information related to the existence and compliance with applicable zoning and safety codes as a part of the business applications required to be submitted to the Oklahoma Medical Marijuana Authority for the issuance of State of Oklahoma licenses for growing, processing, dispensing, and/or transporting medical marijuana;

WHEREAS, Texas County has not established a county zoning commission or adopted any zoning or other codes, including but not limited to those that are applicable to any business activities pursuant to the OMMA; and

WHEREAS, the Board of County Commissioners of Texas County, Oklahoma, deems it necessary to establish and implement a procedure relative to the submission of OMMA applications to Texas County requesting certification required pursuant to the OMMA:

IT IS HEREBY RESOLVED by the Board of County Commissioners of Texas County as follows:

1. All requests for OMMA compliance certification by Texas County shall be submitted to the County Clerk of Texas County.
2. The County Clerk of Texas County shall provide all persons requesting or filing applications in Texas County for compliance certification for an OMMA license the attached "FORM 1: Texas County OMMA Certification Request Requirement Advisory."
3. All applicants shall submit the current OMMA Certificate of Compliance Form approved by the Oklahoma Medical Marijuana Authority to the County Clerk of Texas County with the attached "FORM 2: Texas County OMMA & Oklahoma Uniform Building & Safety Code Compliance Verification Form" fully completed.
4. The County Clerk shall review the county compliance verification, FORM 2, to determine:
  - A. The proposed business location is accurately and reasonably reflected;
  - B. The appropriate response to statements 1, 2 or 3 is marked; and
  - C. If it reflects item number "3" to be applicable, the required written certification from of an Oklahoma Licensed Inspector that the premises where the business is to be conducted meets the minimum standards and requirements in compliance with the Oklahoma Uniform Building Code Commission Act, Title 59, O.S. Section 1000.20 et seq. is attached to the request for certification compliance.

5. Upon determination by the County Clerk that FORM 2 is properly completed, the County Clerk shall verify that all boxes on the OMMA "Compliance Certification" form as to responses to numbers 1 through 6 stating "The political subdivision has no applicable codes for which to certify compliance at this time" have been marked, and that the "YES" box on question number 7 has been marked.

6. Upon determination by the County Clerk that the above requirements have been satisfied and appropriately marked with all required attachments being submitted with the OMMA "Compliance Certification" form, the County Clerk is authorized and shall, upon the oath of the applicant verifying the accuracy of the responses on the form and attachments, execute and complete the Certification of Compliance For OMMA Businesses submitted by the applicant and the FORM 3 attachment letter of Texas County.

7. The County Clerk shall make and keep a copy of all compliance certification requests, including all attachments, and deliver the original certification with Texas County FORM 3 attached thereto to the applicant.


This resolution entered and effective on this 28<sup>th</sup> day of October, 2019.



JACK STRAIN, Chairman  
Chairman Board of County Commissioners  
Texas County, Oklahoma

ATTESTED:



  
Wendy Johnson, County Clerk  
Texas County, Oklahoma