

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING AS THE POLICY OF THE CITY OF MIAMI BEACH THAT MEDICAL MARIJUANA IS MEDICINE AND NOT AN ILLICIT RECREATIONAL DRUG; THAT EMPLOYEES OF THE CITY WHO ARE PRESCRIBED MEDICAL MARIJUANA BY A PROPERLY LICENSED MEDICAL PROFESSIONAL IN COMPLIANCE WITH ALL REQUIREMENTS SET FORTH IN FLORIDA LAW SHALL BE PERMITTED TO USE THIS PROPERLY PRESCRIBED MEDICATION DURING NONWORKING HOURS AND SUFFICIENTLY IN ADVANCE OF ANY SCHEDULED WORK SHIFT IN ORDER TO ENSURE THAT THE EMPLOYEE IS NOT IMPAIRED BY THE USE OF THE MEDICAL MARIJUANA WHILE ON THE JOB; AND DIRECTING THE CITY ADMINISTRATION TO DRAFT AND PROMULGATE WRITTEN DIRECTIVES EFFECTUATING THIS CITY POLICY.

WHEREAS, the City of Miami Beach recognizes the evolving landscape of medical marijuana use and its therapeutic benefits; and

WHEREAS, medical marijuana has been legalized for medicinal purposes in the state of Florida, subject to compliance with applicable laws and regulations; and

WHEREAS, it is imperative to differentiate between medical marijuana as a legitimate form of medicine and illicit recreational drugs; and

WHEREAS, the Mayor and City Commission desire to establish as the policy of this City that medical marijuana is recognized as a legitimate form of medicine and not categorized as an illicit recreational drug; and

WHEREAS, employees of the City of Miami Beach who have been prescribed medical marijuana by a duly licensed medical professional, in compliance with all applicable Florida laws and regulations, should be permitted to use such properly prescribed medication during nonworking hours; and

WHEREAS, employees utilizing medical marijuana are required to use the medication sufficiently in advance of any scheduled work shift, so as to ensure that the employee is not impaired by the use of medical marijuana while on the job; and

WHEREAS, the Mayor and City Commission hereby direct the City Administration to draft and promulgate written directives to implement and enforce this City policy; and

WHEREAS, these directives shall include guidelines for employees, supervisors, and any other necessary parties to ensure compliance with applicable laws and the proper use of medical marijuana by City employees.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby establish as the policy of the City of Miami Beach that medical marijuana is medicine and not an illicit recreational drug; that employees of the City who are prescribed medical marijuana by a properly licensed medical professional in compliance with all requirements set forth in Florida law shall be permitted to use this properly prescribed medication during nonworking hours and sufficiently in advance of any scheduled work shift in order to ensure that the employee is not impaired by the use of the medical marijuana while on the job; and direct the City Administration to draft and promulgate written directives effectuating this city policy.

PASSED and **ADOPTED** this _____ day of _____, 2024.


ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Vice-Mayor Kristen Rosen Gonzalez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *RR*

2-14-24

Date