ORDINANCE NO. 2993

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY BRADENTON, FLORIDA, DECLARING ZONING IN PROGRESS AND IMPOSING A MORATORIUM *DECLARING ZONING IN PROGRESS AND* IMPOSING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF NEW APPLICATIONS FOR THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSING FACILITIES FOR A PERIOD OF 180 DAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Bradenton pursuant to Chapter 166 of the Florida statutes possesses the police powers to enact ordinances in order to protect the health, safety, and welfare of the City's citizens; and

WHEREAS, the City Council of the City of Bradenton determines that it is in the best interest of its residents, businesses and visitors to enact sufficient zoning regulations to ensure their health, safety and welfare; and

WHEREAS, medical marijuana dispensing facilities are a new and unique use which is not currently addressed by the City's Land Use and Development Regulations or Code of Ordinances; and

WHEREAS, Section 381.986(8)(b), Fla. Stat., permits a municipality to determine by ordinance the criteria for the number, location, and other permitting requirements that do not conflict with state law or department rule for all dispensing facilities of dispensing organizations located within the municipality; and

WHEREAS, a temporary moratorium on the acceptance of applications for, the processing of, and the issuance of development permits, development orders or any other official action of the City of Bradenton permitting or having the effect of permitting new medical marijuana dispensing facilities will allow time to review, study, hold public hearings, and prepare and adopt an amendment or amendments to the Land Use and Development Regulations and Code of Ordinances to address this new and unique use; and

WHEREAS, on October 26 , 2016, the City Council considered a report regarding the current state law and regulatory structure regarding medical marijuana and low-THC cannabis, and directed the preparation of a six-month moratorium on permits for medical marijuana dispensing facilities, thereafter putting the public on notice that the City has implemented a course of action which may result in the regulation of medical marijuana dispensing facilities, i.e., a determination of zoning-in progress; and

WHEREAS, the City Council has conducted two (2) duly noticed public hearings regarding the adoption of this ordinance; and

WHEREAS, adoption of this ordinance will further the health, safety and welfare of the citizens of the City of Bradenton.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA:

SECTION 1: The aforementioned recitations contained herein are true and correct, but are not required to be incorporated into the City of Bradenton Code of Ordinances.

SECTION 2: Purpose. The purpose of this ordinance is to preserve the status quo and enable sufficient time to review, study, hold public hearings, and prepare and adopt an amendment or amendments to the Land Use and Development and Regulations and/or Code of Ordinances, relating to the appropriate locations for medical marijuana dispensing facilities, if any. During this 180 day time period, the City will not take any action on any application for development permit or issue any development order or take other official action which would have the effect of allowing or permitting the development of medical marijuana dispensing facilities, except as provided in this ordinance. It is not the purpose of this ordinance to permanently deny development orders and permits for other uses that are permitted by right or special use permit and that otherwise comply with all applicable codes, ordinances, regulations and policies.

SECTION 3: Zoning in Progress. The City of Bradenton hereby recognizes that City staff intends to study and prepare regulations that would result in the regulation of medical marijuana dispensing facilities. These regulations, if adopted, will amend the City Land Use and Development Regulations and/or Code of Ordinances. All affected property and business owners are placed on notice with respect to these pending regulations and the action being taken by the appropriate departments within the City.

SECTION 4: Definition. The following definition applies to the term used in this ordinance:

(a) "Medical Marijuana Dispensing Facility" means any establishment where low-THC or medical cannabis is permitted to be dispensed by an approved dispensing organization pursuant to Section 381.986, Florida Statutes, and Florida Department of Health Rules.

SECTION 5: Imposition of Temporary Moratorium. The City of Bradenton hereby imposes a temporary moratorium on the acceptance of applications for, the processing of, and the issuance of development permits, development orders or any other official action of the City of Bradenton permitting or having the effect of permitting Medical Marijuana Dispensing Facilities, except as provided in this ordinance, for a period of 180 days following the effective date of this ordinance.

SECTION 6: Imposition of Temporary Moratorium. The City of Bradenton hereby imposes a temporary moratorium on the acceptance of applications for, the processing of, and the issuance of development permits, development orders or any other official action of the City permitting or having the effect of permitting Medical Marijuana Dispensing Facilities, except as provided in this ordinance, for a period of 180 days following the effective date of this ordinance. Further, the review of any applications for Medical Marijuana Dispensing Facilities pending upon the effective date of this ordinance shall be abated.

SECTION 7: Existing Authorized Medical Marijuana Dispensing Facilities. This temporary moratorium shall not affect a Medical Marijuana Dispensing Facility of a Dispensing Organization which has received dispensing authorization from the Florida Department of Health in accordance with Section 381.986, Florida Statutes and Chapter 64-4.001, F.A.C., and for which development permits have been obtained prior to the effective date of this Ordinance. During the moratorium period, a Medical Marijuana Dispensing Facility for which development permits have been issued shall not be permitted to expand its square footage.

SECTION 8: Submittal of Applications. Beginning upon the effective date of this ordinance, an applicant for any development permit, development order or any other official City action which would facilitate the establishment of a Medical Marijuana Dispensing Facility shall be required to disclose its intention to establish a Medical Marijuana Dispensing Facility in connection with its application for a permit. In the event that it is determined by the City that an applicant for a permit has failed to disclose its intent to establish a Medical Marijuana Dispensing Facility, the City shall be authorized to enforce this ordinance by the methods set forth in Section 10.

SECTION 9: APPLICABILITY. This ordinance shall be applicable in the city limits of the City of Bradenton.

SECTION 10: PENALTIES. This moratorium may be enforced by the following methods of enforcement: (A)Revocation or temporary suspension of necessary development permits, development orders and/or certificates of occupancy and/or licenses; or (B) By an action for injunctive relief, civil penalties or both, through a court of competent jurisdiction; or (C) By any other process permitted by law including, but not limited to, Code Enforcement fines or orders.

SECTION 11: SEVERABILITY. If any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this ordinance invalid or unconstitutional.

SECTION 12: CONFLICT WITH STATE LAW. Nothing in this ordinance is intended to conflict with the provisions of the Florida Constitution or any Florida Statute. In the event of a direct and express conflict between this ordinance and either the Florida Constitution

or the Florida Statutes, then the provisions of the Florida Constitution or Florida Statutes, as applicable, control.

SECTION 13: EFFECTIVE DATE. This ordinance shall take effect immediately.

PASSED IN REGULAR SESSION, this ____ day of _____,2016

ATTEST:

_____ _____

City Administrator President, City Council

APPROVED AS TO FORM

_____

William R. Lisch, City Attorney

First Reading: 11-16-16
Advertised: 12-3-16 and _____
Second Reading: _____

APPROVED by me this _____ of _____, 2016

_____

Wayne H. Poston, Mayor

Report on Retail Dispensaries for Medical Marijuana

Manatee County Substance Abuse Prevention Coalition d/b/a Drug Free Manatee was asked by Cheri Coryea, Director of Neighborhood and Community Services Departments, to provide information and suggestions to address the issue of medical marijuana dispensaries, including anticipated implications of the existing regulations of medical marijuana in Florida, the anticipated implications of the Amendment 2 ballot initiative and recommendations on policy and regulatory initiatives.

A. Legal Status under Federal Law

The Federal Controlled Substances Act (CSA) lists marijuana as a Schedule 1 drug and provides no exceptions for medical uses. Possession, manufacture, and distribution of marijuana are crimes under federal law. The medical marijuana laws of the states that permit and regulate the use of cannabis for medical purposes protect patients from prosecution for the legitimate use of marijuana under state law.

However, state medical marijuana laws do not protect individuals from prosecution under federal law. The CSA controls and the federal government still has regulatory and enforcement standing throughout the country, regardless of state regulations allowing the use of marijuana. In 2013, the United States Department of Justice (USDOJ) issued statements indicating that the federal government would not pursue cases for low-level drug crimes, leaving such prosecutions largely up to state authorities. The memorandum explained that the USDOJ was committed to utilizing its prosecutorial resources to address the most significant drug-related threats, and that the federal government would not enforce federal marijuana laws in states that have legalized the drug and have enacted a robust regulatory scheme.

In addition, in December 2014, Congress approved an omnibus spending bill that included a rider prohibiting the USDOJ (which includes the Drug Enforcement Administration) from using funds appropriated by that bill to prevent states from implementing state medical marijuana laws. The same rider was included in the omnibus spending bill approved by Congress in December 2015. The prohibition on allocation of funds to interfere with state implementation of medical marijuana laws will continue for the remainder of the fiscal year and it is anticipated that this policy will be renewed during the appropriations process for the upcoming fiscal year.

Most recently, on August 11, 2016, the Drug Enforcement Administration (DEA) announced several marijuana- related actions, including actions regarding scientific research and scheduling of marijuana, as well as principles on the cultivation of industrial hemp under the Agricultural Act of 2014. The DEA denied two petitions to reschedule marijuana under the Controlled Substances Act (CSA). In response to the petitions, DEA requested a scientific and medical evaluation and scheduling recommendation from the Department of Health and Human Services (HHS), which was conducted by the U.S. Food and Drug Administration (FDA) in consultation with the National Institute on Drug Abuse (NIDA). **Based on the legal standards in the CSA, marijuana remains a schedule I controlled substance because it does not meet the criteria for currently accepted medical use in treatment in the United States, there is a lack of accepted safety for its use under medical supervision, and it has a high potential for abuse.** In his letter to the petitioners, DEA Acting Administrator Chuck Rosenberg offered a detailed response outlining the factual and legal basis for the denial of the petitions. (The full response to the petitions can be found in the Federal Register).

B. Existing Regulatory Scheme Under Florida Statutes and Administrative Rules

1. Compassionate Medical Cannabis Act of 2014

The Compassionate Medical Cannabis Act of 2014 legalized a low tetrahydrocannabinol (THC) and high cannabidiol (CBD) form of cannabis for medical use by patients suffering from cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms. [Section 381.986, F.S.] The Act provides that a Florida licensed allopathic or osteopathic physician who has completed the required training, and has established a physician relationship with such a patient, may order low-THC cannabis for that patient to treat such condition or to alleviate its symptoms, if no other satisfactory alternative treatment options exist for that patient. The Act allowed qualified patients and their legal representatives to purchase, acquire, and possess low-THC cannabis for that patient's

medical use, and authorized dispensing organizations and their owners, managers, and employees to acquire, possess, cultivate, and dispose of excess product in reasonable quantities to produce low-THC cannabis. The Act required the Florida Department of Health to create an online registry for the registration of physicians and patients, which was required to enable law enforcement agencies to verify patient authorization and to record amounts dispensed by registered physicians.

The Florida Department of Health was also charged by the statute with the implementation of the dispensing organization approval process. On November 23, 2015, the Florida Department of Health approved a dispensing organization in each of the following five regions as required by the Compassionate Medical Cannabis Act: northwest Florida, northeast Florida, central Florida, southeast Florida, and southwest Florida.

2. House Bill 307 (2016): Authorization of Medical Cannabis for Terminally Ill Patients and Amendments to Compassionate Medical Cannabis Act of 2014

In 2015, the Legislature enacted the Right to Try Act (RTTA), Section 499.0295, F.S., which authorized an eligible patient with a terminal condition to receive an investigational drug, biological product, or device. As originally adopted in 2015, the RTTA did not address cannabis. In 2016, the Legislature, with the adoption of House Bill 307, amended the RTTA to allow "full strength" medical cannabis for patients suffering from a terminal illness which, without the administration of life-sustaining procedures, is expected to result in the patient's death within one year. Medical cannabis for qualified terminally ill patients must be obtained from an approved dispensing organization as defined in the Compassionate Medical Cannabis Act, Section 381.986, F.S.

In addition to authorizing full-strength medical marijuana for terminally ill patients, House Bill 307 provided for a number of amendments to Section 381.986, F.S. which resulted in stricter regulatory oversight by the Florida Department of Health for both low-THC and full-strength medical cannabis. The legislation prescribed standards that ordering physicians must meet before ordering low-THC or medical cannabis, including establishing a patient relationship for at least three months immediately prior to a patient's inclusion in the register of qualified patients; extensive education requirements for ordering physicians; informed consent; a prohibition on an ordering physician being a medical director employed by a dispensing organization, and an order limit per qualified patient of a 45-day supply at a time.

C. Anticipated Implications of Amendment 2

The Florida Medical Marijuana Legalization Initiative, also known as Amendment 2, is proposed on the November 8, 2016 ballot in Florida. The language of Amendment 2 proposes to allow medical marijuana to be provided as a treatment for patients with the following specific diseases: cancer; epilepsy; glaucoma; HIV; AIDS; post-traumatic stress disorder (PTSD); amyotrophic lateral sclerosis (ALS); Crohn's disease; Parkinson's disease; and multiple sclerosis. Amendment 2 would also allow licensed physicians to certify patients for medical marijuana use after diagnosing them with some "other debilitating medical conditions of the same kind or class as or comparable to those enumerated."

In contrast to the 2014 constitutional amendment (also titled Amendment 2) which did not pass, the 2016 initiative clarifies requirements for parental consent for the use of medical marijuana by minors and also provides a specific list of the qualifying "debilitating" illnesses that would authorize marijuana as a treatment option. The 2016 measure also contains more stringent requirements for physician ordering, providing that doctors would not be immune from malpractice claims for negligent administration of marijuana. The measure also limits how many patients a caregiver can treat with marijuana.

The 2016 ballot initiative language requires the Florida Department of Health to issue regulations required for the implementation of the amendment if it is adopted, in order to "ensure the availability and safe use of medical marijuana by qualifying patients". In addition to the existing regulatory scheme under the statutes and administrative rules, Amendment 2 would require the Florida Department of Health to promulgate the following regulations within six months of the passage of the constitutional amendment:

a. Procedures for the issuance and annual renewal of qualifying patient identification cards to people with physician certifications and standards for renewal of such identification cards. Before issuing an identification card to a minor, the Department must receive written consent from the minor's parent or legal guardian, in addition to the physician certification.
b. Procedures establishing qualifications and standards for caregivers, including conducting appropriate background checks, and procedures for the issuance and annual renewal of caregiver identification cards.
c. Procedures for the registration of medical marijuana treatment centers, that include procedures for the issuance, renewal, suspension and revocation of registration, and standards to ensure proper security, record keeping, testing, labeling, inspection, and safety.

D. Potential County Regulatory Initiatives

1. Statutory Preemption

The local government role in regulation of medical cannabis and low-THC cannabis is defined by Section 381.986, F.S. As amended during the 2016 legislative session, the statute preempts the ability of counties and municipalities to regulate with regard to the cultivation and processing of low-THC and medical cannabis by dispensing organizations, but provides that both municipalities and counties may determine by ordinance the criteria for the number, location, and other permitting requirements that do not conflict with state law or Florida Department of Health rules.

2. Potential Local Zoning and Operational Regulations

In accordance with Section 381.986, F.S., local governments may adopt zoning regulations that provide restrictions on the zoning location of dispensing establishments, and may also adopt additional requirements for permitting and regulation of retail dispensing establishments to supplement the state requirements implemented by the Florida Department of Health, provided that such local regulations do not conflict with the state regulations.

A number of local governments throughout Florida have begun enacting regulations of retail dispensing establishments (see list). As one example, Miami-Dade County recently adopted zoning regulations that set a minimum distance of 1,000 feet between dispensing establishments and child care facilities, preschools, schools or religious facilities; a 500 foot minimum distance between dispensing establishments and zoning districts designated as residential; and a one mile minimum distance between a dispensing establishment and another authorized dispensing establishment. The Miami-Dade County regulations also set operating hours of between 7 AM and 9 PM daily, and limit the dispensing or consumption of low-THC cannabis, medical cannabis or alcoholic beverages within the retail dispensing establishment or on the premises of and abutting the establishment. The Miami-Dade County regulations also require a local license (termed a certificate of use) for a dispensing establishment, and provide that each certificate of use shall be renewed on an annual basis. The county is authorized to conduct inspections of an establishment to ensure conformance with the requirements of the ordinance, and the county may revoke or decline to renew a local certificate of use if the establishment has been found in violation of the ordinance.

3. Option for Moratorium on Retail Dispensing Establishments

Moratoria on the establishment of retail marijuana dispensaries have been enacted by some local governments throughout the state (see list). A moratorium of limited duration offers a regulatory tool which allows a local government to evaluate potential amendments to its regulations and consider new circumstances not addressed by its current laws. Moratoria of up to six months in duration are generally considered legally defensible under Florida case law. A moratorium would allow the County to place the public on notice that its regulations may change as it considers the appropriate zoning, location and other permitting requirements for retail marijuana dispensing establishments. During the moratorium period, the County would not take action to approve a development permit which would have the effect of allowing or permitting the development of a retail marijuana dispensing establishment. A moratorium of limited duration would provide an opportunity for County staff to consider potential regulations, enable consultation with the Manatee County Sheriff's Office, and allow evaluation of the impact of additional state regulations implementing Amendment 2, if the ballot initiative passes on November 8.

Despite ... talk, company wants to ... cal pot shop

BY MARK YOUNG
myoung@bradenton.com

BRADENTON

Despite the possibility of a moratorium on medical marijuana dispensaries, Tallahasee-based Trulieve ... pened, including first de-

... until he hires a ... torney. ... indicated that he ... ord to do so.

... Leon: ... 049

passes, which it looks like it will," Mayor Wayne Poston said of the possible moratorium.

The city is likely to look at medical marijuana dispensaries in the same way as establishments that sell ...

While the failure of Amendment 2 wouldn't change Trulieve's plans, the company is optimistic it will pass.

"We are very optimistic about medical marijuana passing on Nov. 8 and as of now, all of our planning moving forward is based on that it will pass," Walker said.

Trulieve already has dispensaries in Tallahassee and Clearwater with ex-

2 in burglary that caused lockdown at 3 Sarasota schools questioned

BY JESSICA DE LEON
jdeleon@bradenton.com

FROM PAGE 5A

MCAT

more frequently. Route 3, which services Manatee Avenue/State Road 64, will begin operating with 30-minute frequency instead of the current 60-minutes. Route 3 will also no longer serve Blake Medical Center.

"We are better served building up those two corridors," Bill Steele, transit division manager, said of the Manatee Avenue and Cortez Road routes in July. "At some time in the future, we will come back to Lakewood Ranch."

For more information about the MCAT changes, call 941-749-7116. The new route schedules can be found at MCAT transfer stations as well as at mymanatee.org/mcat.

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CITY OF BRADENTON, FLORIDA
CITY COUNCIL
NOTICE OF PUBLIC HEARING

The City of Bradenton City Council will meet in regular session on Wednesday, November 16, 2016, at 8:30 a.m. in City Council Chambers, 101 Old Main Street, Bradenton, Florida to consider the following items for public hearing:

ORDINANCE NUMBER 2993

An ordinance of the City of Bradenton, Florida declaring zoning in progress and imposing a moratorium declaring zoning in progress and imposing moratorium on the acceptance and processing of new applications for the establishment of medical marijuana dispensing facilities for a period of 180 days; providing for severability; and providing for an effective date.

SU.16.1854, WARD 4, NEIGHBORHOOD 7.04

Request by Tom Glancy of Duncan Seawall, Dock and Boat Lift LLC, agent, for Robert Seybold, owner, for a Special Use Permit for the construction of a dock with a boat lift to extend into the Manatee River for property located at 315 Crescent Court East, zoned R-1, Residential Single Family; Parcel Identification Number: 1187100209.

All interested persons and parties may appear in person and be heard and/or submit written comments regarding the above matters to the Planning and Community Development Department. The hearing may be continued from time to time as necessary. The application and ordinance can be inspected at the Department of Planning and Community Development, 101 Old Main Street, Bradenton, Florida, 34205. For more information, please call (941) 932-9400.

Pursuant to Florida Statute 286.0105, if any affected person decides to appeal any decision made by the City Council at this meeting, such person will need a verbatim record of the proceedings, which record includes the testimony and evidence upon which the appeal is to be based. The City does not provide a verbatim record of the hearing.

Be advised that, in accordance with the Americans with Disabilities Act, persons needing a reasonable accommodation to participate in this proceeding should contact the City Clerk Office of the City of Bradenton, 101 Old Main Street, Bradenton, Florida 34205, telephone (941) 932-9447, not later than seven (7) days prior to the public hearing.

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Bradenton Herald
Published Daily
Bradenton, Manatee County, Florida

STATE OF FLORIDA
COUNTY OF MANATEE

Before the undersigned authority personally appeared Kerry Moen, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **Notice of Public Meeting, City of Bradenton, Ordinance 2993, SU 16.1854, Ward 4, Neighborhood 7.04** was published in said newspaper in the issue(s) **11/05/16.**

Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Kerry Moen
(Signature of Affiant)

Sworn to and subscribed before me this
7 Day of Nov, 2016

NICOLE S PATTERSON
Notary Public - State of Florida
My Comm. Expires Sep 11, 2018
Commission # FF 159270
Bonded through National Notary Assn.

SEAL & Notary Public
Personally Known ✓ OR Produced Identification_____
Type of Identification Produced_____

Bust highlights deadly new opioid drug in Miami-Dade

BY DAVID OVALLE
The Miami Herald

Authorities have begun cracking down on carfentanil, a powerful synthetic opioid that masquerades as heroin and is now believed to have killed scores of South Florida addicts.

Miami-Dade police narcotics detectives and FBI agents on Friday raided the home of a West Perrine man they say sold tiny packets of the potent drug to an undercover detective.

The drug is so deadly – the U.S. government estimates it can be 5,000 times stronger than heroin – that the FBI's Technical Hazards Response Unit donned special suits to search the suspected drug dealer's South Miami-Dade home on Friday.

Carfentanil has been preliminarily detected in the bodies of at least 107 people who died of suspected overdoses this year, according to new data by the Miami-Dade Medical Examiner's Office.

Carfentanil has become the latest synthetic opioid to ravage North American cities, killing hundreds in cities in the United States and in Vancouver, Canada.

Investigators believe carfentanil originates in Chinese labs that sell synthetic drugs to U.S. buyers through the internet, using the mail to deliver packages.

Across South Florida, opioids – heroin, fentanyl and its synthetic cousins – have been increasingly detected in the bodies of hundreds of overdose victims in the past two years. Many users believe they are taking heroin, and don't realize dealers have laced it with fentanyl, carfentanil or other cheaply made synthetics.

Miami-Dade police's crime lab in 2016 has detected carfentanil in 53 drug seizures, all but 19 in mixtures with other drugs.

Last month, the Broward Medical Examiner's office reported that lab testing "strongly suggests" that 53 recent deaths there have been caused by carfentanil. "Ingesting just a few granules of carfentanil the size of table salt can kill you," the office said in a press release.

The number is nearly double in Miami-Dade, which has yet to officially rule on the causes of deaths in the carfentanil cases because of ongoing toxicology testing.

At least one overdose victim is believed to have bought drugs from Omega Demetrius Dupont, 45, the West Perrine man arrested Friday. According to an arrest warrant, Dupont first sold an undercover detective $40 worth of drugs in the parking lot of an Exxon station at 11190 SW 176th St. Four more buys were done in the following weeks.

In at least two cases, the drugs wound up testing positive not for heroin but for carfentanil, according to an arrest warrant by a Miami-Dade detective.

On Friday, detectives conducted an undercover buy at the same gas station. Dupont was arrested inside his black Cadillac. A Miami-Dade police lieutenant found a tiny packet of foil with the suspected drug hidden inside Dupont's sock. "Just that right there will kill you," the lieutenant said.

Moments later, heavily armed FBI agents streamed down Southwest 171st Street to a house where Dupont was believed to be selling to users he knew from the neighborhood. Yelling "FBI! Open the door!" agents set off flash-bang grenades.

The home was secured. Agents specializing in hazardous materials soon began detailing the scene.

Dupont, a felon who has served two stints in prison for robberies, was cuffed and booked on several drug charges.

Another Miami Zika virus transmission zone lifted

BY JOLY ELLCHAS
The Miami Herald

Gov. Rick Scott has lifted the zone of active Zika transmission covering one square mile of Miami's Little River neighborhood.

Scott made the announcement Friday morning in Little River at St. Mary Cathedral School, 7485 NW 2nd Ave.

The Little River zone, between Northeast 79th and 63rd streets from Northwest 10th Avenue to North Miami Avenue, was declared an area where Aedes aegypti mosquitoes were actively spreading the Zika virus on Oct. 13.

A week after the zone was announced, Miami-Dade officials said mosquito counts in Little River were low and they believed the outbreak was very localized.

Little River is the third area in Miami-Dade that Tallahassee has cleared since Wynwood was the first neighborhood in the continental U.S. where mosquitoes were actively transmitting Zika.

Authorities have said there is no longer active transmission there or in a swath of mid-Miami Beach that was lifted Nov. 22.

One zone remains: a 1.[illegible] square mile area in heart of South Beach, from Eighth to 28th streets, stretching from Biscayne Bay to the Atlantic Ocean.

The target date for that zone to be lifted is Dec. 9, which would mark 45 days since the last confirmed case began to show symptoms of the Zika virus.

Referencing the last remaining zone in South Beach, Scott said people should remain vigilant about eliminating standing water and wearing insect repellent.

CITY OF BRADENTON, FLORIDA

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN:
PROPOSED ORDINANCE #2993

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY BRADENTON, FLORIDA, DECLARING ZONING IN PROGRESS AND IMPOSING A MORATORIUM DECLARING ZONING IN PROGRESS AND IMPOSING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF NEW APPLICATIONS FOR THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSING FACILITIES FOR A PERIOD OF 180 DAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

will be considered for the second reading and public hearing at the regular meeting of the Bradenton City Council to be held **Wednesday, December 14, 2016** at **8:30 a.m.** at City Hall, Bradenton, Florida. Interested parties may appear at the meeting and be heard. A copy of the proposed ordinance may be inspected by the public at the office of the City Clerk, City Hall, 101 Old Main Street, Bradenton, Florida.

Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act should contact Tim McCann at (941) 932-9497 within seven (7) days prior to the proceeding.

If any person determines to appeal any decision made by the City Council with respect to any matter considered at this public hearing, such person will need a record of proceedings for that purpose and will need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which any appeal is to be based.

Saturday, Dec. 3, 2016

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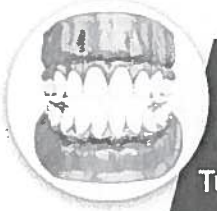

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Bradenton Herald
Published Daily
Bradenton, Manatee County, Florida

STATE OF FLORIDA
COUNTY OF MANATEE

Before the undersigned authority personally appeared Kerry Moen, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **Notice of Public Hearing, City of Bradenton, Proposed Ordinance 2993** was published in said newspaper in the issue(s) **12/03/16.**

Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Kerry Moen
(Signature of Affiant)

Sworn to and subscribed before me this
5 Day of Dec, 2016

JENNIFER M. ROBB
Commission # FF 933210
Expires November 3, 2019
Bonded Thru Troy Fain-Insurance 800-385-7019

SEAL & Notary Public
Personally Known_____ OR Produced Identification_____
Type of Identification Produced_____