

ORDINANCE NO 905

AN ORDINANCE DECLARING A MORATORIUM ON MEDICAL MARIJUANA FACILITIES AND DECLARING AN EMERGENCY.

WHEREAS, the Oregon Legislature enacted House Bill 3460 that created a medical marijuana dispensary registration system and which purported to allow medical marijuana facilities to be located in areas zoned for commercial, industrial, or mixed use; and

WHEREAS, the Oregon Legislature enacted Senate Bill 1531, which expressly permits local jurisdictions to impose a moratorium on medical marijuana dispensaries within their jurisdiction; and

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of the City of Oakridge to enact such a moratorium; and

WHEREAS, such a moratorium is necessary to provide time to explore additional options related to the regulation or prohibition of medical marijuana dispensaries within the City of Oakridge.

NOW, THEREFORE, THE CITY OF OAKRIDGE ORDAINS AS FOLLOWS:

Section 1. The City of Oakridge hereby prohibits the operation of any medical marijuana facility in any area subject to the jurisdiction of the City of Oakridge. As used in this section, "medical marijuana facility" includes any facility that dispenses marijuana pursuant ORS 475.314, or any other provision of Oregon law.

Section 2. The moratorium imposed by this ordinance shall be effective until May 1, 2015, unless rescinded sooner.

Section 3. The Chief of Police is charged with enforcement of the moratorium.

Section 4. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

Section 5. A copy of this Ordinance shall be forwarded to the Oregon Health Authority by regular mail and by any other such means as required by rule of the Oregon Health Authority.

Section 6: This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

PASSED BY THE COUNCIL THIS _____ DAY OF _____, 2014.

APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2014.

ATTEST:

Mayor, Gerald G. Shorey

City Recorder, Susan LaDuke