

## **ORDINANCE NO. 241-17**

### **AN ORDINANCE TO OPT OUT OF MARIJUANA ACTIVITIES, SPECIFICALLY MEDICAL LICENSES IDENTIFIED IN ENROLLED SENATE BILL 1057 (2017) AND AS ALLOWED IN ENROLLED HOUSE BILL 2198 (2017)**

**WHEREAS**, the City Charter authorizes the City of Irrigon to exercise authority within the city over matters of City concern; and

**WHEREAS**, The City of Irrigon did adopt Ordinance ORD 237-15 to opt out of marijuana activities including both medical and recreational operations with an effective date of November 17, 2015; and

**WHEREAS**, The City of Irrigon did provide that Ordinance to both the Oregon Health Authority and the Oregon Liquor Control Commission as required by those agencies; and

**WHEREAS**, the Oregon Legislature passed additional opportunity for marijuana licenses during the 2017 regular session found in Enrolled Senate Bill 1057 and as outlined below; and

**WHEREAS**, the Oregon Legislature passed Enrolled House Bill 2198 allowing jurisdictions that previously opted out by action of their elected officials to do so again; and

**WHEREAS**, the Irrigon City Council considered the opportunity offered by both Enrolled Senate Bill 1057 and Enrolled House Bill 2198; and

**WHEREAS**, based on the previous efforts of the City of Irrigon and discussions with the communities within Morrow County, the City Council has determined there is not public interest to allow marijuana activities within the City of Irrigon; and

**WHEREAS**, The City of Irrigon desires to amend the previous decision by adding new items and prohibit the operation of medical marijuana processing sites, medical marijuana dispensaries, retail marijuana producers, retail marijuana processors, retail marijuana wholesalers, retail marijuana retailers and the newly formed categories of marijuana producers, processors, wholesalers and retailers that the Oregon Liquor Control Commission are identifying as holding an exclusively medical license.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF IRRIGON MAINTAINS ITS STATUS AS AN OPT OUT COUNTY CONCERNED WITH MARIJUANA ACTIVITIES THAT INCLUDE THE FOLLOWING:**

- a. Marijuana processing sites.
- b. Medical marijuana dispensaries.
- c. Marijuana producers.
- d. Marijuana processors.

- e. Marijuana wholesalers.
- f. Marijuana retailers.
- g. Marijuana producers that hold a license issued under ORS 475B.070 and that the Oregon Liquor Control Commission has designated as an exclusively medical licensee under section 24 of Enrolled Senate Bill 1057 (2017).
- h. Marijuana processors that hold a license issued under ORS 475B.090 and that the commission has designated as an exclusively medical licensee under section 25 of Enrolled Senate Bill (2017).
- i. Marijuana wholesalers that hold a license issued under ORS 475B.100 and that the commission has designated as an exclusively medical licensee under section 26 of Enrolled Senate Bill (2017).
- j. Marijuana retailers that hold a license issued under ORS 475B.110 and that the commission has designated as an exclusively medical licensee under section 27 of Enrolled Senate Bill (2017).

**BE IT FURTHER RESOLVED**

**EFFECTIVE DATE:**

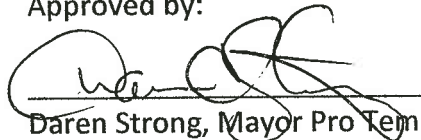
The City Council declares the effective date of this Ordinance to be effective after its Second Reading, in accordance with City Charter.

Date of First Reading:           October 17, 2017

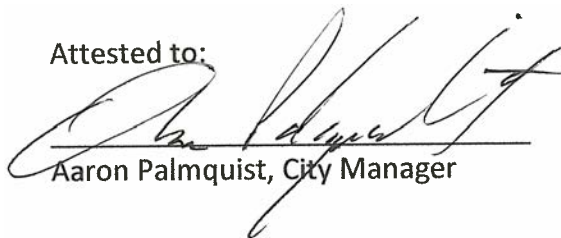
Date of Second Reading:       November 21, 2015

**ADOPTED:** by the Common Council of the City of Irrigon this 21st day of November 2017

Approved by:

  
Daren Strong, Mayor Pro Tem

Attested to:

  
Aaron Palmquist, City Manager