

ORDINANCE NO. 1400

AN ORDINANCE OF THE CITY OF CANBY, OREGON, DECLARING A MORATORIUM ON MEDICAL MARIJUANA FACILITIES, AND DECLARING AN EMERGENCY.

WHEREAS, the Oregon State Legislature enacted Senate Bill 1531 (2014) which removes immunity from state prosecution for a person who is responsible for or employed by a registered medical marijuana facility located in an area subject to the jurisdiction of a city or county that enacts a moratorium prohibiting the operation of a medical marijuana facility; and

WHEREAS, the City of Canby believes it is in the best interests of the health, safety, and welfare of the citizens of the City of Canby to enact such a moratorium prohibiting the operation of medical marijuana facilities within the jurisdictional boundaries of Canby, Oregon; and

WHEREAS, the requirements of Senate Bill 1531 (2014) require that this moratorium be enacted no later than May 1, 2014; now therefore

THE CITY OF CANBY, OREGON, ORDAINS AS FOLLOWS:

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

Section 2. Enforcement. The City of Canby Chief of Police is charged with enforcement of the moratorium.

Section 3. Remedies Not Exclusive. The City of Canby has the discretion to seek cumulative remedies for any violation of the moratorium imposed by this ordinance. The remedies available under Senate Bill 1531 (2014) for a violation of the moratorium are not exclusive of any other remedies available under any applicable federal, state, or local law.

Section 4. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect the 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. Emergency. 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.

Section 6. Term. The moratorium declared in Section 1 of this Ordinance will continue until May 1, 2015.

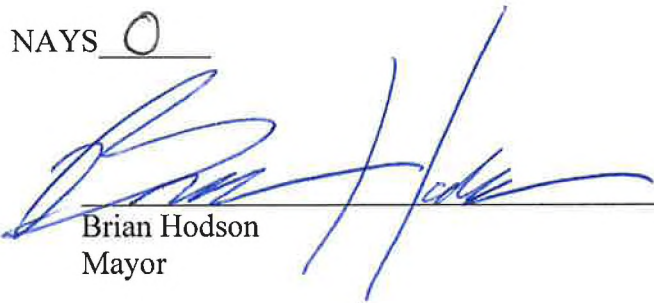
SUBMITTED to the Canby City Council and read the first time at a special meeting therefore commencing at the hour of 7:30 PM on Wednesday, April 23, 2014, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a special meeting thereof on Wednesday, April 30, 2014, commencing at the hour of 7:30 PM in the Council Meeting Chambers located at 155 NW 2nd Avenue, Canby, Oregon.



Kimberly Scheafer, MMC
City Recorder

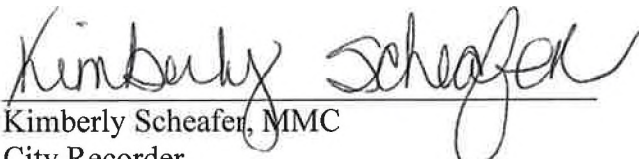
PASSED on the second and final reading by the Canby City Council at a special meeting thereof on April 30, 2014 by the following vote:

YEAS 6 NAYS 0



Brian Hodson
Mayor

ATTEST:



Kimberly Scheafer, MMC
City Recorder