

A BILL FOR AN ORDINANCE OF THE CITY OF) ORDINANCE BILL NO. 2015-7
LEBANON DECLARING A BAN ON MEDICAL)
MARIJUANA PROCESSING SITES, RECREATIONAL)
MARIJUANA PRODUCERS, RECREATIONAL) ORDINANCE NO. 2863
MARIJUANA PROCESSORS, RECREATIONAL)
MARIJUANA WHOLESALERS, AND/OR RECRE-)
ATIONAL MARIJUANA RETAILERS; REFERRING)
ORDINANCE; AND DECLARING AN EMERGENCY)
ORDINANCE OF THE CITY OF LEBANON)

WHEREAS, the Oregon Medical Marijuana Act, as amended by House Bill 3400 (2015) provides that the Oregon Health Authority will register medical marijuana processing sites and medical marijuana dispensaries; and

WHEREAS, Measure 91, which the voters adopted in November 2014, directs the Oregon Liquor Control Commission to license the production, processing, wholesale, and retail sale of recreational marijuana; and

WHEREAS, section 134 of HB 3400 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of certain state-registered and state-licensed marijuana businesses in the area subject to the jurisdiction of the city; and

WHEREAS, the Lebanon City Council wants to refer the question of whether to prohibit recreational marijuana producers, processors, wholesalers, and/or retailers, as well as medical marijuana processors to the voters of Lebanon.

NOW THEREFORE, BASED ON THE FOREGOING, THE CITY OF LEBANON ORDAINS AS FOLLOWS:

DEFINITIONS.

Marijuana means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae.

Marijuana processing site means an entity registered with the Oregon Health Authority to process marijuana.

Marijuana processor means an entity licensed by the Oregon Liquor Control Commission to process marijuana.

Marijuana producer means an entity licensed by the Oregon Liquor Control Commission to manufacture, plant, cultivate, grow or harvest marijuana.

Marijuana retailer means an entity licensed by the Oregon Liquor Control Commission to sell marijuana items to a consumer in this state.

Marijuana wholesaler means an entity licensed by the Oregon Liquor Control Commission to purchase items in this state for resale to a person other than a consumer.

BAN DECLARED. As described in section 134 of House Bill 3400 (2015), the City of Lebanon hereby prohibits the establishment and operation of the following in the area subject to the jurisdiction of the city:

- (a) Marijuana processing sites;
- (b) Marijuana producers;
- (c) Marijuana processors;
- (d) Marijuana wholesalers;
- (e) Marijuana retailers.

EXCEPTION. The prohibition set out in this ordinance does not apply to a marijuana processing site or medical marijuana dispensary that meets the conditions set out in subsections 6 or 7 of section 134, section 136, or section 137 of House Bill 3400 (2015).

REFERRAL. This ordinance shall be referred to the electors of the city of Lebanon at the next statewide general election on Tuesday, November 8, 2016.

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 shall be in full force and effect on the date of passage.

Passed by the Lebanon City Council and executed by the Mayor on this on this 9th day of September, 2015 by a vote of 4 yeas and 3 nays.

CITY OF LEBANON, OREGON



Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTESTED BY:



Linda Kaser, City Clerk