



Home of the Tualatin River National Wildlife Refuge

ORDINANCE 2014-008

REPEALING ORDINANCE 2014-003, TEMPORARILY PROHIBITING MEDICAL MARIJUANA FACILITIES, AND DECLARING AN EMERGENCY

WHEREAS, the Oregon Legislature approved House Bill 3460 (2013), which creates a registration system for medical marijuana facilities and allows medical marijuana facilities to be located in areas zoned for commercial, industrial, or mixed use: and

WHEREAS, House Bill 3460 (2013) authorized certain restrictions on the location of medical marijuana facilities related to proximity to schools attended by minors and to other medical marijuana facilities: and

WHEREAS, medical marijuana facilities and the restrictions on the location of such facilities are not currently addressed in the Sherwood Development Code: and

WHEREAS, the City of Sherwood adopted Ordinance 2014-003 which temporarily prohibits siting of medical marijuana facilities for 150 day to allow time to evaluate and develop potential amendments to the Sherwood Development Code to address medical marijuana facilities: and

WHEREAS, the temporary prohibition was the maximum amount of time recommended by legal counsel at the time but does not afford sufficient time for thorough analysis of options and issues; and

WHEREAS, the Oregon Legislature subsequently enacted Senate Bill 1531 (2014) which authorizes a local jurisdiction to prohibit medical marijuana dispensaries until May 1, 2015; and

WHEREAS, the Sherwood City Council believes it is in the best interests of the health, safety and welfare of the citizens of Sherwood to prohibit the establishment or operation of medical marijuana facilities within the jurisdictional boundaries of Sherwood until May 1, 2015;

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

Section 1. Ordinance 2014-003 is repealed

Section 2. Effective April 1, 2014, a person may not establish or operate a facility for the distribution of medical marijuana pursuant to ORS 475.314 or any other provision of state law within the City limits of Sherwood.

Section 3. The City Manager, Planning Manager, Building Official, Business License Specialist and Chief of Police are authorized to enforce this Ordinance 2014-008.

Section 4. In order to maintain the health, peace and welfare of the City of Sherwood, an emergency is declared and this ordinance takes effect immediately upon passage and approval by the Mayor.

Section 5. This Ordinance 2014-008 is in effect until May 1, 2015.

Duly passed by the City Council this 1st day of April 2014.



Bill Middleton, Mayor

Attest:



Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Clark	<u>✓</u>	_____
Langer	<u>✓</u>	_____
Butterfield	<u>✓</u>	_____
Folsom	<u>✓</u>	_____
Grant	<u>✓</u>	_____
Henderson	<u>✓</u>	_____
Middleton	<u>✓</u>	_____