

ORDINANCE NO. 1985

AN ORDINANCE AMENDING CPMC CHAPTER 5.40.040 MEDICAL MARIJUANA DISPENSARIES LICENSE REGISTRATION REQUIRED AND DECLARING AN EMERGENCY

RECITALS:

- A. Words ~~lined through~~ are to be deleted and words **in bold** are added.
- B. Whereas on February 27, 2014 the City adopted Ordinance No. 1982 adding Section 5.40 to the municipal code providing for the issuance of business licenses for medical marijuana dispensaries; and
- C. Whereas, the issue of whether a local government believes a certain type of business should operate within its jurisdictional limits is a local government decision, the enforcement of which is subject to the general and police powers of that jurisdiction;
- D. Whereas, the Oregon 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
- E. Whereas, Senate Bill 1531 permits cities to adopt a moratorium upon the operations of medical marijuana dispensaries in order to allow the cities additional time to determine the best way to manage such facilities;
- F. Whereas, the City Council believes it is in the best interests of the health, safety and welfare of the citizens of Central Point to enact such a moratorium prohibiting the operation of medical marijuana facilities within the jurisdictional boundaries of the City of Central Point;

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Amendments to Chapter 5.40.040 is amended as presented below:

Chapter 5.40
MEDICAL MARIJUANA DISPENSARIES

5.40.040 License—Registration—Required.

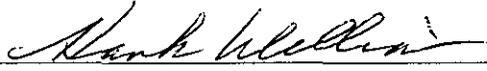
5.40.040 License--Registration--Required.

No person, or his employee or agent, shall engage in or conduct within the city any medical marijuana dispensary business unless the license fee has been paid and a license issued as provided herein. No person, his employee or agent shall engage in or conduct within the city any medical marijuana dispensary business unless the person possesses a current registration under the state's medical marijuana facility registration system. **The City shall not issue a business license to any medical marijuana dispensary business while a moratorium is in effect prohibiting the operation of such business.**

SECTION 2. Declaration of Emergency:

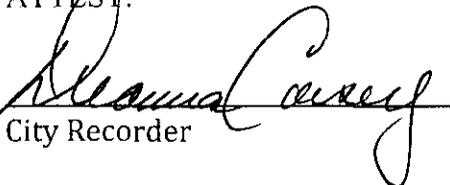
EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

PASSED by the Council and signed by me in authentication of its passage this 10th day of April 2014.



Mayor Hank Williams

ATTEST:



City Recorder

Ordinance No. 1985 (041014)