



For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Prohibiting the Establishment of Marijuana Businesses Within Unincorporated Deschutes County; Referral to the Electors.

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ORDINANCE NO. 2015-009

WHEREAS, in November 2014, Ballot Measure 91 legalizing certain recreational use of marijuana was passed by the voters of Oregon; and

WHEREAS, section 134, chapter 614, Oregon Laws 2015 (Enrolled House Bill 3400) provides that a county may adopt an ordinance – conditioned upon referral to the electors of the county at the General Election on November 8, 2016 – that prohibits the establishment of any one or more of the six categories of state licensed or registered marijuana businesses in the unincorporated area subject to the jurisdiction of the county; and

WHEREAS, the Board of County Commissioners is concerned that the establishment of marijuana businesses within the unincorporated areas of the county will have significant impacts that were not fully identified or addressed in Ballot Measure 91; and

WHEREAS, on August 12, 2015, November 5, 2015, November 12, 2015, and December 2, 2015, noticed public hearings were held in Deschutes County to receive and consider public input specific to marijuana businesses, including possible opt out options; and

WHEREAS, the Board of County Commissioners refers the question of whether to prohibit the operation of medical marijuana processing sites, medical marijuana dispensaries, marijuana producers, marijuana processors, marijuana wholesalers and marijuana retailers to the voters of Deschutes County, now therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. In accordance with section 134, chapter 614, Oregon Laws 2015 (Enrolled House Bill 3400), the following are prohibited in the unincorporated area subject to the jurisdiction of Deschutes County:

- (a) Marijuana processing sites registered under section 85 of HB3400A (2015);
(b) Medical marijuana dispensaries registered under ORS 475.314;
(c) Marijuana producers licensed under section 19, chapter 1, Oregon Laws 2015;
(d) Marijuana processors licensed under section 20, chapter 1, Oregon Laws 2015;
(e) Marijuana wholesalers licensed under section 21, chapter 1, Oregon Laws 2015;
(f) Marijuana retailers licensed under section 22, chapter 1, Oregon Laws 2015.

Section 2. This ordinance shall be referred to the electors of Deschutes County at the General Election on Tuesday, November 8, 2016.

Section 3. The text of this ordinance shall be provided to (a) the Oregon Health Authority; and (b) the Oregon Liquor Control Commission.

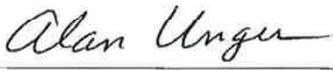
Section 4. EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

Dated this 21st day of December, 2015

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON



ANTHONY DEBONE, Chair



ALAN UNGER, Vice Chair

ATTEST:



Recording Secretary



TAMMY BANEY, Commissioner

Date of 1st Reading: 21st day of Dec., 2015.

Date of 2nd Reading: 21st day of Dec., 2015.

Commissioner	Record of Adoption Vote			
	Yes	No	Abstained	Excused
Anthony DeBone	<input checked="" type="checkbox"/>			
Alan Unger	<input checked="" type="checkbox"/>			
Tammy Baney	<input checked="" type="checkbox"/>			

Effective date: 21st day of Dec., 2015.