

FILED
WASCO COUNTY

2014 APR 30 AM 10 31

LINDA BROWN
COUNTY CLERK

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF AN ORDINANCE)
DECLARING A MORATORIUM ON) ORDINANCE
MEDICAL MARIJUANA FACILITIES) #14-001
IN WASCO COUNTY, AND DECLARING)
AN EMERGENCY)

WHEREAS, the Oregon Legislature enacted House Bill 3460 (2013) which requires the Oregon Health Authority to develop and implement a process to register medical marijuana facilities; and

WHEREAS, House Bill 3460 (2013) directed that persons who operate or are employed by a registered medical marijuana facility would enjoy immunity from state prosecution; and

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; and

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

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

NOW THEREFORE, BASED ON THE FOREGOING, WASCO
COUNTY ORDAINS AS FOLLOWS:

WASCO COUNTY, OREGON
COMMISSIONER'S JOURNAL

CJ2014-000057

MORATORIUM DECLARED. Wasco County hereby prohibits the operation of any medical marijuana facility in any area subject to the jurisdiction of Wasco County. 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.

DURATION OF MORATORIUM. The moratorium imposed by this ordinance shall be effective until May 1, 2015, unless rescinded sooner.

ENFORCEMENT. The Wasco County Sheriff is charged with enforcement of the moratorium.

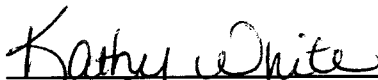
REMEDIES NOT EXCLUSIVE. The remedies available under Senate Bill 1531 (2014) for a violation of the moratorium imposed by this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law. It is within the discretion of Wasco County to seek cumulative remedies for a violation of the moratorium imposed by this ordinance.

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

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 AND ADOPTED THIS 29TH DAY OF APRIL, 2014.

ATTEST:

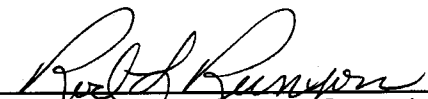


Kathy White
Executive Assistant
Wasco County Board of Commissioners

WASCO COUNTY
BOARD OF COMMISSIONERS




Scott C. Hege, Chair

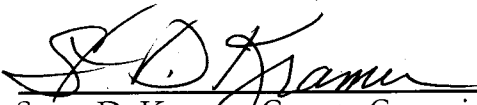


Rod E. Runyon, County Commissioner

APPROVED AS TO FORM:



Eric J. Nisley
Wasco County District Attorney



Steve D. Kramer, County Commissioner