

CITY OF DEPOE BAY

ORDINANCE NO. 309

AN ORDINANCE AMENDING ORDINANCE NO. 302; ADDING REGULATIONS FOR RECREATIONAL MARIJUANA FACILITIES OPERATING WITHIN THE CITY OF DEPOE BAY; AND DECLARING AN EMERGENCY

WHEREAS, ORS 475b.340 allows for reasonable regulation of time, place and manner of recreational marijuana facilities; and

WHEREAS, the City Council has previously regulated the time, place and manner of medical marijuana facilities; and

WHEREAS, the City Council has determined it is in the best interest of the health, safety and welfare of the citizens of the City of Depoe Bay to enact an ordinance regulating the operation of recreational marijuana facilities within the jurisdictional boundaries of the City of Depoe Bay;

NOW, THEREFORE, the City Council of the City of Depoe Bay hereby ordains as follows:

1. Ordinance No. 302, Section 10.A. Definition. is hereby amended to include the definition of Recreational Marijuana Facilities: A facility licensed by the Oregon Liquor Control Commission to produce, process, transport, sell, test or deliver marijuana for commercial recreational purposes.
2. Ordinance No. 302, Section 10.B. Location. is hereby amended to include Recreational Marijuana Facilities, as allowed by ORS Chapter 475B.
3. Ordinance No. 302, Section 10.C. Drive-Through Access. is hereby amended to include Recreational Marijuana Facilities, as allowed by ORS Chapter 475B.
4. Ordinance No. 302, Section 10.D. Business License Required. is hereby amended to include Recreational Marijuana Facilities, as allowed by ORS Chapter 475B.
5. Ordinance No. 302, Section 10.E. Hours and Rules of Operation. is hereby amended to include Recreational Marijuana Facilities, as allowed by ORS Chapter 475B.
6. Ordinance No. 302, Section 10.F. No City Liability – Indemnification. is hereby amended to include Recreational Marijuana Facilities, as allowed by ORS Chapter 475B.
7. Ordinance No. 302, Section 10.G. Compliance With State Laws and Rules. Is hereby amended to include ORS Chapter 475B and the rules and regulations promulgated by the Oregon Liquor Control Commission relating to Recreational Marijuana Facilities.

8. To the extent the context required it, or if there is a conflict between Ordinance No. 302 and this Ordinance, or if there is a conflict between Ordinance No. 302 as amended by this Ordinance and state law, state law shall prevail.

WHEREAS, the adoption of this Ordinance is necessary to preserve the peace, health, safety and welfare of the citizens of the City of Depoe Bay, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its adoption by the City Council of the City of Depoe Bay and approval by the Mayor.

Introduced and passed the first reading in a regular meeting of the City Council of the City of Depoe Bay, Oregon on this 20th day of September, 2016.

Passed at the second reading, placed on final passage, and adopted by the City Council of the City of Depoe Bay, Oregon on this 20th day of September, 2016.

Approved by the Mayor of the City of Depoe Bay this 20th day of September, 2016.

CITY OF DEPOE BAY



Mayor

ATTESTED:



City Recorder