



City of Oregon City

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Staff Report

File Number: 15-601

Agenda Date: 11/4/2015

Status: Agenda Ready

To: City Commission

Agenda #: 7c.

From: Community Development Director Tony Konkol

File Type: Ordinance

SUBJECT:

Ordinance No. 15-1017: An Ordinance of the City of Oregon City Declaring a Ban on Medical Marijuana Processing Sites and Dispensaries, Recreational Marijuana Producers, Processors, Wholesalers and Retailers; Referring This Ordinance to the Voters of Oregon City and Declaring an Emergency

RECOMMENDED ACTION (Motion):

Staff recommends that the City Commission approve the first and second readings of Ordinance No. 15-1017.

BACKGROUND:

Cities that are not in a county that voted no on Measure 91 by 55% or more, or cities that desire to ban certain marijuana activities after December 24, 2015, may do so only by referral of the proposed ban at a statewide general election. Clackamas County did not vote no on Measure 91 by more than 55%. The Measure 91 election results for the City of Oregon City were 52.4% yes and 47.6% no.

If the proposed ordinance is adopted, the City will submit the Ordinance to the Oregon Health Authority (if banning medical marijuana businesses) and/or the Oregon Liquor Control Commission (if banning recreational marijuana businesses), and those agencies will then stop registering and licensing the prohibited businesses until the next statewide general election, which will be in November of 2016. If the Commission adopts the proposed Ordinance it will act as a moratorium on new facilities until the election.

Cities that adopt an Ordinance prohibiting the establishment of medical or recreational marijuana businesses are not eligible to receive a distribution of state marijuana tax revenues or to impose a local tax under section 34a of House Bill 3400. Additional information is provided in the attached Garvey, Schubert, Barer memorandum.