



CITY OF MILWAUKIE
"Dogwood City of the West"

Ordinance No. 2077

An ordinance of the City Council of the City of Milwaukie, Oregon, relating to medical marijuana facilities; Amending chapter 5.50; and declaring an emergency.

WHEREAS, the City of Milwaukie adopted Ordinance 2076 on February 25, 2014, which enacted a temporary moratorium on medical marijuana facilities through December 31, 2014; and

WHEREAS, during the 2014 Regular Session, the Oregon Legislature passed SB 1531, which limits the ability of cities and counties to regulate medical marijuana facilities to the "reasonable regulations" provided in statute: the hours of operation for medical marijuana facilities, where the facilities may locate within the zones allowed by law, and the manner in which a facility may dispense medical marijuana; and

WHEREAS, SB 1531 also allows cities and counties to enact a moratorium on the operation of registered medical marijuana facilities until May 1, 2015, provided the moratorium is enacted no later than May 1, 2014; and

WHEREAS, the City Council of Milwaukie wishes to extend its moratorium to have the additional time allowed under SB 1531 to evaluate policy options related to siting medical marijuana facilities.

Now, Therefore, the City of Milwaukie does ordain as follows:

Section 1. Ordinance 2076, Section 7, is amended to read as follows (additional language italicized, deleted language stricken):

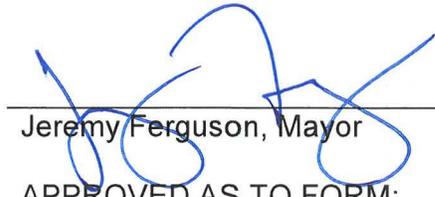
Ordinance Automatically Expires. This ordinance automatically expires and is to be deemed repealed at 11:59:59 p.m. on *April 30, 2015* ~~December 31, 2014~~, unless sooner repealed or extended by City Council ordinance.

Section 2. Emergency. With the statutory deadline of May 1, 2014 to enact a moratorium, this ordinance is necessary for the immediate protection of the public health, safety and general welfare; therefore, an emergency is declared to exist and this ordinance shall be effective upon the date of its adoption.

Read the first time on 4/15/14, and moved to second reading by 5:0 vote of the City Council.

Read the second time and adopted by the City Council on 4/15/14.

Signed by the Mayor on 4/15/14.



Jeremy Ferguson, Mayor

APPROVED AS TO FORM:
Jordan Ramis PC

ATTEST:



Pat DuVal, City Recorder



City Attorney