

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Enacting a Moratorium on the)
Operation of Medical Marijuana Facilities in Any) ORDINANCE NO. 2014-5
Area within the Jurisdiction of Columbia County)
and Declaring an Emergency)

The Board of County Commissioners for Columbia County, Oregon ordains as follows:

SECTION 1. TITLE.

This Ordinance shall be known as Ordinance No. 2014-5.

SECTION 2. AUTHORITY.

This Ordinance is adopted pursuant to the powers of Columbia County under the Oregon Constitution, ORS 203.035, Oregon Senate Bill 1531 (2014), Oregon House Bill 3460 (2013), the federal Controlled Substances Act, 21 U.S.C. § 801 *et seq.*

SECTION 3. PURPOSE.

The purpose of this Ordinance is to establish a moratorium on the operation of any medical marijuana facility in any area within the jurisdiction of Columbia County pursuant to Oregon Senate Bill 1531 (2014).

SECTION 4. MORATORIUM DECLARED

The operation of any medical marijuana facility is hereby prohibited in any area subject to the jurisdiction of Columbia County. As used in this Ordinance, “medical marijuana facility” includes any facility that dispenses marijuana pursuant to ORS 475.314 or any other provision of Oregon law.

SECTION 5. DURATION OF MORATORIUM

The moratorium imposed by this Ordinance shall be effective until May 1, 2015.

SECTION 6. ENFORCEMENT

This Ordinance shall be enforceable under the Columbia County Enforcement Ordinance.

Violators of this Ordinance are subject to the penalties provided in the Columbia County Enforcement Ordinance. Pursuant to Section 11 of the Enforcement Ordinance, the Columbia County Sheriff and any other person that the Board of Commissioners specifically approves are authorized to issue citations under this Ordinance.

SECTION 7. REMEDIES NOT EXCLUSIVE

The remedies available under the Columbia County Enforcement Ordinance and 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. The County may, in its discretion, seek cumulative remedies for a violation of the moratorium imposed by this Ordinance.

SECTION 8. NOTICE TO OREGON HEALTH AUTHORITY

In accordance with Senate Bill 1531 (2014), a copy of this Ordinance shall be forwarded to the Oregon Health Authority by regular mail or any other means provided by rule of the Oregon Health Authority.

SECTION 9. SEVERABILITY.

If for any reason any court of competent jurisdiction holds any portion of this Ordinance to be invalid, and such holding is upheld on any appeal, such portion shall be deemed a separate, distinct and independent portion. Any such holding shall not affect the validity of the remaining portions.

SECTION 10. SCRIVENER'S ERRORS.

Any scrivener's errors in this Ordinance may be corrected by order of the Board of County Commissioners.

///

///

///

///

///

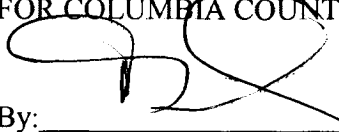
///

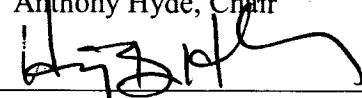
SECTION 11. EMERGENCY

This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance shall take effect immediately upon adoption.


DATED this 9th day of April, 2014.

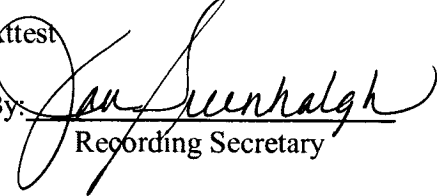
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON


By: _____
Anthony Hyde, Chair


By: _____
Henry Heimuller, Commissioner


By: _____
Earl Fisher, Commissioner

Approved as to form
By: 
Office of County Counsel

Attest
By: 
Recording Secretary

First Reading: 4-9-14
Second Reading: 4-9-14
Effective Date: 4-9-14