

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Ordinance Temporarily)
Prohibiting Medical Marijuana Dispensaries)
In The Unincorporated Area of Yamhill) ORDINANCE No. 888
County; Declaring an Emergency)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on February 20, 2014, Commissioners Allen Springer and Kathy George participating, Commissioner Mary P. Stern being excused.

THE BOARD MAKES THE FOLLOWING FINDINGS:

WHEREAS, chapter 726, Oregon Laws 2013 (HB 3460) amended the Oregon Medical Marijuana Act (ORS 475.300-346) to regulate the operation of medical marijuana dispensaries ("Dispensaries") and required the Oregon Health Authority ("Authority") to promulgate rules establishing a registration system for Dispensaries; and

WHEREAS, the Authority has issued temporary rules to regulate the operation of Dispensaries within the State; and

WHEREAS, neither HB 3460 nor the Authority has thus far provided adequate safeguards to regulate the operation of Dispensaries; the current regulatory program for Dispensaries is underfunded and the deficiencies in the current law present serious public safety concerns and endanger the health, peace and welfare of the citizens of Yamhill County; and

WHEREAS, until such time as the issues surrounding the regulation and operation of Dispensaries are resolved in a manner that ensures the protection of the health, safety and welfare of the citizens of Yamhill County, the Board is opposed to allowing Dispensaries to locate and operate in the unincorporated area of Yamhill County; and

WHEREAS, a temporary, one-year prohibition on the location and operation of Dispensaries will allow additional time to further review and consider: (i) anticipated revisions to HB 3460, (ii) the Authority's final rules regulating the operation of Dispensaries, (iii) potential changes to Yamhill County zoning ordinances; and (iv) the

ability to safely and effectively regulate the location and operation of Dispensaries in the unincorporated area of Yamhill County; NOW, THEREFORE,

THE YAMHILL COUNTY BOARD OF COMMISSIONERS ORDAIN AS FOLLOWS

Section 1. The location and operation of a Dispensary in the unincorporated area of Yamhill County is hereby prohibited for one year from the effective date of this Ordinance.

Section 2. The violation of this ordinance is hereby declared to be a nuisance under ORS 203.065 and the prohibition of Dispensaries under this ordinance is hereby added to the list of laws enforceable by County Citation Ordinance, #755, Section 4.

Section 3. This ordinance, being necessary for the health, safety and welfare of the citizens of Yamhill County and an emergency having been declared to exist, is effective immediately upon passage.

DONE at McMinnville, Oregon on February 20, 2014.

ATTEST

YAMHILL COUNTY BOARD OF
COMMISSIONERS

BRIAN VAN BERGEN

County Clerk

Unavailable for signature

Chair

MARY P. STERN

By:

Anne Briel
Deputy ANNE BRIEL

Allen Springer
Commissioner/Vice-Chair

ALLEN SPRINGER

FORM APPROVED BY

Christian Boenisch

CHRISTIAN BOENISCH.

Yamhill County Legal Counsel

Kathy George
Commissioner

KATHY GEORGE