

CITY OF GRASS VALLEY
Ordinance No. 402

AN ORDINANCE PROHIBITING MARIJUANA PROCESSING SITES, MEDICAL MARIJUANA DISPENSARIES, MARIJUANA PRODUCERS, MARIJUANA PROCESSORS, MARIJUANA WHOLESALERS, MARIJUANA RETAILERS, AND DECLARING AN EMERGENCY

LEGISLATIVE FINDINGS

1. The Oregon legislature enacted House Bill 3400 (2015), which allows cities to prohibit various activities relating to the producing, processing, wholesaling, selling, and dispensing of marijuana if not less than 55% of votes cast within the county in which the city is located, during the statewide general election held on November 4, 2014, on Ballot Measure 91 (Chapter 1, Oregon Laws 2015) were in opposition to the Ballot Measure.
2. Over 60% of votes cast in Sherman County during the statewide general election held on November 4, 2014, on Ballot Measure 91 (Chapter 1, Oregon Laws 2015) were in opposition to the Ballot Measure.
3. 21 USC § 801, (et seq), the Federal Controlled Substances Act, prohibits the manufacture, distribution, and possession of marijuana, and imposes criminal penalties for violating the Act.
4. It is in the best interests of the health, safety, and welfare of the citizens of the City of Grass Valley to prohibit the establishment of various activities related to the producing, processing, wholesaling, selling, retailing, and dispensing of marijuana in the area subject to the jurisdiction of the City of Grass Valley.

NOW, THEREFORE, the City hereby does ordain:

PROHIBITED ACTIVITIES RELATED TO MARIJUANA. The establishment or maintenance of any one or more of the following is prohibited within the jurisdictional limits of the City of Grass Valley:


- (A) Marijuana processing sites registered under section 85 of House Bill 3400 (2015);
- (B) Medical marijuana dispensaries registered under ORS 475.314;
- (C) Marijuana producers licensed under section 19, chapter 1, Oregon Laws 2015;
- (D) Marijuana processors licensed under section 20, chapter 1, Oregon Laws 2015;
- (E) Marijuana wholesalers licensed under section 21, chapter 1, Oregon Laws 2015; and
- (F) Marijuana retailers licensed under section 22, chapter 1, Oregon Laws 2015; and
- (G) Any combination of the entities described above or under section 133 of House Bill 3400 (2015).

CIVIL ACTION. The City may initiate a civil action against any person or entity violating this ordinance for any and all remedies available under Oregon law, including but not limited to obtaining mandatory and prohibitory injunctions and orders of abatement. The City shall be entitled to collect its costs and expenses, including reasonable attorney fees incurred at trial, hearing or on appeal.

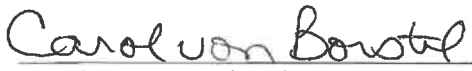
EMERGENCY CLAUSE. This ordinance being enacted by the Common Council in the exercise of its police power and for the purpose of meeting an emergency, and being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this ordinance shall take effect immediately upon being enacted.

ADOPTED by the Common Council of the City of Grass Valley this 5th day of October, 2015.

CITY OF GRASS VALLEY


Neil Pattee, Mayor for the City of Grass Valley

ATTEST:


Carol von Borstel, Administrator