

AN ORDINANCE AMENDING ORDINANCE NO. 5833 TO INCLUDE SALES OF MARIJUANA AND MARIJUANA-INFUSED PRODUCTS WITHIN THE LOCATIONAL RESTRICTIONS APPLICABLE TO MEDICAL MARIJUANA DISPENSARIES AND DECLARING AN EMERGENCY

WHEREAS, Ordinance No. 5833 adds to state law certain location restrictions applicable to medical marijuana facilities which dispense marijuana pursuant to ORS 475.314; and

WHEREAS, citizens of the State of Oregon will vote on November 4, 2014, concerning Initiative Measure 91, which would allow the sale of marijuana and marijuana-infused products under certain conditions; and

WHEREAS, the City Council of the City of Albany believes that local location restrictions should apply consistently to medical and non-medical marijuana sales.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

SECTION 1: CREATION OF AMC 5.08.026.

AMC 5.08.026 is hereby created to read as follows:

5.08.026.

(1) Sales of marijuana which may be authorized by Oregon 2014 Initiative Measure 91 and/or any administrative regulations adopted pursuant thereto, shall be subject to the same locational limitations and regulations applicable to medical marijuana facilities pursuant to AMC 5.08.025 including the sanction for violation set forth therein.

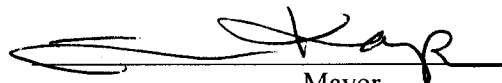
(2) As used in this section, "marijuana" means all parts of the plant of the cannabis family Moraceae, whether growing or not; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its resin, as may be defined by Oregon Revised Statutes as they currently exist or may, from time to time, be amended. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted there from), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

SECTION 2: EMERGENCY. Inasmuch as this ordinance is necessary for the immediate preservation of the public peace, health and safety of the City of Albany, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect when signed by the Mayor.

Passed by Council: Nov 5, 2014

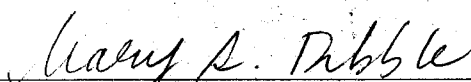
Approved by Mayor: Nov 5, 2014

Effective Date: Nov 5, 2014



Mayor

ATTEST:



City Clerk