

ORDINANCE No. 1 8 8 6 0 2 *As Amended*

*Amend marijuana business regulations (Ordinance; amend Code sections 14B.130.020, .040, .050, .070, and .090)

The City of Portland ordains:

Section 1. The Council finds:

1. The Oregon voters approved Measure 91 in November, 2014, legalizing the sale and consumption of marijuana, and allowing local governments to adopt time, place and manner regulations for businesses that grow, produce, sell, and transfer marijuana and marijuana items.
2. HB 3400 was enacted by the 2015 Oregon Legislature, and was signed into law by the Governor on June 30, amending Measure 91 to significantly revise the authority of local governments to adopt regulations for marijuana businesses.
3. In November, 2014, the City Council initiated the Portland Cannabis Program in the Office of Neighborhood Involvement (ONI) to manage complaints, community expectations, and respond with authorized enforcement mechanisms as appropriate.
4. On September 30, 2015, the Council adopted Ordinance No. 187359, added license procedures and requirements for marijuana businesses to Portland City Code Chapter 14B.130. As adopted, the definition of Marijuana Businesses licensed and regulated by the City of Portland included Medical Dispensaries, Marijuana Retailers, Marijuana Producers, Marijuana Processors, and Marijuana Wholesalers.
5. The City of Portland will be responsive and adaptive with local marijuana regulations as we learn more about how those regulations affect businesses and our community.
6. The City has an interest in balancing the needs of Portland businesses with public safety, and to that end will modify requirements in order to better strike that balance.
7. The City has an interest in ensuring that Marijuana Retailers can operate, make infrastructure improvements, and sell their business to another business owner, even in cases where a new school opens within 1000 feet of that Marijuana Retailer.
8. The City commits to re-examining, and potentially changing, its cannabis regulations if changes to Oregon Revised Statute or Oregon Administrative Rule are made that affects cannabis businesses.

NOW, THEREFORE, the Council Directs:


- a. City Code Chapter 14B.130.020, .040, .050, .070, and .090 are amended as set forth in Exhibit A attached to this ordinance.
- b. The City of Portland urges the State to amend its rules to permit licensed Marijuana Retailers to continue to operate and renew their State license when a school opens within 1000 feet of the Retailer, even if the ownership of the business changes by 51% or more.

Section 2. The Council declares that an emergency exists so businesses can get licensed as quickly as possible and that is in the public interest; therefore this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: SEP 20 2017

Commissioner Chloe Eudaly
Prepared by: Brandon Goldner
Date Prepared: August 26, 2017

Mary Hull Caballero
Auditor of the City of Portland

By  Deputy

Agenda No. **ORDINANCE NO. 188602** As Amended
 Title

Amend Marijuana Regulatory License Procedure and Requirements business regulations
 (Ordinance; amend Code Chapter 14B.130)

INTRODUCED BY Commissioner/Auditor: Commissioner Eudaly	CLERK USE: DATE FILED <u>AUG 29 2017</u>
COMMISSIONER APPROVAL	Mary Hull Caballero Auditor of the City of Portland By: <u><i>Susan Parsons</i></u> Deputy ACTION TAKEN: SEP 06 2017 PASSED TO SECOND READING SEP 13 2017 9:30 A.M. SEP 13 2017 CONTINUED TO SEP 20 2017 9:30 A.M.
Mayor—Finance & Administration - Wheeler	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Eudaly <u>COE</u>	
BUREAU APPROVAL	
Bureau: Office of Neighborhood Involvement Bureau Head: Suk Rhee	
Prepared by: Brandon Goldner Date Prepared: 08/21/17	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: <u>ok Tom</u> required for Code Ordinances	
City Attorney Approval: <u>OK</u> required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date <u>9/6/17</u>	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> Total amount of time needed: <u>30 min</u> (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	