

ORDINANCE No. 187391 As Amended

Amend regulations for marijuana license procedures and requirements to provide a process for converting existing medical dispensaries to recreational retailers and amend hours of operation (Ordinance; amend Code Subsections 14B.130.040 D and 14B.130.080 B)

The City of Portland ordains:

Section 1. The Council finds:

1. On September 30, 2015 City Council approved Ordinance No. 187359 adopting regulations for marijuana licenses.
2. After receiving testimony from representatives of the medical marijuana industry and recreational marijuana industry, Council directed city staff to meet with industry representatives to provide clarification on the regulatory requirements, and to seek consensus on various industry concerns such as hours of operation and a process for converting from medical dispensaries to recreational retailers.
3. On October 5th and October 6th, city staff and industry representatives met for several hours and discussed the City's licensing regulations and industry's concerns.

NOW, THEREFORE, the Council directs:

a. City Code Subsection 14B.130.040 D.4 is amended by adding a new subsection 4 as follows:

4. The distance requirement in Subsection 14B.130.040 D.1 shall not apply for applications for marijuana retail licenses received by the Director that meet the following criteria:

- a. The application is from an existing medical dispensary licensee operating under a current, valid medical dispensary located within the City of Portland;
- b. The marijuana retail license application is for the same address at which the medical dispensary is currently operating;
- c. The medical dispensary has no outstanding compliance issues pending with the Oregon Health Authority;
- d. The applicant surrenders its medical dispensary license to the City of Portland and the Oregon Health Authority within 5 business days of receiving notice from the State of the issuance of a marijuana retail license;
- e. The applicant meets all other requirements of this Chapter.

b. City Code Subsection 14B.130.080 B.2 is amended as follows:

2. Licensee must maintain hours of operation no earlier than ~~7 a.m.~~ 8 a.m. and no later than ~~9 p.m.~~ 10 p.m.

c. City Code Subsection 14B.130.040 D.2 is amended as follows:

2. The distance requirement in Subsection 14B.130.040 D.1 shall not apply for applications for medical dispensary licenses received by the Director between ~~from~~ November 1, 2015 ~~to~~ and January 29, 2016, that meet the following criteria:

- a. The medical dispensary has been:

- i. Registered, operating and in good standing with the Oregon Health Authority since on or before ~~January 1, 2015~~ July 1, 2015 and had a valid City of Portland Business License on or before July 1, 2015.
- ii. Registered and in good standing with the Oregon Health Authority since on or before September 30, 2015, if the Director finds that the applicant demonstrates that they incurred significant financial obligations prior to that date, such as entering a lease, hiring employees, or obtaining fixtures and equipment, and had a valid City of Portland Business License on or before September 30, 2015.

- b. The medical dispensary has no outstanding compliance issues pending with the Oregon Health Authority;

- ~~c. The medical dispensary has had a valid City of Portland Business License since on or before June 30, 2015.~~


- ~~c. d.~~ The application for the medical dispensary has not submitted for or obtained a marijuana regulatory license for a marijuana retailer within 1,000ft of the location to be licensed under this exception; and

- ~~d. e.~~ The applicant meets all other requirements of this Chapter;

Passed by the Council: OCT 21 2015

Commissioner Amanda Fritz
Prepared by: Theresa Marchetti, Victor Salinas
Date Prepared: October 8, 2015

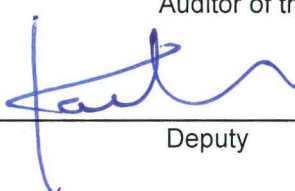
Mary Hull Caballero
Auditor of the City of Portland

By 
Deputy

~~1048~~ 1078 =

Agenda No. **187391** As Amended
ORDINANCE NO. **187391**
Title

Amend regulations for marijuana license procedures and requirements to provide a process for converting existing medical dispensaries to recreational retailers and amend hours of operation (Ordinance; amend Code Subsections 14B.130.040 D and 14B.130.080 B)

INTRODUCED BY Commissioner/Auditor: Amanda Fritz	CLERK USE: DATE FILED <u>OCT 09 2015</u>
COMMISSIONER APPROVAL	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p> <p>ACTION TAKEN: OCT 14 2015 PASSED TO SECOND READING As Amended OCT 21 2015 9:30 A.M.</p>
Mayor—Finance and Administration - Hales	
Position 1/Utilities - Fritz <u>Amanda Fritz</u>	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
BUREAU APPROVAL	
Bureau: Office of Neighborhood Involvement Bureau Head: Amalia Alarcon de Morris <u>Amalia Alarcon de Morris</u>	
Prepared by: Theresa Marchetti/Victor Salinas Date Prepared: 10-8-15	
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: required for Code Ordinances <u>Tomicka</u>	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <u>Salter</u>	
Council Meeting Date 10-14-15	

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

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman		<input checked="" type="checkbox"/>
4. Novick	<input checked="" type="checkbox"/>	
Hales	<input checked="" type="checkbox"/>	