

## ORDINANCE NO. 2016-2802

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**AN ORDINANCE REPEALING NEWBERG MUNICIPAL CODE 9.10.025  
BAN OF EARLY MARIJUANA SALES.**

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### RECITALS:

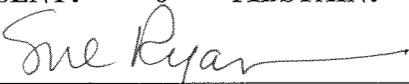
1. **WHEREAS**, the Oregon Medical Marijuana Act created a system for the transfer of medical marijuana between growers and patients and caregivers through medical marijuana dispensaries;
2. **WHEREAS**, the voters adopted Measure 91 in November 2014, which provides criminal immunity for people aged 21 or older who possess certain amounts of marijuana and directs the Oregon Liquor Control Commission to license the retail sale of marijuana;
3. **WHEREAS**, the Legislature enacted Senate Bill 460 (2015) to allow medical marijuana dispensaries to sell limited marijuana retail product starting October 1, 2015;
4. **WHEREAS**, Senate Bill 460 (2015) provides that a city may adopt ordinances prohibiting the sale of limited marijuana retail product from medical marijuana dispensaries;
5. **WHEREAS**, the City Council passed Ordinance No. 2015-2787 declaring a ban on the sale of recreational marijuana by medical marijuana dispensaries and declaring an emergency on September 21, 2015;
6. **WHEREAS**, the Oregon Liquor Control Commission has not yet issued licenses for the retail sale of recreational marijuana, but has adopted Temporary Oregon Administrative Rules, Division 25 in November 2015 on recreational marijuana;
7. **WHEREAS**, the City Council instructed staff to return with a Request for Council Action to repeal the ban on recreational marijuana sales from medical marijuana dispensaries

### THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

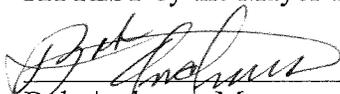
**Section 1.** Section 9.10.025, Ban of Early Marijuana Sales, is repealed.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: June 1, 2016.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 2<sup>nd</sup> day of May, 2016, by the following votes: **AYE: 7 NAY: 0 ABSENT: 0 ABSTAIN: 0**

  
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Sue Ryan, City Recorder

**ATTEST** by the Mayor this 5<sup>th</sup> day of May, 2016.

  
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Bob Andrews, Mayor