

## RESOLUTION No. 2016-3312

---

---

**A RESOLUTION INITIATING AN AMENDMENT TO THE NEWBERG MUNICIPAL CODE, TITLE 15 DEVELOPMENT CODE TO RECONCILE PLACE, TIME AND MANNER REGULATIONS FOR MEDICAL MARIJUANA GROWERS, PROCESSORS AND DISPENSARIES; AND RECREATIONAL MARIJUANA WHOLESALERS, LABORATORIES, RESEARCH CERTIFICATES AND RETAILERS**

---

---

### RECITALS:

1. The Oregon Legislature enacted four bills during the 2015 legislative session related to the Oregon Medical Marijuana Act and Measure 91. House Bill (HB) 3400 was the omnibus bill covering recreational marijuana and modifications to the medical marijuana program.
2. On September 8, 2015 the Newberg City Council was provided background information on medical and recreational marijuana at its Work Session. At its Business Session on September 8th the City Council established the Marijuana Subcommittee (Subcommittee) comprised of Councilors Rourke, Bacon and McKinney along with non-voting member Mayor Andrews.
3. The Subcommittee held four meetings. On November 19, 2015 they reviewed the similarities and differences of medical marijuana and recreational marijuana. On December 9, 2015 medical marijuana growers and processors and modifications for dispensaries were reviewed. At the January 12, 2016 meeting they reviewed recreational marijuana producers and processors. On March 3, 2016 the Subcommittee reviewed marijuana taxes and paraphernalia.
4. The Oregon Legislature met in its short session in early 2016 and passed several new bills related to marijuana. These include SB 1601 (Taxes), SB 1511, HB 4014, SB 1598 and HB 4094 (Banking). The State also took prior legislation and incorporated them into ORS 475B – Cannabis Regulation (2015 Edition).
5. The Subcommittee was reformatted after Councilor Rourke's resignation on the City Council and he was replaced with Councilor Patrick Johnson. The Subcommittee met on May 10, 2016 to discuss the new State legislation and what reconciliation needed to occur for land use place, time and manner regulations based on locally adopted ordinances and the ordinance that was pending before the City Council on May 16, 2016.
6. The Subcommittee subsequently passed a motion 3-0 directing staff to create a Request for Council Action to initiate the Development Code amendment process to reconcile Place, Time and Manner Regulations for Medical Marijuana Growers, Processors and Dispensaries; and Recreational Marijuana Wholesalers, Laboratories, Research Certificates and Retailers.

**THE CITY OF NEWBERG RESOLVES AS FOLLOWS:**

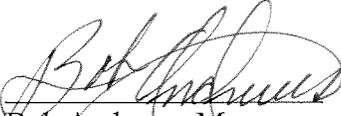
1. The City Council initiates an amendment to the Newberg Municipal Code, Title 15 Development Code to reconcile Place, Time and Manner Regulations for Medical Marijuana Growers, Processors and Dispensaries; and Recreational Marijuana Wholesalers, Laboratories, Research Certificates and Retailers. This starts the public process to study the proposed amendments.
2. By initiating this amendment, the council does not commit to taking any specific action on the proposal. It only wishes to give the amendment full consideration in a public hearing.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: July 6, 2016

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5<sup>th</sup> day of July, 2016.

  
\_\_\_\_\_  
Sue Ryan, City Recorder

**ATTEST** by the Mayor this 7<sup>th</sup> day of July, 2016.

  
\_\_\_\_\_  
Bob Andrews, Mayor