IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL
SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Ordinance Temporarily       )
Prohibiting Medical Marijuana Dispensaries      )
In The Unincorporated Area of Yamhill          )  ORDINANCE No. 888
County; Declaring an Emergency                 )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the
Board") sat for the transaction of county business in formal session on February 20, 2014,
Commissioners Allen Springer and Kathy George participating, Commissioner Mary P.
Stern being excused.

THE BOARD MAKES THE FOLLOWING FINDINGS:

WHEREAS, chapter 726, Oregon Laws 2013 (HB 3460) amended the Oregon Medical
Marijuana Act (ORS 475.300-346) to regulate the operation of medical marijuana
dispensaries ("Dispensaries") and required the Oregon Health Authority ("Authority") to
promulgate rules establishing a registration system for Dispensaries; and

WHEREAS, the Authority has issued temporary rules to regulate the operation of
Dispensaries within the State; and

WHEREAS, neither HB 3460 nor the Authority has thus far provided adequate
safeguards to regulate the operation of Dispensaries; the current regulatory program for
Dispensaries is underfunded and the deficiencies in the current law present serious public
safety concerns and endanger the health, peace and welfare of the citizens of Yamhill
County; and

WHEREAS, until such time as the issues surrounding the regulation and operation of
Dispensaries are resolved in a manner that ensures the protection of the health, safety and
welfare of the citizens of Yamhill County, the Board is opposed to allowing Dispensaries
to locate and operate in the unincorporated area of Yamhill County; and

WHEREAS, a temporary, one-year prohibition on the location and operation of
Dispensaries will allow additional time to further review and consider: (i) anticipated
revisions to HB 3460, (ii) the Authority’s final rules regulating the operation of
Dispensaries, (iii) potential changes to Yamhill County zoning ordinances; and (iv) the
ability to safely and effectively regulate the location and operation of Dispensaries in the unincorporated area of Yamhill County; NOW, THEREFORE,

THE YAMHILL COUNTY BOARD OF COMMISSIONERS ORDAIN AS FOLLOWS

Section 1. The location and operation of a Dispensary in the unincorporated area of Yamhill County is hereby prohibited for one year from the effective date of this Ordinance.

Section 2. The violation of this ordinance is hereby declared to be a nuisance under ORS 203.065 and the prohibition of Dispensaries under this ordinance is hereby added to the list of laws enforceable by County Citation Ordinance, #755, Section 4.

Section 3. This ordinance, being necessary for the health, safety and welfare of the citizens of Yamhill County and an emergency having been declared to exist, is effective immediately upon passage.

DONE at McMinnville, Oregon on February 20, 2014.

ATTEST

YAMHILL COUNTY BOARD OF
COMMISSIONERS

BRIAN VAN BERGEN
County Clerk

Chair

MARY P. STERN

Unavailable for signature

By: Deputy ANNE BRIT

Commissioner Vice-Chair ALLEN SPRINGER

FORM APPROVED BY

CHRISTIAN BOENISCH.

Yamhill County Legal Counsel

KATHY GEORGE

ORDINANCE 888
B.O. 14-101 Page 2