

ORDINANCE NO. 730

**AN ORDINANCE BANNING MARIJUANA RELATED
BUSINESSES IN THE CITY OF ATHENA**

WHEREAS, the voters of the state of Oregon and the Oregon state legislature have adopted various measures to allow for the processing, sale and use of marijuana throughout the state of Oregon;

WHEREAS, Section 4 of the Athena City Charter provides that the city shall have all powers which the constitutions, statutes, and common law of the United States and of this state expressly or impliedly grant or allow municipalities, as fully as though this charter specifically enumerated each of those powers;

WHEREAS, Section 133 of House Bill 3400 (2015) authorizes the governing bodies of cities in the state of Oregon whose county electorate voted against Ballot Measure 91 (chapter 1, Oregon Laws 2015) in November 2014 by at least 55% to prohibit certain marijuana related activities;

WHEREAS, the City of Athena is located in Umatilla County;

WHEREAS, the Umatilla County electorate voted by at least 63% of votes cast during the statewide general election held on November 4, 2014 in opposition to Ballot Measure 91; and

WHEREAS, the Athena City Council finds that marijuana constitutes a danger to the citizens of Athena, particularly the youth of the City,

NOW, THEREFORE, THE CITY OF ATHENA ORDAINS AS FOLLOWS:

Section 1. Prohibition

The City of Athena hereby prohibits the establishment of any and all of the following businesses within the City of Athena:

- (A) Marijuana processing sites registered under section 85 of House Bill 3400 (2015);
- (B) Medical marijuana dispensaries registered under ORS 475.314;
- (C) Marijuana producers licensed under section 19, chapter 1, Oregon Laws 2015;
- (D) Marijuana processors licensed under section 20, chapter 1, Oregon Laws 2015;
- (E) Marijuana wholesalers licensed under section 21, chapter 1, Oregon Laws 2015; and
- (F) Marijuana retailers licensed under section 22, chapter 1, Oregon Laws 2015.

Passed by the council and approved by the Mayor August 20, 2015