

TITLE 5

PUBLIC PEACE, HEALTH, SAFETY, AND WELFARE

SUBTITLE 4 - DRUGS AND ALCOHOL

CHAPTER 571

LIMITED MARIJUANA RETAIL PRODUCT PROHIBITION CODE

TABLE OF CONTENTS

Section Title

- 571.001 Title
- 571.002 Statement of policy and purpose
- 571.005 Background
- 571.100 Definitions
- 571.200 Prohibition and notice

Statutory References and Other Authorities

Legislative History of Chapter 571

571.001 Title

This Chapter, LCC 571.001 to 570.999, shall be know and may be cited as the “Linn County Medical Marijuana Dispensary Limited Marijuana Retail Product Prohibition Code” or simply as the “Limited Marijuana Retail Product Prohibition Code.”

[Adopted 15-336 eff 9/23/2015]

571.002 Statement of policy and purpose

It is the policy of Linn County, and the purpose of this Chapter, that in order to protect the public peace, health, safety, and welfare of citizens of and persons within Linn County a Code be enacted prohibiting the establishment and operation of limited marijuana retail product sales at

medical marijuana dispensaries in the unincorporated area of Linn County.

[Adopted 15-336 eff 9/23/2015]

571.005 Background

(A) The Oregon Legislature enacted Enrolled Senate Bill 460 (2015) which allows medical marijuana dispensaries to sell limited marijuana retail products to persons at least 21 years of age, beginning October 1, 2015.

(B) Subsection (3) of Section 2 of Enrolled Senate Bill 460 (2015) provides that a “county may adopt ordinances prohibiting the sale of limited marijuana retail product . . . in the . . . unincorporated area subject to the jurisdiction of the county.”

(C) The Linn County Board of Commissioners believes it is in the best interests of the public health, safety and welfare of the citizens of and persons within Linn County to prohibit the sale of limited marijuana retail products through medical marijuana dispensaries within the jurisdictional boundaries of Linn County.

[Adopted 15-336 eff 9/23/2015]

571.100 Definitions

(A) “**Board**” means the Board of County Commissioners for Linn County.

(B) “**County**” means Linn County.

(C) “**Limited marijuana retail product**” means:

- (1) The seeds of marijuana;
 - (2) The dried leaves and flowers of marijuana;
- and

(3) A marijuana plant that is not flowering

(D) “**Marijuana**” means the plant Cannabis family Cannabaceae, any part of the plant family

Cannabis family Cannabaceae, and the seeds of the plant Cannabis family Cannabaceae.

(E) “**Medical marijuana dispensary**” means an entity registered with the Oregon Health Authority under ORS 475.314.

[Adopted 15-336 eff 9/23/2015]

571.200 Prohibition and notice

(A) In accordance with Subsection (3) of Section 2 of Enrolled Senate Bill 460 (2015), the sale of limited marijuana retail products through medical marijuana dispensaries is prohibited in the area subject to the jurisdiction of Linn County.

(B) The text of this Code and enacting ordinance shall be provided to the Oregon Health Authority and the Oregon Liquor Control Commission.

[Adopted 15-336 eff 9/23/2015]

Statutory References and Other Authorities:

ORS 203; SB 460 (2015)

Legislative History of Chapter 571:

Adopted 2015-336

Amendments to 2015-336:

#1 none
