BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR TILLAMOOK COUNTY, OREGON

FILED
JAN - 6 2016
TAMI O'NEIL
COUNTY CLERK

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| In the Matter of Repealing Tillamook County Ordinance #76 | ) ) ) | ORDINANCE #79 |

The Board of Commissioners for Tillamook County ("Board") ORDAINS as follows:

Section 1. Findings

(a) On April 16, 2014 the Board enacted Ordinance #76. Ordinance #76 established a moratorium on medical marijuana facilities in any area subject to the jurisdiction of Tillamook County. The moratorium was "effective until May 1, 2015, unless rescinded sooner."

(b) On April 29, 2015 the Board amended Ordinance #76 to extend the moratorium "until January 31, 2016 unless rescinded sooner."

(c) The reasons for the enactment of Ordinance #76 and its amendment no longer exist. The state has enacted rules and regulations pertaining to recreational and medical marijuana and the Board has decided that it will not enact time, place and manner regulations concerning medical or recreational marijuana at this time.

Section 2. Repeal of Ordinance #76

(a) Ordinance #76, dated April 16, 2014, Amendment #1 dated April 29, 2015 and all other ordinances or orders or parts thereof, in conflict herewith are hereby repealed.

Section 3. Severability

(a) If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or unlawful, such decision shall not affect the remaining portions of this ordinance. The Board hereby declares that it would have passed each phrase thereof, irrespective of the fact that any one or more of such provisions be declared unconstitutional or unlawful.

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Section 4. Effective Date

(a) This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

Date of First Reading: 12-23-15.

Date of Second Reading: 01-06-16.

ADOPTED this 6th day of January, 2016.

| BOARD OF COUNTY COMMISSIONERS FOR TILLAMOOK COUNTY, OREGON | Aye | Nay | Abstain/Absent |
|---|---|---|---|
| Mark Labhart, Chair | ✓ | | |
| Bill Baertlein, Vice-Chair | ✓ | | |
| Tim Josi, Commissioner | ✓ | | |

ATTEST: Tassi O'Neil, County Clerk

BY: Susan L. Becraft
Special Deputy

APPROVED AS TO FORM:

William K. Sargent, County Counsel

BOARD OF COUNTY COMMISSIONERS TILLAMOOK COUNTY STATE OF OREGON