

**CITY OF PACIFIC, WASHINGTON**

**ORDINANCE NO. 13-1843**

**AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON, EXTENDING THE MORATORIUM ON THE ESTABLISHMENT OF MEDICAL MARIJUANA COLLECTIVE GARDENS; ESTABLISHING A MORATORIUM ON THE PROCESSING, PRODUCTION, AND DISPENSING OF MEDICAL MARIJUANA; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING THAT THE MORATORIUM WILL SUNSET WITHIN SIX (6) MONTHS OF THE DATE OF ADOPTION**

**WHEREAS**, the City Council of the City of Pacific passed Ordinance 1804 on August 8, 2011, which established a six (6) month moratorium on the issuance of permits or licenses for medical marijuana collective gardens, and;

**WHEREAS**, the City Council of the City of Pacific passed Ordinance 12-1823 on February 13, 2012, which established a twelve (12) month moratorium on the issuance of permits or licenses for medical marijuana collective gardens, and;

**WHEREAS**, the moratorium was established in order to allow the City of Pacific Planning Commission to plan, process and provide the City Council with draft zoning regulations that would address the issues of permitting medical marijuana in use categories that would be compatible with the permitted uses of the zone(s), and;

**WHEREAS**, recent amendments to Chapter 69.51A RCW, relating to the medical use of marijuana (cannabis), have expanded the scope of certain activities involving the use of marijuana for medical purposes that are permitted under state law, and;

**WHEREAS**, the Planning Commission has not yet provided the City Council with draft regulations, and;

**WHEREAS**, the City Council held a public hearing on February 25, 2013 to consider an extension of the moratorium for medical marijuana collective gardens, and establish a moratorium on the production, processing and dispensing of Medical Marijuana, and was presented with a plan that will provide the Council with the desired draft zoning regulations, and;

**NOW, THEREFORE, THE CITY COUNCIL OF PACIFIC, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

authorized and directed to implement the plan attached herein as "Attachment A".

**Section 8. Severability.** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 9.** This ordinance shall be in full force and take effect five (5) days after its publication according to law.

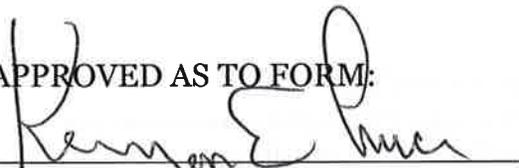
PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25<sup>th</sup> DAY OF FEBRUARY, 2013.

CITY OF PACIFIC

  
\_\_\_\_\_  
Cy Sun, Mayor

ATTEST:

  
~~Patricia J. Kirkpatrick, MMC, City Clerk~~ *MMC, Acting City Clerk* *2-27-13*

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Kenyon Luce, City Attorney

## Council

**June 3, 2013** Council Workshop and Regular Meeting

Staff: report on public comments/ Planning Commission efforts, Commission Member participation

**PRELIMINARY FORMAL REVIEW AND ADOPTION SCHEDULE –**

**May 28, 2013** – Planning Commission Public Hearing on Draft Amendments  
(Continues, if needed)

**July 1 or July 15, 2013** - City Council Reviews Planning Commission Recommendation.

**July 8 or July 22, 2013** - City Council Adopts Amendments and Lifts Moratorium or refers the matter back to the Planning Commission and extends the Moratorium again.