



*Where Life is Sweet*

## Marijuana and Smoke Shop Guidelines

*Fall 2016*

### **Medical and Recreational Marijuana**

Although the state of Oregon legalized the sale of recreational marijuana through the adoption of Ballot Measure 91 in 2014, the legislature passed HB 3400 in 2015, giving individual communities the option to opt-out of participating in recreational and medical marijuana retail sales. The citizens of Hermiston chose by popular vote to take advantage of a local prohibition in November 2016.

Under the local prohibition, it is prohibited to sell, warehouse, manufacture, process, or distribute medical and recreational marijuana in the city of Hermiston. It is not legal anywhere in Oregon to smoke or consume marijuana in public.

The state of Oregon has set aside personal use provisions which are not included within the city's commercial prohibitions. Although the city has adopted a local prohibition, it is legal to:

- Grow up to four plants on your private residence
- Possess up to 8 ounces in a home
- Possess up to one ounce on your person

Source:

[http://www.oregon.gov/olcc/marijuana/Pages/Frequently-Asked-Questions.aspx#Personal\\_Use](http://www.oregon.gov/olcc/marijuana/Pages/Frequently-Asked-Questions.aspx#Personal_Use)

### **Smoke Shops and Paraphernalia**

Stores selling glass pipes or other items used in the consumption of tobacco and marijuana are limited by §132.03 of the municipal code. Sale of these items must be within a commercial zone and no closer than 1,000 feet to any public or private school. See the reverse page for a map detailing commercial areas which are more than 1,000 feet from school properties.

### **Hookah**

Oregon has statewide rules for hookah lounges. A hookah lounge may only be opened in Oregon if it:

- Seats four or fewer persons
- Does not sell food, beverages, or alcohol
- Is a standalone building not attached to any other business or residence
- Allows smoking only for sampling purposes prior to a retail purchase

Source: ORS 433

