

Prospective Petition

Local Initiative and Referendum

SEL 370rev. 01/22 ORS 250.045,
250.165, 250.265, 255.135

Warning Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years. Each chief petitioner is required to provide, on the same form, their name, residence address, contact phone number and signature attesting that the information on the form is true and correct. Changes to the information provided for a chief petitioner or to the circulator pay status must be reported to the filing officer no later than the 10th day after a chief petitioner first has knowledge or should have had knowledge of the change. At least one original chief petitioner must remain throughout the petition process or the petition is void.

Petition Information	Type
This filing is an <input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Initiative <input type="checkbox"/> Referendum	


Jurisdiction	Some Circulators may be Paid
<input type="checkbox"/> County <input checked="" type="checkbox"/> City <input type="checkbox"/> District	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Title Subject or name you give your petition. Measure to Allow Marijuana Retailing in the City of Hermiston

Petition Correspondence
Select the method of receiving notices or other correspondence from the Filing Officer. <input type="checkbox"/> Correspondence Recipient <input checked="" type="checkbox"/> Email Chief Petitioners <input type="checkbox"/> Mail Chief Petitioners

Recipient Information	
Name Jeremy Archie	Email Address mrjeremyarchie@gmail.com

Chief Petitioner Information
Only chief petitioner's residential city and state will appear on petition sheets. → By signing this document, I hereby state that all information on the form is true and correct and attest that no circulators will be compensated money or other valuable consideration on this petition based on the number of signatures obtained by the circulator.

Name Jeremy Archie	Contact Phone 206.471.0642
Residence Address street, city, state, zip PO Box 3519 NE 15th Ave #261, Portland, OR 97212	
Mailing Address if different	Email Address mrjeremyarchie@gmail.com
Signature  Jeremy Archie (Apr 16, 2024 13:27 MDT)	Date Signed 04/16/24

Name	Contact Phone
Residence Address street, city, state, zip	
Mailing Address if different	Email Address
Signature	Date Signed

Name	Contact Phone
Residence Address street, city, state, zip	
Mailing Address if different	Email Address
Signature	Date Signed

Chapter 157.041 OUTLYING COMMERCIAL ZONE (C-2) is amended to add:

- (B)
 - (12) Marijuana Retail Facility subject to the requirements of 157.154.

Chapter 157.151 PROHIBITED ACTIVITIES is amended to read:

- (B) *Marijuana related activities.* The following activities shall be prohibited activities in the R-3, R-4, C-1, C-2, DCO, M-1, and M-2 zones:
 - (1) Marijuana processing sites;
 - (2) Medical marijuana dispensaries registered under ORS 475.314;
 - (3) Marijuana producers licensed under Section 19, Chapter 1, Oregon Laws 2015;
 - (4) Marijuana processors licensed under Section 20, Chapter 1, Oregon Laws 2015;
 - (5) Marijuana wholesalers licensed under Section 21, Chapter 1, Oregon Laws 2015;
 - (6) Marijuana retailers licensed under Section 22, Chapter 1, Oregon Laws 2015, except as provided in Chapter 157.041(B)(12); or
 - (7) Any combination of the entities described in this section.

The Hermiston Code is amended to add a new Chapter 157.154, which shall read:

Chapter 157.154 MARIJUANA RETAILING

- (A) *Allowed licensed marijuana operations and activities.* The establishment and maintenance of only the following licensed marijuana operations and activities are allowed within the jurisdiction of the City of Hermiston, subject to the standards of this chapter:
 - (1) Marijuana Retail Facility licensed under ORS 475C.097 in the C-2 zone.
- (B) *Definitions.*
 - (1) “Marijuana Retail Facility” means any marijuana business licensed by the Oregon Liquor and Cannabis Commission that is licensed to sell marijuana directly to a consumer in the State of Oregon.
- (C) *Retail Marijuana Tax.* The City imposes a tax on each marijuana item sold to a consumer within the City by a Marijuana Retail Facility, to be used for general government purposes. The tax shall equal three (3) percent of the retail sale price of each marijuana item sold. The City shall enter into an agreement with the Oregon Department of Revenue for collection and disbursement of the Retail Marijuana Tax.
- (D) *Location Restrictions.* The premises of a Marijuana Retail Facility may not be located:
 - (1) Except as provided in ORS 475C.101, within 1,000 feet of:
 - i. A public elementary or secondary school for which attendance is compulsory under ORS 339.020; or
 - ii. A private or parochial elementary or secondary school, teaching children as described in ORS 339.030.
 - iii. For purposes of determining the distance between a Marijuana Retail Facility and a school referenced in subsection (1) of this section, “within 1,000 feet” means a straight line measurement in a radius extending for 1,000 feet or less in any direction from the closest point anywhere on the boundary line of the real property comprising a school to the closest point of the licensed premises of a Marijuana Retail Facility. If any portion of the licensed premises is within 1,000 feet of a

school as described in subsection (1) of this section, a Marijuana Retail Facility will not be licensed.

- (2) Within 1,000 feet of another Marijuana Retail Facility. For purposes of determining the distance between an existing and proposed Marijuana Retail Facility as referenced in subsection (2) of this section, “within 1,000 feet” means a straight line measurement in a radius extending for 1,000 feet or less in any direction from the closest point of the licensed premises of the existing Marijuana Retail Facility to the closest point of the licensed premises of the proposed Marijuana Retail Facility. If any portion of the proposed licensed premises is within 1,000 feet of an existing Marijuana Retail Facility as described in subsection (2) of this section, the proposed Marijuana Retail Facility will not be permitted.

(E) *Other Restrictions.*

- (1) A facility shall be designed so that all transactions occur within the interior of the facility, out of the view of the public. All doorways, windows and other openings shall be located, covered or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area. Walk-up windows, drive-through windows or other outside delivery systems are prohibited except as described in OAR 845-025-2885.
- (2) All Marijuana Retail Facilities shall be required to provide parking as per Chapter 157.75 as follows: One space per 200 square feet of floor area.
- (3) A Marijuana Retail Facility must use an air filtration and ventilation system which, to the greatest extent feasible, confines all objectionable odors associated with the facility to the premises. For the purposes of this provision, the standard for judging “objectionable odors” shall be that of an average, reasonable person with ordinary sensibilities after taking into consideration the character of the neighborhood in which the odor is made and the odor is detected.
- (4) A Marijuana Retail Facility must be located in a permanent building, not in a trailer, cargo container or motor vehicle. Any manufactured building shall be a commercial grade design and construction certified as applicable by the State of Oregon.
- (5) All individuals must present a valid government-issued identification upon entry into a Marijuana Retail Facility to demonstrate that they are at least 21 years of age, or 18 years of age with a valid applicable Oregon Health Authority registry identification card.
- (6) All Marijuana Retail Facilities must install and maintain all security and surveillance systems required by the Oregon Liquor and Cannabis Commission.
- (7) Prior to commencing business operations, a Marijuana Retail Facility must have a current business license issued by the City of Hermiston under Chapter 119 and be licensed as a Marijuana Retailer by the Oregon Liquor and Cannabis Commission.
- (8) All Marijuana Retail Facilities shall be approved as conditional uses subject to the approval process and requirements of Chapter 157.205 through 157.210.
- (9) A Marijuana Retail Facility must install and maintain adequate outdoor lighting over each exterior exit.
- (10) No Marijuana Retail Facility shall permit consumers to be present on the licensed premises or sell to a consumer between the hours of 10 p.m. and 7 a.m. the following day.
- (11) All Marijuana Facilities must comply with all other City of Hermiston laws and regulations applicable to retail businesses within the City, including but not limited to applicable building and fire codes, and must at all times maintain compliance with all

laws and regulations administered by the Oregon Liquor and Cannabis Commission, the Oregon Health Authority, the Oregon Department of Agriculture, the Oregon Department of Revenue, and any and all state and local agencies that regulate any aspect of Oregon's marijuana laws.