

CITY of PRINEVILLE
CHAPTER 97: MARIJUANA

97.01 TITLE

This chapter shall be referred to and cited as the “Personal” Marijuana Ordinance” of the City.

97.02 DEFINITIONS

For the purposes of this chapter, the following definitions shall be used as well as those listed in State law pertaining to marijuana.

MARIJUANA – means all parts of the plant Cannabis family Moraceae, whether growing or not, other than marijuana extracts.

MARIJUANA EXTRACT – means a product obtained by separating resins from marijuana by solvent extraction, using solvents other than vegetable glycerin, such as butane, hexane, isopropyl alcohol, ethanol, and carbon dioxide.

MARIJUANA PRODUCTS – means products that contain marijuana or marijuana extracts and are intended for human consumption.

MATURE MARIJUANA PLANT – means any marijuana plant that is not an immature marijuana plant.

IMMATURE MARIJUANA PLANT – means a marijuana plant with no observable flowers or buds.

PERSON IN CHARGE OF PROPERTY - An agent, occupant, lessee, contract purchaser or other person having possession or control of property or the supervision of any construction project.

PERSON RESPONSIBLE - The person responsible for abating a nuisance shall include the following.

- (1) The owner.
- (2) The person in charge of property, as defined in this section.
- (3) The person who caused to come into or continue in existence a nuisance as defined in this chapter or another ordinance of this city.

97.03 GROWING

(A) The number of marijuana plants shall not exceed the limits mandated by the State of Oregon.

(B) All marijuana plants shall be grown in a structure that can and shall be secured by a lock, such as a home or other structure such as a greenhouse.

(C) All lighting shall be shielded and directed away from neighboring properties or rights-of-way.

97.04 PROCESSING

(A) No person shall produce marijuana extract within or adjacent to real property of a residential use.

97.05 POSSESSION

(A) The possession of marijuana shall not exceed the limits mandated by the State of Oregon.

97.06 PENALTY (Planning Commission recommends fines be similar to violations of OLCC liquor regulations)

(A) Any person or persons who shall be convicted or otherwise guilty of a violation of any of the provisions of this chapter, shall be fined not less than \$10, nor more than \$50 for the first offense, and for the second and all subsequent offenses, not less than \$25, nor more than \$500.

(1) All persons responsible shall be liable for any injuries resulting from a violation of any of provisions of this chapter.

(B) Each day's violation of a provision of this chapter constitutes a separate offense.

(1) The abatement of the violation is not a penalty for violating this chapter, but is an additional remedy. The imposition of a penalty does not relieve a person of the duty to abate the violation; however, abatement of a violation within ten days of the date of notice to abate, or if a written protest has been filed, then abatement within ten days of Council determination that a violation exists, will relieve the person responsible from the imposition of any fine or imprisonment under division (A) of this section.