

**ORDINANCE NO. 425**

**AN ORDINANCE REPEALING ORDINANCE NO. 423**

**WHEREAS**, on October 30, 2014, the Drain City Council adopted Ordinance No. 423, an ordinance imposing a tax on sales of medical and recreational marijuana in the City of Drain; and

**WHEREAS**, following the City's adoption of Ordinance No. 423, the Oregon Legislature adopted HB 3400 (2015), Chapter 614, Oregon Laws 2015, which allows cities in Oregon to impose a 3% tax on retail recreational marijuana sales, if that 3% tax is approved by the voters of the City at the general election in November of 2016; and

**WHEREAS**, HB 3400 prohibits cities from imposing all other taxes and fees on the production, processing, or sale of marijuana; and

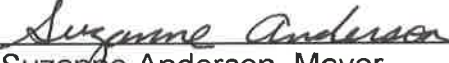
**WHEREAS**, Ordinance No. 423 is now preempted by state law and is unenforceable;

**NOW, THEREFORE, THE CITY OF DRAIN ORDAINS AS FOLLOWS:**

**Section 1.** Ordinance No. 423 is hereby repealed.

**Section 2.** This ordinance shall take effect on the 30<sup>th</sup> day after adoption by the Council and signature by the Mayor.

**PASSED BY CITY COUNCIL OF THE CITY OF DRAIN, DOUGLAS COUNTY,  
OREGON, THIS 11<sup>th</sup> DAY OF JANUARY, 2016.**

  
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Suzanne Anderson, Mayor

ATTEST:

  
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Carl A. Patenode, City Administrator