



RESOLUTION NO. 6733

A RESOLUTION SETTING A FEE FOR MARIJUANA ESTABLISHMENTS

WHEREAS, Chapter 5.08.025(3) of the Albany Municipal Code (AMC) states “no such [medical marijuana] facility nor any person operating as an employee or agent of such facility shall locate or operate a medical marijuana facility or dispense medical marijuana without an annual payment to the City of Albany in an amount to be determined by resolution to defray law enforcement costs associated with reasonable inspections, oversight, and enforcement actions associated with the operation of medical marijuana facilities within the jurisdictional limits of the City of Albany.”; and;

WHEREAS, Chapter 5.08.026(2)(c) of the AMC states “no such marijuana use facility, marijuana retail facility, nor any person operating as an employee or agent of such facility shall locate or operate a marijuana use facility or dispense marijuana without an annual payment to the City of Albany in an amount to be determined by resolution as a fee to defray law enforcement costs associated with reasonable inspections, oversight, and enforcement actions associated with the operation of marijuana use facilities within the jurisdictional limits of the City of Albany.”; and

WHEREAS, Chapter 3.06.030 of the AMC imposes a tax of three percent on the retail sale price of marijuana items in accordance with ORS 475B.491; and

WHEREAS, ORS 475B.491(4) limits the imposition of local marijuana related taxes and fees to three percent; and

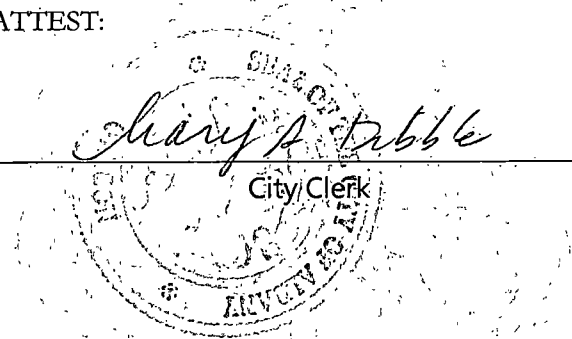
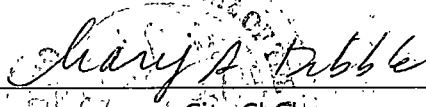
WHEREAS, the City Council has determined that it is important to document this decision via resolution.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the annual fee pursuant to AMC Chapters 5.08.25(3) and 5.08.06(2c) be set at \$0.

DATED AND EFFECTIVE THIS 22ND DAY OF AUGUST 2018.


Mayor

ATTEST:

City Clerk