

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 239**

AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON EXTENDING FOR SIX MONTHS A MORATORIUM ON THE ACCEPTANCE OF OR PROCESSING OF APPLICATIONS, OR ISSUANCE OF PERMITS OR LICENSES, AND APPROVALS, AND USES OR ACTIVITIES ASSOCIATED WITH THE PRODUCING, PROCESSING, OR RETAILING OF MARIJUANA AND MARIJUANA-INFUSED PRODUCTS.

WHEREAS, the City has prepared and is implementing a Comprehensive Plan and Development Regulations in accordance with the provisions of the Washington State Growth Management Act; and

WHEREAS, the City initiated and successfully completed a process in 2015 to update its Comprehensive Plan in accordance with the provisions of the Washington State Growth Management Act; and

WHEREAS, the City is still in the process of reviewing and updating its Development Regulations in accordance with the provisions of the updated Comprehensive Plan and the provisions of the Washington State Growth Management Act; and which necessitates an extension of the moratorium; and

WHEREAS, the City is authorized pursuant to RCW 35A.63.220 and RCW 36.70A.390 to renew an existing moratorium for up to six-months as long as the City adopts findings of facts and holds a public hearing before renewing a moratorium; and

WHEREAS, the City Council adopted Ordinance No. 233 on October 18, 2016, that imposed a six-month moratorium prohibiting the acceptance of or processing of applications, or issuance of permits or licenses, and approvals, and uses or activities associated with the producing, processing, or retailing of marijuana and marijuana-infused products, and such ordinance included findings of fact to support imposition of the moratorium; and

WHEREAS, the City Council held a public hearing on November 1, 2016 regarding the moratorium imposed by Ordinance No. 233; and

WHEREAS, the City Council held a public hearing on April 18, 2017 regarding this Ordinance and the extension of the moratorium imposed by Ordinance No. 233; and

WHEREAS, the moratorium should be extended or cancelled no later than April 18, 2016; and

WHEREAS, an extension of the moratorium is necessary in order to provide the City with additional time to complete the update of the City's Development Regulations in

accordance with the City's Comprehensive Plan and the Washington State Growth Management Act; and

WHEREAS, a renewal of the moratorium is in the best interests of the City and is needed to preserve the public health, safety, and welfare of the residents of the City.

NOW, THEREFORE, the City Council of the City of Liberty Lake, Washington, do ordain as follows:

Section 1. Findings of Fact. The City Council adopts the above recitals as findings of fact in support of this Ordinance and those also set forth in Ordinance No. 233.

Section 2. Moratorium Extension. The City Council hereby extends for six additional months from the expiration of the current six-month moratorium, imposed by Ordinance No. 233, the acceptance of or processing of applications, or issuance of permits or licenses, and approvals, and uses or activities associated with the producing, processing, or retailing of marijuana and marijuana-infused products.

Section 3. Term of Moratorium. The moratorium established by this Ordinance shall be in effect for a period of six (6) months from April 18, 2017, unless repealed, extended, or modified by the City Council after a public hearing and the entry of appropriate findings of fact as required by RCW 35A.63.220 and/or RCW 36A.70A.390.

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or unconstitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 5. Effective Date. This Ordinance, as a public emergency ordinance, necessary for the protection of the public health, public safety, and public property, or public peace, shall take effect and be in full force and effect immediately upon adoption. Pursuant to *Matson v. Clark County Bd. Of Com'rs*, 79 Wash.App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the "WHEREAS" clauses above, all of which are adopted by reference as set forth herein. This Ordinance shall become effective immediately upon passage. The City Clerk is directed to publish a summary of this Ordinance, as applicable, at the earliest publication date.

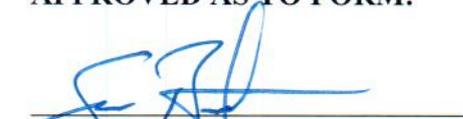
Passed by the City Council this 18th day of April, 2017.


MAYOR STEVE PETERSON

ATTEST:


ANN SWENSON, City Clerk

APPROVED AS TO FORM:


SEAN P. BOUTZ, City Attorney

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CERTIFICATION

I, Ann Swenson, the undersigned City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Ordinance is a full, true, and correct copy of Ordinance No. 239 duly adopted at a regular meeting of the City Council of said City, duly and regularly held at a the regular meeting place thereof on April 18, 2017 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote: unanimous.

AYES, and in favor thereof: Mayor Pro Tem Brickner, Council Members, McGuire, Severs, Dunne, Moore, Kaminskis, and Langford.

NAYS: None.

ABSENT: None.

ABSTAINED: None.

CITY OF LIBERTY LAKE



CITY CLERK