

**CITY OF BUCKLEY, WASHINGTON**

**ORDINANCE NO. 13-14**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, ADOPTING AN AMENDMENT TO A SIX-MONTH INTERIM ORDINANCE ESTABLISHING A 5,000 FOOT SEPARATION REQUIREMENT FOR RECREATIONAL MARIJUANA ESTABLISHMENTS IN ORDER TO LIMIT THE ORDINANCE TO RECREATIONAL MARIJUANA RETAIL SALES ESTABLISHMENTS.**

**WHEREAS**, on September 9, 2014, the Buckley City Council adopted Ordinance No. 08-14, which adopted an interim ordinance imposing a 5,000 foot separation requirement on all recreational marijuana establishments; and

**WHEREAS**, on October 28, 2014, the Buckley City Council held a public hearing on Ordinance No. 08-14 and the Council determined that it only intended the interim ordinance to apply to retail establishments,

**NOW THEREFORE THE CITY OF BUCKLEY, PIERCE COUNTY, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Section 2 of Ordinance No. 08-14 is hereby amended as follows, with revisions identified in track change:

That pursuant to the provisions of RCW 35A.63.220, an interim ordinance is hereby enacted requiring that all establishments involved in the retail sale of recreational marijuana shall be separated from all other such establishments by at least 5,000 linear feet. If more than one business seeks to establish a recreational marijuana facility for retail sales in the City of Buckley at the same time, the first business to file a complete business license application shall take priority for assessing compliance with the 5,000 foot requirement, i.e. all subsequent recreational marijuana retail sales businesses will have to be located more than 5,000 feet from the first business to file a complete business license application.

**Section 2.** That as required by RCW 35A.63.220, the City Council hereby refers this interim ordinance amendment to the Planning Commission to make a recommendation for permanent zoning regulations, if any, regulating recreational marijuana retail sales facilities that are authored by I-502.

**Section 3.** That this ordinance shall be transmitted to the Washington State Department of Commerce, pursuant to RCW 36.70A.106.

**Section 4. Effective Date.** This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

**Section 5.** If any provision of this ordinance is held invalid, such invalidity shall not affect any other provision, or the applications thereof, which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are to be declared severable.

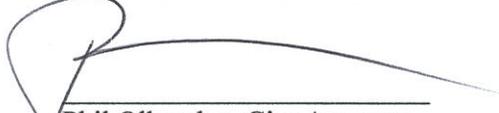
Introduced, passed, and approved by at least five members of the Buckley City Council on this 12th day of November, 2014.

  
\_\_\_\_\_  
Mayor Pat Johnson

Attest:

  
\_\_\_\_\_  
Joanne Starr, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Phil Olbrechts, City Attorney

PUBLISHED: November 19, 2014

EFFECTIVE: November 24, 2014