

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 19-80

Resolution Amending Resolution 11.71 Yellowstone County Medical Marijuana Providers Regulations

WHEREAS, on August 16, 2011 the Yellowstone County Board of County Commissioners adopted Resolution 11.71. Resolution 11.71 incorporated the Yellowstone County Medical Marijuana Providers Regulations (Regulations). The Regulations in part prohibited medical marijuana providers and marijuana-infused providers in Yellowstone County from operating within 1000 feet of a school, daycare center, child care center, school leased property, public recreation centers, public parks, churches, synagogues or other places of worship or youth centers, (protected facilities). The full text of the Regulations can be found attached to Resolution 11.71.

WHEREAS, the 1000-foot distance rule, found in the Regulations was not clearly defined in Resolution 11.71 rendering the 1000-foot rule subject to arbitrary and different interpretations.

WHEREAS, the Yellowstone County Board of County Commissioners has determined that amending Resolution 11.71 to add a distance definition to the Yellowstone County Medical Marijuana Providers regulations is necessary to protect and preserve the public peace, health, safety and welfare.

WHEREAS, the Yellowstone County of County Commissioners now amends the Regulations found in Resolution 11.71 by adding a 1000-foot distance definition to the Definitions section of the Regulation in order to provide for a clear and consistent meaning of the distance prohibition found in the Regulations.

NOW THEREFORE, BE IT RESOLVED,


The Yellowstone County Board of County Commissioners amends the Medical Marijuana Providers Regulations found in Resolution 11.71 to define the 1000 foot rule as follows:

1000 feet. When establishing the distance between a medical marijuana provider or marijuana – infused provider and a protected facility or facilities, the distance shall be measured linearly and shall be the shortest distance between the closest point of the property lines of the medical provider or marijuana –infused provider and the protected facility or facilities.

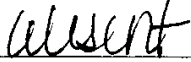
The amended definition shall be incorporated into the definition section of the Yellowstone County Medical Marijuana Providers Regulations, effective immediately and shall continue until otherwise amended or repealed.

Passed and adopted on the 5th day of November, 2019.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA



Denis Pitman, Chairman



Donald W. Jones, Member

ATTEST:



John Ostlund, Member



Jeff Martin, Clerk and Recorder